

Senate Committee on Education
March 6, 2014

**Testimony of Deputy State Superintendent Dr. Mike Thompson
and Assistant State Superintendent Dr. Sheila Briggs on 2013 Senate Bill 619**

I want to thank Chairman Olsen and members of the committee for the opportunity to testify before you today in opposition to Senate Bill 619 (SB 619). My name is Mike Thompson and I am the Deputy State Superintendent at the Department of Public Instruction (DPI) and with me today is Sheila Briggs, Assistant State Superintendent for the Division of Academic Excellence, which oversees academic standards in most of the 23 subject areas in which we have state standards. While Sheila will go into detail about the significant problems and challenges with the bill, I'd like to open with some overarching comments about this legislation.

Quite simply, SB 619 is bad for kids. Instead of working together on how we can ensure all of our kids are prepared to succeed after high school, this bill creates uncertainty for our students, parents, and educators about what students should know and be able to do at each grade. It puts the state on track to repeal the Common Core State Standards in English Language Arts and Mathematics by early next year just as parents and educators are preparing students for new state tests. It creates ambiguity and uncertainty about how we will assess student progress on what could be constantly changing standards.

This bill pulls the rug out from under students, schools, and communities. It sets the stage to throw out the hard work our schools, our educators, our parents, and our kids have done over the past four years working to implement the Common Core. This includes thousands of hours in staff time and professional development programs, millions of dollars spent by districts to provide professional development and training for educators, millions of dollars spent to adopt and implement the Common Core aligned assessments, not to mention the millions of new dollars that will have to be spent to procure, develop, pilot, test, and review new assessments tied to any new standards the legislative committee decides to establish.

Wisconsin educators overwhelmingly support the Common Core. The Common Core provide a framework for educators and parents to better gauge student progress. They are a vast improvement over Wisconsin's previous model academic standards, and educators across the state are already seeing positive changes in our schools as a result. You will hear today, as the Select Committees on the Common Core heard before, testimony after testimony from schools about how they are already seeing improved student outcomes as a result of this work, and how they do not support changing course.

This bill politicizes something that should be apolitical – what all kids in our state should know and be able to do when they graduate from high school. The proposed Standards Board and the legislative process for standards adoption are partisan political processes that, at the end of the day, put politicians in the legislature in charge of writing academic content standards.

DPI has always supported a process of standards review and revision and has a process in place that balances the needs of the field, the capacity of our schools, and new advances in content area research. SB 619 does not improve this process. Instead it creates significant legal, technical, and implementation issues that will render the standards approval process more opaque, politicized, and convoluted. Moreover, it will create a morass in terms of its effects on education requirements in statute and its effect on almost all the work districts and the state are doing in education.

Let's be clear about the elephant in the room. There is no doubt that this bill is intended to repeal the Common Core State Standards. Otherwise, why create a board to ensure that those calling for new Wisconsin standards have the majority? Why send the standards – which are not administrative rules – to the Joint Committee for the Review of Administrative Rules (JCRAR), whose co-chair, and author of this bill, has publicly called for the repeal of the Common Core? Would anything less than full replacement of the Common Core satisfy those who are opposed?

Abandoning the Common Core now abandons the nearly four years of work that students, parents, educators, and others have put into reaching these higher, more rigorous standards that better prepare students for college and career. Abandoning the Common Core would upend educator effectiveness systems, standards in other subject areas, school and district report cards, the countless hours of work done by higher education to align their educator preparation program curriculum, district and state staff development efforts to implement the standards, and the curriculum and materials districts are using.

Abandoning the Common Core would require the development of new tests. This comes on the heels of the Legislature and Governor explicitly requiring the Department to develop exams aligned to the Common Core as part of 2011 Act 20, the 2011-13 budget bill, and providing \$12 million in funding just eight months ago as part of the 2013-15 biennial budget to fund the state's Common Core aligned assessments – Smarter Balanced and the ACT. Is it any wonder why our educators are frustrated and outright confused by the mixed messages being sent?

Simply put, SB 619 is not about what's best for our kids, and not about what's best for our state.

I'd now like to turn things over to Sheila Briggs, who will provide additional context about the significant legal, technical, and implementation issues presented by the bill.

Wisconsin's existing standards review process has been in place for nearly 20 years and has been used with creating and revising 23 different sets of student standards. Whether or not you agree with the process that we have used, SB 619 creates a much less rigorous process, and one that puts legislators in the position to write academic standards.

First, SB 619 creates a Model Academic Standards Board that is not required to have any expertise or knowledge in model academic standards. The bill creates a board of 13 individuals appointed in a partisan way to determine standards in all core content areas in our public schools. Yet, there is no assurance in this bill that the Board members have any knowledge, background, or expertise in the area of standards, standards writing, or standards vetting.

