



---

*P.O. Box 7222, Madison, Wisconsin 53707*

Thank you for providing this opportunity for Survival Coalition of more than 30 disability organizations statewide to provide feedback on Wisconsin ESSA Implementation. We have several observations and recommendations, highlighted below.

### **Title 1, Part A: Improving Basic Programs Operated by Local Education Agencies (LEAs)**

#### **Minimum N-Size:**

The ESSA plan is an opportunity to capture information about the achievement of subgroups of students who have been underperforming and to direct supports appropriately. The recommended N-Size for accountability, 20, is not small enough to ensure schools in all regions of the state receive the support and attention they need to address lagging performance of students with disabilities. We respectfully disagree that this issue was adequately discussed in the ESSA planning process as the public has no idea how many schools or students are left unaccounted for with the recommended group size.

Survival Coalition recommends decreasing the N-size to 15. DPI has had success using the smaller size within their WISEDash system, which protects the confidentiality of all students with their dynamic redaction technology. By using a smaller N-size, the state will be sure to capture all students in the accountability system for federal reporting. If the current subgroup is no smaller than 20, many students with disabilities will be left out of the calculation. The current number of school sub-groups that would be left out is unclear. Even in the highest achieving school districts in our state, the achievement gap for students with disabilities can be substantial but will be an unknown without the lowest possible N-size. An accountability system should include holding all districts and individual schools accountable for every sub-group of students and not just the overall average of all groups.

We ask that an analysis of the impact be provided as part of the plan. The plan should clearly state how many schools would not have to report on their subgroups based on the N-size in all indicator areas in the accountability system.

#### **Establishment of Long Term Goals**

DPI states in the plan "The goal to cut the gap in half reflects Wisconsin's expectation that all students graduate from high school ready for college and career and the urgency needed to ensure this expectation must be met for all student groups regardless of race, income and ability."

Survival Coalition supports the need for high expectations for students with disabilities. The current timeline and the calculations for closing the achievement gap in the plan should be revised. The state

has set a timeline of 6 years as its target with an option to re-evaluate at that time and potentially set another 6-year target leading to an actual twelve-year target date. This seems like an ambitious goal but upon closer look the gap for students with disabilities will not be cut in half in six years but closer to twelve years. Currently, only 13.6% of students with disabilities are proficient and the goal would increase that number to only 36.4% in six years. These figures will leave a significant number of students behind. This is not an acceptable as a goal and results in the loss of a whole new generation of students.

In a 12-year scenario many students would graduate before seeing any increase in quality or targeted resources for their school. In the 2014-15 school year, 8th graders with disabilities were only one-third as likely to be proficient in language arts as their peers; only one in ten 8th graders with disabilities were proficient in math. Given the urgency of the current achievement gap for this group of students we should be more transparent and give this area a higher priority.

In addition, based upon feedback to other states by the U.S. Department of Education, Wisconsin may need to adopt a more rigorous approach to gap closing. Specifically, in its "Interim feedback letters" the Department rejects a gap closing approach that is more rigorous than Wisconsin's: Delaware: <https://www2.ed.gov/admins/lead/account/stateplan17/map/de.html> .

US ED says: "In its State plan, DDOE proposes to decrease the percentage of non-proficient students in each subgroup by 50% by 2030, which would result in no more than half to two-third of certain subgroups of students achieving proficiency. Because the proposed long-term goals for academic achievement are not ambitious, DDOE must revise its plan to identify and describe long-term goals that are ambitious for all students and for each subgroup of students."

Survival Coalition **encourages the state to adopt the high expectation of cutting the gap in half over the 6-year period, which would be 56.8% of students with disabilities achieving at proficiency.** This ambitious goal will allow significantly more students with disabilities to be college and career ready.

### **Indicators for Academic Achievement**

DPI will use the English Reading Language and Math scores on the annual test as a first indicator. The current plan combines the test scores of ELA and Math. Survival Coalition recommends the test scores be separate. Combining the scores may produce results that mask lack of progress in a focus area. Also, given the state's commitment to results driven accountability with a reading focus, it is important to have this specific data point match our other federal accountability requirements under IDEA.

