



of Wisconsin Disability Organizations

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January 14, 2015

To: Rep. Jeremy Thiesfeldt, Chair Assembly Committee on Education
Members, Assembly Committee on Education

From: Survival Coalition of Wisconsin Disability Organizations

Re: AB-001 School Review System: Survival Coalition Does Not Support Bill as Drafted

Thank you to Chairman Thiesfeldt and Members of the Assembly Committee on Education for hosting a hearing on this important school accountability bill. This testimony represents the perspectives of members of the Survival Coalition – a statewide coalition of more than 30 disability groups - several of which directly support students with disabilities and their families to advocate for quality special education supports.

First of all, we thank you for your focus on developing an accountability system that incorporates all schools receiving public funding in our state. Parents of children with disabilities require robust information about their child's school in order to make good educational choices and to be part of the system of improvement for their district. No matter where a student with a disability attends, a parent has a lot on the line and often must be significantly more involved in their child's education than the parent of a typically developing child. The outcome of an education for a student with a disability can often mean the difference between a young adult who leaves school with real-world job skills prepared for employment or postsecondary education or someone who will be solely reliant on public benefits, live in poverty or end up in our criminal justice system. **Meaningful accountability for schools and transparent information is a way to empower parents.**

Therefore, we appreciate the attention this bill pays to developing a comprehensive school review system that will disaggregate data by disability status through multiple measures. For parents, seeing how a school specifically is educating students with disabilities is critical. Our only question relative to this is whether the detailed student subgroup performance information will be available to families, in addition to a school's letter grade. We also strongly support measures that address both growth and gap closure in student achievement, as these types of measures allow parents and others to see how subgroups are performing in otherwise high quality schools.

We also appreciate the provisions which require the collection and dissemination of best practices from schools as well as incentives to recognize success, that we believe can be an important step in promoting and replicating statewide the quality inclusive education and youth transition practices that we know lead to better outcomes.

We would also like to share concerns and ideas for improvement in this bill.

Definitions:

Specifically our member organizations tell us parents need consistent information about student performance across schools. An accountability system should be built upon an “apples to apples” comparison and definition of children with disabilities. We recommend that “disability status” be defined in the bill to cross-reference the definition of disability as it currently appears in state statute at 115.76 (5) (a-f) to clearly include a student who has developed either an individualized education program (IEP) or individual service plan (ISP). The term “child with a disability” or “disability status” is used throughout the bill and it will be important for parents to know that all schools include the same type of students in this category. For instance, a student who has a food allergy or other special need that with appropriate accommodation does not impact their daily learning would likely not require or be eligible for an IEP or ISP and should not be included in this category for means of academic achievement comparison.

In addition, if the intent of this bill is to include all schools receiving public funding, it is appropriate to include within the definition of a “school” – a county children with disabilities education board under s. 121.135, in order to capture the performance and outcomes of students in these settings.

Assessments:

We also support the idea that students with disabilities should be taking the same assessments, with the same accommodations availability to allow parents to adequately compare scores across different types of schools. If additional tests are ultimately used, we appreciate the provision in the bill that requires the review board to make recommendations regarding policies for appropriate accommodations on statewide assessments. Although we support the use of a common assessment, as you have recognized in the bill, any criteria for additional approved tests must include a requirement for both the availability of an alternate assessment for students with significant cognitive disabilities and testing accommodations for any student with a disability that requires that as part of their IEP or ISP.

Academic Review Board:

This board gives a significant amount of authority to an appointed academic review board whose education expertise is not articulated. We strongly advocate that any review board making these critical accountability decisions must include someone with specific expertise related directly to students with disabilities. Only with this expertise can such a board make sufficient decisions about testing accommodations, appropriate tests for approval and performance level and sanctions for any given school.

Review System:

We are very concerned about the provision in the review system at Section 9. (5) (c) that creates a separate system for students with disabilities who may be overrepresented in a school or who attend a separate school. This provision is surprising in that it seems to send a message that the same high accountability standards are not appropriate for our youth with disabilities. We would suggest just the opposite. We should be paying more attention to the performance of these students and whether their education in whatever school setting is leading to college and workforce readiness. We strongly advocate that this section be removed, perhaps assigning the review board the duty of determining how to address and monitor the needs of students with disabilities and children at risk so they achieve content knowledge and core social competencies expected for students without disabilities after leaving school.

We also suggest that the review system must recognize and include workforce readiness measures. Public schools already must report on something called Indicator 14 – which tells them where students with disabilities are one year after graduation. It is a stark wake-up call to look at this data and see how many students are sitting at home doing nothing. Previous drafts of school accountability in the 2013 Legislature (SB 286) did include workforce readiness measures. We welcome the opportunity to work with this committee to determine appropriate workforce readiness measures for our students with disabilities.

Another measure we would like to see included within the review rating for schools is one related to the number of pupil suspensions and expulsions, disaggregated by disability status. Parents of children with disabilities will tell you this information is critical to their own review as to whether a school is adequately meeting the needs of students with disabilities.

Overall our coalition is not supportive of the change from the current accountability system to a system based on letter grades. Coalition members who participated in the Governors' School & District Accountability Design Team indicated that discussion of school ratings, including the benefit of assigning letter grades vs. number ratings, took a full day. In the end, the stakeholders on the Team decided not to proceed with letter grades, believing it did not provide an accurate picture of school performance and would not adequately facilitate school improvement.

Sanctions:

In the sanctions section of the bill it appears current students in the parental choice program would be allowed to stay in the program even though the school would not participate in any improvement plan. We strongly advocate that the bill include various parent notification requirements throughout this section. As you might suspect, changing schools for any student, but particularly a student with a disability and their family, can be an extremely disruptive process. Parents require timely information about when their school is under any type of sanction and when it might be required to make a significant change, withdraw from the parental choice program, stop accepting payments or students.

The sections that require that a school be reformed into a charter school are concerning and need intense review. In June 2014 the Survival Coalition sent a letter to the Department of Public Instruction, asking about the ability of Wisconsin's current charter schools to serve students with disabilities. Recently both the federal Office of Civil Rights and various states have shared concerns about discrimination against students with disabilities in charter schools. In our letter to DPI we referenced questions raised in a May 2014 Economic Policy Institute Report that outlined stark differences in special education enrollment in charter and public schools in Milwaukee. Preliminary charter school enrollment data from DPI shows that in 2012-13, 20.2% of MPS students received special education services while Milwaukee 2R charter schools served just 10.6% - or almost half the percentage with special education needs. Both the share of students with autism and the share of students with emotional behavioral disabilities are 1.5 times higher in MPS than in Milwaukee charters and the share of students with cognitive disabilities is 7 times higher in MPS than in Milwaukee's 2R charters. There is also a noted discrepancy in both discipline and expulsion rates for students with disabilities between public schools and the 2R charters.

Building a robust and accountable charter system that serves students with disabilities fairly will be challenging. We suggest that at a minimum "takeover" charter schools must admit and serve the same population as the school they've taken over -- same admission, same expulsion standards in order to ensure fairness and non-discrimination.

Thank you in advance for addressing the concerns outlined in this testimony. Our Coalition members are ready to provide support and feedback as you continue this process.

This document prepared by the Survival Coalition Education Issue Team.

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