The makeup of the Board itself raises questions. For instance:

- There is only one professor of higher education. Which subject is that person supposed to know? Should a math professor be weighing in on the validity of the social studies standards? Who is weighing in on whether the standards are “college ready”?
- There are no representatives from the business community. Who is weighing in on whether the standards are “career ready”?
- There is no specific representation for students with disabilities, English Language Learners, gifted and talented students, and other unique populations? Do the authors intend for the standards to be vetted by these groups?
- There are two representatives from private voucher schools – a parent and a teacher. As a result, voucher schools have more representation than higher education, business, and school boards. Why do private schools have such an outsized voice?
- There is no representation from middle schools – why is that?

The bill intentionally minimizes the role of the State Superintendent, the constitutionally elected officer charged with overseeing education in Wisconsin, in the Model Academic Standards Board. The bill very clearly stacks the deck so that the Governor and Legislature have more appointments than the State Superintendent, requires the Governor to appoint a co-chair, and gives more authority to the Governor’s co-chair than to the State Superintendent. We object to a process that removes the constitutional officer vested with overseeing education from leading the effort to develop academic standards.

SB 619 places the responsibility for writing standards with subject-specific subcommittees, yet these subcommittees lack the needed depth and breadth of expertise to write standards under the bill. The subcommittees charged with writing the actual standards are limited to seven voting members, and there is no requirement under the bill that they have any actual expertise in the content area or in developing academic standards. The bill permits, but does not require, the appointment of an additional four nonvoting members who have subject matter expertise. However, even if the Board chooses to appoint four additional members with subject matter expertise, a majority of subcommittee members drafting the model standards are not required by the bill to even be familiar with the academic subject.

This proposal runs in stark contrast to how standards are developed now, a process which places the power of determining content in the hands of many, rather than an appointed few.

Ultimately, when we begin a standards review process, we work to bring all necessary expertise to the table. We engage numerous experts in the field for which standards are written, and rely on very different expert communities for each set of standards. For example, in the area of

English, the Department seeks input from experts in writing composition, American and British literature, reading acquisition, debate and rhetoric, grammar and usage, etc. We select those with expertise in the content of these discrete aspects of English, as well as those with expertise in teaching those aspects to all students, including special education students, English language learners, and gifted and talented students, in urban, rural, and suburban settings. It is important to have all of these perspectives at the table.

DPI also regularly joins with other states, learns from other states, and looks at resources within and outside of the country to ensure that what we develop in Wisconsin is drawing from the premier experts in the field—within and outside of Wisconsin. We owe it to our children to search out the best research, the smartest minds, and learn from others that are exceeding our results. That is exactly what we did when we made the collective decision in Wisconsin to join with other states in creating and ultimately adopting the Common Core.

The legislative intent regarding the use of out-of-state resources and experts in developing standards is unclear. On the one hand, DPI has been criticized for working with other states to develop the Common Core State Standards because we should be developing standards just for Wisconsin. However, it has also been suggested that certain out-of-state voices who oppose the Common Core should serve as non-voting experts on the subcommittees established by the bill. So, which is it?

Furthermore, the writing teams for standards are selected by experts from the field in collaboration with DPI. Writing teams have historically been between 15 and 25 people and the timeline for completion of their work has been 18 months to two years. This bill provides for a very small group of individuals who are appointed in a partisan manner, with no way for anyone, much less DPI, to ensure that all of the required expertise is at the table.

SB 619 does not require academic standards to prepare children to graduate college and career ready. The Common Core were developed with the expressed purpose of raising expectations for all children and ensuring that children who reach these higher standards graduate from high school ready to succeed in college and careers. That's why they have broad support from higher education in Wisconsin and around the country, college entrance organizations like the ACT and the College Board, and business leaders and organizations in Wisconsin and around the country such as the Wisconsin Manufacturers and Commerce, the U.S. Chamber of Commerce, and the Business Roundtable.

Nowhere in SB 619 are Wisconsin's academic standards required to be "college and career ready" as deemed by Wisconsin Institutions for Higher Education, nor does it require any alignment with the needs of the workforce as stated by our business leaders. It only requires that the standards do not prescribe curricula to school boards, and that the standards establish "high expectations" for the knowledge and skills our kids must attain and master. This is a huge step backwards for our state, and for our kids.

In addition, because there is no requirement for the standards to be college and career ready, and there is no process built into the bill to validate the standards with Wisconsin's higher education community, SB 619 directly jeopardizes Wisconsin's federal ESEA waiver. Our ESEA waiver, which was approved two full years after we adopted Common Core, requires us to have college and career ready standards. If we abandon the Common Core but want to maintain our waiver, the state would need a consortium of Wisconsin Institutions for Higher Education to validate those standards as being rigorous enough to ensure that students who are proficient in the standards would not need remedial coursework. With the timelines proposed in the bill, it would be impossible to meet this requirement.