Students with the most significant disabilities or 1% of the student population who take the alternative assessment need to be included in the indicator for academic achievement. This should be clarified in the plan as it is not clear this is the state's intent.

The cell size will be a concern in this calculation, as many schools will not meet this in their subgroups including students with disabilities. Again, we recommend a subgroup N-size of 15.

The current plan proposes to calculate the proficiency on all students for three sequential years of data but to calculate sub-groups on a five-year basis. Students with disabilities will fall into this subgroup and Survival Coalition would suggest all students be held to the same three-year basis.

DPI proposes using Student Growth Percentile (SGP) as the second indicator. The SGP is used to compare from year to year the test scores against similar academic peers. Using the SGP does not provide information on criterion referenced growth. Growth should be based on an individual's attainment of growth toward proficiency on the state assessments. The results should again not be combined to calculate growth.

### **Indicator for Graduation Rate**

DPI sets the goal to exceed a 90% four-year graduation rate by the end of six years. This would be an average for all students. The anticipated graduation rate for students with disabilities would rise from 67.5% to 81.2% in the plan. It is unclear again how the calculation for the six-year goal is calculated.

Youth with disabilities who leave school unprepared for adult life are more likely to end up living in poverty and are more reliant on public benefits. Data shows that 22% of Wisconsin youth with disabilities indicate they are not engaged in any activity one year out of school.

Survival Coalition is against using an eight-year graduation rate for extended graduation rates. Students with disabilities should and can graduate with their peers in the four-year cohort and this should be a primary goal. By holding schools accountable to a 4-year graduation rate, students with disabilities will be held to the high expectations of all other students. Generally, only a small number of students continue to stay in school until 21. We would recommend a six-year cohort. There is no other state using an eight-year graduation rate that has submitted a plan at this point.

The plan states that DPI can exclude state-defined alternative diplomas in the calculation. Currently, the state does not have any specific alternative diplomas but it is possible this could change in the future. Students who take the alternative assessment are part of the ESSA accountability and should be included in the graduation rate. The plan should clarify that all students including students with disabilities are included in the calculation of the graduation rate.

### **School Quality or Student Success Indicator**

Wisconsin should do more than the minimum of adopting "at least one non-academic indicator of school quality or child success selected." Only 2 of the 11 state plans submitted by the April 3 deadline have only one measure of school quality or student success and Connecticut's has nine indicators beyond the test scores and graduation rates required under ESSA. In addition to chronic absenteeism, Wisconsin should adopt a measure of school climate and safety, which are known to be root causes of chronic absenteeism as well as poor academic performance and lower graduation rates.

There are several areas that Wisconsin should consider in the indicator area. An indicator that may address the social and emotional learning of our students would be important to measure in our state as we know many student's education is impacted due to these areas. Survival Coalition suggests considering these additional indicators:

- Incidents of bullying and harassment in schools
- Overuse of punitive discipline through suspension and expulsion
- Use of aversive behavior interventions (seclusion and restraint)
- Student access to effective career and guidance and counseling (Academic Career Plans)
- Grade 3 Reading Proficiency
- School climate and safety survey results

The one indicator in the plan, Chronic Absenteeism, is already being tracked in Wisconsin. While this can be an important indicator of school success, there are many outside influences including disability that can affect a student's attendance. If the state is not looking at the root causes of chronic absenteeism, it will continue to be a poor measure of student success. . In addition, the peer review for the Delaware State Plan cautions that "the use of Chronic Absenteeism as an indicator does not address the issue of School Quality and Student Success for all students. It applies exclusively to only those students who suffer from this issue. It is an indirect measurement of School Quality and Success. The reviewers suggest a more detailed rationale of why this is an acceptable indicator.

### **Comprehensive Support and Improvement Schools**

The state plan has two areas of overall identification; accountability measures and graduation rate. The two groups are: comprehensive support and improvement schools and targeting support and improvement. Survival Coalition supports the identification of Title 1 schools that have overall scores in the lowest 5%.

