



***Wisconsin Reading Coalition***

***June 28, 2017***

## **DPI's Emergency Rule Does an End-Run around the Foundations of Reading Exam and Will Diminish Teacher Quality in Wisconsin**

**State Superintendent Tony Evers has declared this emergency in Wisconsin:**

**“School districts throughout the state are experiencing difficulties obtaining and retaining licensed personnel.”**

**In response, Superintendent Evers has adopted an emergency rule that:**

- **lowers the standards for admission to educator preparation programs**
- **requires fewer teachers to pass the Foundations of Reading Test (FORT) before becoming teachers-of-record in the classroom**

[http://docs.legis.wisconsin.gov/code/register/2017/738A3/register/emr/emr1711\\_rule\\_text/emr1711\\_rule\\_text](http://docs.legis.wisconsin.gov/code/register/2017/738A3/register/emr/emr1711_rule_text/emr1711_rule_text)

Emergency rules, unlike other administrative rules, are not subject to review by the Governor. However, those of us who want to adequately prepare and support our teachers, as well as provide a quality education for students, should be deeply concerned about this emergency rule. It is ironic that DPI's plan to implement the Every Student Succeeds Act (ESSA) purports to provide a highly qualified teacher in each classroom, while this rule is a sad first step in the opposite direction.

**The public may comment on the emergency rule** at a hearing on Thursday, July 6, from 2:30 -4:00 in Room P41 of DPI's GEF 3 building, 125 S. Webster St., Madison, WI 53707.

Public comments will also be taken online until July 21, 2017 at

<http://docs.legis.wisconsin.gov/feedback/agencyform?cite=EmergencyRules/EmR1711>.

**A preliminary question that must be answered is whether or not there is actually a shortage of candidates for teaching positions.** Neither the emergency rule nor the report of the Professional Standards Council for Teachers, which advises the Superintendent, provided any data documenting shortages in particular subjects or geographical areas. All the evidence supporting the Superintendent's emergency claim is anecdotal. While there is hard data that the teacher pool has been shrinking for over a decade, a smaller pool does not necessarily create a shortage. Statements from Peter Goff, a UW-Madison assistant professor who is investigating the teacher labor market for the Department of Public Instruction, have cast doubt on the scope or even existence of a teacher shortage. Goff says that the applicant pool is very similar in rural and urban areas, that WECAN data showed 16,000 applicants for 6,000 positions in 2014-15, and that very few positions actually go unfilled due to lack of applicants. He believes the real problem is teacher retention, which would require different solutions. <http://www.education.wisc.edu/soe/research/research-news/2016/10/03/going-the-country-mile--how-uw-madison-is-addressing-wisconsin-s-rural-education-issues>

**Even if we accept that there is a shortage of applicants for open teaching positions, there are other steps that could be taken to pinpoint the causes and address them without negatively impacting teacher quality.**

- **As required by state statute, DPI and state campuses should publish data on the percentages of education students who are passing the Foundations of Reading Test.** Several 2016-17 Wisconsin task forces on the teacher supply pool have surmised that the Foundations of Reading Test is a major impediment to licensure, yet no data has been made public for the years in which licensure candidates have been required to pass this test. Reports for 2014, 2015, and 2016 are missing. <https://dpi.wi.gov/tepd/epp/annual-reports> This makes it impossible to judge whether the FORT is significantly impacting licensure numbers, and also withholds critical information from prospective college students seeking to enroll in a program with a high passage rate.
- **If the FORT passage rates are low, DPI should set standards for what educator preparation programs need to teach their students about reading.** Since a work group of educators made initial recommendations on new standards 3-1/2 years ago, this process has been stalled. At a minimum, PI 34 rules should require adherence to the Knowledge and Practice Standards for Teachers of Reading, which are closely aligned to the FORT. Educator preparation programs with lower passage rates should receive more supervision. Unless more robust standards are implemented, this state of emergency will become permanent.

- **If a district requests hiring a non-qualified individual as a teacher of record, there should be a documented history of the district’s recruitment efforts and of any applicants who were rejected as being “unacceptable.”** This should be a rare exception, not an everyday occurrence. Documentation should go beyond a simple written affirmation by the district that it made a good faith effort. Extra efforts should be taken to avoid hiring non-qualified individuals as special education teachers, as they are responsible for teaching reading to the most difficult students. DPI should not allow avoidance of the I.D.E.A. requirements of 20 USC 1412(a)(14)(C).
- **If it becomes necessary to hire an individual who has not passed the FORT, intensive professional development should be provided, with the individual passing the FORT within 6 months.** One-year licenses with stipulations (apparently indefinitely renewable) and three-year licenses with stipulations, as provided in the emergency rule, do not provide enough protection to the individual’s students. Nor do they provide the individual with the knowledge and skills necessary to be successful teaching all students to read. This applies equally to individuals trained in-state or out-of-state, and regardless of previous years of teaching experience or other teaching licenses held. High quality coursework in the structure of language and the process of reading acquisition is readily available from sources such as Language Essentials for Teachers of Reading and Spelling, Reading Rockets’ First-Year Teacher Training Modules, or structured literacy programs certified by ALTA, IMSLEC, or IDA. Merely attempting the FORT, or avoiding it altogether by taking six semester credits or receiving professional development from the hiring district, is not sufficient and is counter to the intent of Wisconsin Act 166. Retaining a classroom teacher who cannot pass the FORT is a disservice to the students in his or her classroom, and puts them at a disadvantage compared to their peers who have a fully-qualified and licensed teacher. It is also a disservice to parents, who will not know whether or not their child’s teacher is fully-qualified.

**Wisconsin should heed the advice of the National Education Association (NEA),** which recommends that

***“A teacher has completed all teacher preparation requirements; that the teacher is not authorized to teach on an emergency, temporary, provisional or waiver basis; and all teachers are profession-ready prior to their appointment as the teacher-of-record.***

***This definition eliminates the use of classrooms as training grounds for under- or unprepared teachers.”***