SB 619 makes it impossible for the DPI to follow the law due to its treatment of assessments under the bill. Section 3 of the bill states that the examinations adopted or approved to measure pupil attainment of knowledge and concepts in English, reading, and language arts; mathematics; science; and social studies shall be aligned with the standards adopted under the provisions of the bill. We agree tests should align with standards. However, if the Common Core are repealed, any test aligned with them would likely be unusable. The ACT tests for high school that we proposed and you approved in the budget start next year, and are aligned to the Common Core. We might not be able to use them. Do you want to reverse course just eight months after funding them? The Smarter Balanced Assessments, which go live next school year, would be unusable. Our assessments would be outdated and unusable before they even go live.

The bill makes this provision effective immediately upon the adoption of new standards. We interpret this to mean that it would be illegal for us to administer assessments that did not align with whatever new standards are created. Since the bill does not build in the necessary time to procure, develop, and pilot a new assessment, the bill would result in no state test for years.

It takes anywhere from two to five years to get a new test ready to be implemented depending on if we are buying something off the shelf or creating it from scratch. Presumably, since the new standards that are envisioned by the authors would be unique to Wisconsin, we couldn't use a shelf test, and we'd have to procure a new test from scratch. The cost of this will be millions, and it will take years.

Without a test we will be unable to develop school report cards, implement our state and federal accountability systems that are based largely on test scores, implement educator effectiveness systems using student test scores, and we will be in violation of federal law which requires states to annually assess all children in the state in ELA and mathematics in grades three through eight and once in high school.

Under SB 619, many districts may not have fully implemented a set of standards in the classroom before a revision process would start again. A state-level standards examination and drafting process typically takes up to two years to complete. After the state-level work is completed, school districts have always had several years to implement new standards before state-level assessments would begin measuring student achievement based on the new standards. This allows districts time to learn the new standards, to examine existing curriculum and instruction, to draft new curriculum, and purchase new materials. Under the bill, some

standards, such as mathematics, would begin a revision process before there is even state-level assessment data to support and justify any proposed revisions. As a result, the bill would require the development of new standards just as our students are starting to be tested on the old ones – a move that has the potential to overwhelm our students and staff in school districts. Additionally, the average review cycle for standards in school districts is every 7-10 years, not every 6 just for these very reasons.

Further, the bill politicizes standards setting and, at the end of the day, establishes an entirely new legislative process where politicians in the legislature could write the standards. As Legislative Council attorneys have noted, this bill could lead to legislators writing and debating standards on the floor of the legislature.

What's also unusual is that the bill creates a new process where the standards are submitted to JCRAR, even though they are not rules. Similar to a rules process, if there is an objection, JCRAR must still draft and introduce a bill as it would under the normal process. However, the content of the bill must be the model academic standards proposed by the politically stacked board, and the bill is prohibited from being sent to the Education Committees. Instead, it must go straight to the floor where it will be debated and may be amended.

Finally, this bill would put off science and social studies revisions for another year even though many are calling for those standards to be revised. The state urgently needs to begin a standard revision process for science and social studies. Those should be the priority areas we are working on first. Revision of science standards has been a topic of state and national discussion by leaders of business and industry, particularly those invested in STEM fields. Repeating the work on ELA and mathematics standards while we defer needed work on science standards is simply not in the best interests of our kids.

The Department of Public Instruction and school districts across Wisconsin have been working tirelessly since 2007 to develop, review, adopt, and implement the college and career-ready standards that we have now. Although the department keeps hearing that this bill is in response to the voices across Wisconsin saying that they want the Common Core repealed, it seems that this bill is ignoring the voices of the Common Core supporters across the state.

We heard from superintendents, principals, curriculum directors, school board members, professors of math, professors of English, and professors of educator preparation, as well as the leaders of our institutions of higher education. In fact, we received a petition signed by 77 Wisconsin professors of science, math and engineering expressing their full support for the Common Core. We heard from business leaders and the military and we have heard from parents. We heard from teachers, including the Teachers of the Year Council. We heard from our content area professional associations including the Wisconsin State Reading Association, the Wisconsin Council of Teachers of English, the Wisconsin Math Council, the Wisconsin Reading Coalition, the Wisconsin School Psychologists Association and the Wisconsin Society of Science Teachers. We heard from the business community like WMC, MMAC, the

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U.S. Chamber of Commerce, and the Business Roundtable that includes Wisconsin businesses like GE and Johnson Controls. We've also heard overwhelmingly from editorial boards across the state that this is the wrong move.

We've heard that not only are the Common Core State Standards right for Wisconsin, but that they are already making positive change in our schools. Why would we want to stop that? We cannot sincerely say that we support local control of our schools, and then ignore the local educators that are telling us that they support the Common Core.

A high quality education for every child that prepares them for success in today's economy is our shared mutual goal. We must continue to ensure that all content areas have world class standards that prepare students for college and the world of work. SB 619, however, doesn't get us there.

At this time we would be happy to answer any questions you may have.