Survival Coalition recommends increasing the graduation rate indicator to a high percentage. Currently, the overall graduation rate is 88.4 % for all students. Students with disabilities graduation rate is 67.5%. The plan is also not clear whether schools will be identified if a sub-group is at or below 67%. The goal for students with disabilities over the 6-year time frame is 81.2%. This will still leave a significant portion of students unable to meet the goal of graduating from high school college and career ready. We suggest a higher starting point for the identification of schools.

The N-size will again be a critical piece in this area when considering graduation rates. The state should consider a lower N size for this measure even if they are not willing to lower the N-size in the other areas.

### **Targeted Support and Improvement**

The state plan focuses on chronic and consistent subgroup underperformance to identify school for targeted support and improvement. Survival Coalition asks that all schools and not just 10% of schools in this group be identified. The state is allowed to create additional levels for improvement and we suggest creating these levels. A discussion of an "at risk" group took place during a recent listening session held on June 19, 2017 at the Milwaukee Public Schools Central Office. DPI said that an additional group could be considered for these additional schools.

It is important for parents to know where their school stands and even an “at risk” designation would be better than nothing.

### **Annual Measurement**

The annual measurement must include as many students, including all subgroups, as possible to meet the 95% of participation on the statewide annual assessment.

Parents of students with disabilities may feel their child does not need to participate in the state testing as it may not be a true measure of their child’s educational ability. Wisconsin should have an upfront strategy for dealing with schools that currently fail to test at least 95% of students and student subgroups in order to encourage schools to comply. This could include materials for parent education regarding the importance of the state accountability system. Schools that do not reach this 95% could inadvertently be placed in the improvement category and valuable resources funneled to schools that truly are not under performing.

### **Exit Criteria for Comprehensive Support and Improvement**

Schools must show progress over two consecutive years to be eligible to exit this improvement area. The state plan requires schools to meet the criteria in four years. This is the maximum the federal government allows. Four years is a long time in the education of a student. DPI should start to provide those more rigorous interventions after the third year of failing to exit the category. Three years would be a sufficient amount of time for a school to implement an improvement plan and begin to show progress.

### **More Rigorous Interventions**

Schools in the comprehensive support and improvement category will receive significant support and technical assistance. The plan should clearly identify what is included in this level of support and technical assistance. At the MPS listening session on June 19th, educators were concerned that many school districts lack the knowledge to build a plan without heavy technical assistance

Survival Coalition endorses the plan’s requirement that school improvement efforts include a wide array of stakeholders and provides specific reference to families. The engagement of the stakeholders allows the school community to buy into the plan and have a voice in how to turnaround their community school.

The state plan clearly identifies some basic tenets for schools when developing their improvement plan:

- Specific requirements for family and local community decision-making processes.
- Inclusion of a large number of stakeholders listed in the plan.
- Fidelity of improvement plans.
- Use of implementation science.

Survival Coalition supports the more rigorous interventions and supports that will be required when a school is unable to exit the comprehensive support and improvement area. These rigorous

interventions include:

- Trained team in implementation science to provide external evaluation and identify reforms.
- External evaluation to help drive customized improvement plan.
- Authentic family and community engagement
- Professional development.
- Support for mental health services, socio-emotional learning, and behavior issues.
- Educational design such as community schools or personalized learning
- Expanded academic improvement efforts.

### **Resource Allocation Review, Technical assistance and Access to Educators**

The plan allows for additional funding and resources for LEA's that have large numbers of schools that may fall into the eligibility categories. Survival Coalition supports the efforts that will be taken to assist these Districts. Survival Coalition supports DPI's desire to combine resources from several departments to be sure that all children are able to access the rich resources in their schools. The state has worked hard to show that all services under Title 1 and IDEA can work in tandem to educate all students. This work has allowed for schools to break down the barriers that arise when educating students based on a label.

Districts in this category would have to develop their own local equity plan. Survival Coalition would recommend the plan provide more detail about the stakeholders that must be included in the local equity plan. It is important to have families and community members as part of these stakeholder groups.

Survival Coalition supports additional assistance and support in access to educators for these school districts with disproportionate rates of ineffective, out of field or inexperienced teachers. Shortage of special education staff is an ongoing issue around the state and many children with the most significant needs are being taught by teachers with an emergency license. The plan could provide additional focus on developing additional special education teachers in these school districts.

### **School Conditions**

Children with disabilities in our public schools are often subjected to the negative issues discussed in this portion of the plan. Survival Coalition suggests additional requirements in the three areas listed:

**Bullying and Harassment:** DPI should increase the monitoring of school district policies on bullying and harassment. Parents are often not aware of these policies and the ability to file a formal complaint.

**Overuse of Punitive Discipline Practices:** Students with disabilities are again disproportionately subject to overuse of punitive discipline practices. These practices are still widely used. Students in many school districts are subject to "defacto" suspensions at an alarming rate. Parents are often called to pick up their child due to behavior issues with no formal suspension. Currently, the state has no mechanism for measuring the use of shortened day or "defacto" suspensions. Survival Coalition

suggests that DPI needs to provide greater technical assistance and monitoring in these areas.

Seclusion and Restraint: School districts are required to document all uses of seclusion and restraint. They must provide parents with notice and prepare a report. The District also must report the yearly figures to the school board. Survival Coalition supports changes to the legislation that would require DPI to receive this annual reporting data. As part of the federal Office of Civil Rights reporting requirements, DPI does need to report the use of seclusion and restraint and should be gathering this information now. DPI should provide technical assistance to schools that have high usage of seclusion and restraint to help them reduce their use.

DPI also can encourage districts to implement positive discipline practices, such as Positive Behavioral Intervention and Supports (PBIS). Data shows that schools who are implementing PBIS for a sustained three-year period had a significant decrease in suspension. DPI should provide additional resources and technical assistance to increase the number of school who are implementing Positive Behavioral Intervention and Support. (PBIS)

### **Transitions**

The plan details several initiatives that assist with transitions for students including Academic and Career Planning, Social Emotional Learning Competencies, Youth Mental Health First Aid, Safe and Supportive Schools, and Dropout Early Warning Systems. Each of these programs focuses on the students and their path to success. Survival Coalition suggests including a reference to the required Post-Secondary Transition Plan mentioned in the Academic and Career Planning section.

Students with disabilities are mandated to receive transition services as part of their IDEA rights. While this does not include all students, it is important for the State to recognize the requirement of this transition planning for student with disabilities.

### **Children and Youth who are neglected, delinquent or at risk**

Wisconsin has a significantly high rate of students with disabilities who are in correctional facilities. This section should specifically address serving students with IEP's in these facilities and how the state will ensure students are receiving these needed services. The plan should also detail the child find responsibility of these facilities when working with youth.

## **Title II: Supporting Effective Instruction**

Survival Coalition recognizes there is a significant shortage of qualified special education teachers in the State. The State has been working on alternatives to licensing which Survival Coalition believes could place even more inexperienced teachers in classroom working with students receiving special education. The current licensing system remains an unknown due to possible changes in the upcoming budget which could create a lifetime teacher license. Also, the current federal budget eliminates this Title completely creating a funding issue for states. Survival Coalition supports robust requirements for teacher licensing and continuing license renewal for educators.

### **Title III, Part A: English Language Acquisition and Language Enhancement**

The intersection of ELA and disability is important area missed in the plan. We often see the confusion of parents who are non-English speakers who feel left out of the process. Survival Coalition would like to see a specific paragraph discussing the intersection between ELA and special education including child find responsibility.

### **Title IV, Student Support and Academic Enrichment Grants**

The state plan specifically supports grants for activities around social emotional learning including suicide prevention, trauma informed practices, bullying and harassment and mental health issues. These are areas where students with disabilities can be disproportionately affected. Survival Coalition supports the state providing training, technical assistance and grant awards to support this work.

The plan also discusses the use of digital tools for learning including support for Universal Design for Learning. (UDL) Survival Coalition encourages the state to make greater efforts in promoting UDL and to specifically provide funding related to enhancing UDL in school districts and to award grants based on a school's desire to increase UDL.

### **Title IV, Part B: 21<sup>st</sup> Century Community Learning Centers**

The competitive application should include a reference to non-discrimination and that students will be allowed reasonable accommodations.

If you have any questions about our comments, please contact us. We welcome the opportunity to discuss our recommendations in further detail.