

Wisconsin Assembly Education Committee

January 12, 2022 (first 3 hours)

[00:00:00] He doesn't uh, it was a, oh, I can't remember the specific date. I, I know that I was at a conference when the report cards came out, which were based on the, uh, test results of our students across the state. And when I looked it over, something just seemed a little off to me. Something seemed different. Uh, and so I, I did a little digging and found out that there were significant things that were different.

[00:00:39] And I had the feeling that I felt I had not been particularly informed because the changes that were made I felt were very significant. Uh, probably the biggest change that at least was visible to most people, uh, was basically the format of the school report [00:01:00] cards. Um, last night, in preparation for this, I just went on to the department of public instruction website, where you can find links to the report cards of districts and schools all across the state, uh, and pulled up.

[00:01:15] They always there's, there's the, the report, which is a one-page report, or just basically a quick summary. And then there's the detailed report, which is, I don't know, eight, 10 pages, something like that might even be more. And so I pulled out the one page summary, uh, for a high school in 52nd district, which is the district I serve.

[00:01:37] And just holding it up to the camera here, here it is. And it doesn't take much to notice that, and I could have gone all the way back to the 11, 12 school year, which is when these began, or at least that's when it first appeared on or is on the DPI website. And you can see this format in 15, 16, And then you can see similar format the next [00:02:00] year in 16 and 17, and then 17 and 18, and then 18 and 19, which was the most recent year since the most recent test results came out.

[00:02:16] So you see a fairly similar format where it's really easy to take a quick look at it and make a reference for one year to the next and make comparisons. Uh, then the latest ones came out, which looked nothing like it. Uh, and not only that, it did not include the one page summary just for a quick reference, which, you know, it's not a huge deal.

[00:02:40] Um, maybe that's still coming yet. And this goes on with charts and graphs for 10 different pages. Uh, and certainly I have it here and I can pass that amongst the members here, perhaps that you hadn't been able to see that just as long as it makes its way back to me, so [00:03:00] where we can, well, I, making copies might not be the greatest cause I printed it at home and whatever reason my printer really likes the color pink, for some reason, I don't know why that is.

[00:03:11] And so then my next step was to find out, well, what are these changes while on the DPI website, uh, on the page where the new report card information is, is listed, there is a, a form on there that says what's new for the 20, 21 school district and district report card. So I thought, oh, that's good. And I went down and read through it and there were a few things in there that caught my eye.

[00:03:40] Uh, but then I also. I happened to read an article, which I believe was in the Milwaukee journal Sentinel where DPI had. And I don't remember who the representative was from DPI that was speaking with a reporter from the journal Sentinel, but a, a reference was made by the author of the article [00:04:00] that, uh, what I will call the cut scores had been changed and what the cut scores are, is when a, they take all the data that they compile from the schools and the schools are given essentially a score.

[00:04:15] You know, this is a report card, but we don't go, you get an ABCD in Wisconsin, we have five stars, four stars, three stars, two stars, and one star, uh, and the five star stands for significantly exceeds expectation. Four is exceeds expectation. Three is meets expectations. Two is meets few expectations, and one star is fails to meet expectations.

[00:04:42] Uh, and the reference in the article was that those cut scores had been altered. And I thought, well, that's kind of odd. That's, that's a really big deal because when parents and school districts, parents refer to these report cards, when they're [00:05:00] seeing how their school is doing and districts, when they, I guess, advertise about how their school is doing, this is oftentimes kind of the first thing that they will share.

[00:05:13] Uh, and so I went, I went back to the form about what's new on the district report cards. It said nothing about it. I mean, I've read it several times unless I'm missing it. Somehow. It doesn't say anything on this what's new form as to what about this change. So what, what does that mean that the cut score has changed?

[00:05:36] Well, essentially, if you did poorly. On the most recent report card than you had done other years, you perhaps had a opportunity to score the same or perhaps even better in terms of your stars. Uh, and so I wrote on here what [00:06:00] it used to be in red and what the most recent report card shows now. And I'll, I'll send that down the line here also.

[00:06:08] So other members have a chance to see that. So then my next step was to go back, was to search on the DPI website for the previous chart. I thought it's gotta be on here somewhere. And I looked and I looked and I looked and I looked and I looked and I could not find it anywhere. No, granted I was in Florida and I'm working on my phone.

[00:06:27] And so it was hard to figure it out. But when I got home, I looked more and I still could not find it. Uh, the only place that I could find it, uh, was I, if you go onto, I'm not sure where the report cards are that I was sending around, uh, representative ruined has them, or I think Don, could you do me a favor and hold up one of the old report cards on no, the old ones.

[00:06:53] Yeah. They're paper-clipped on there on the left-hand side of the old report cards [00:07:00] is the old cut score. As you can see them on yellow there, uh, and they were different. And the difference is what I've written in red on the charts

that representative poll pass that is clearly the most visible portion of the report cards to the public.

[00:07:16] And it was changed without any reference to it on the what's new document that was produced by the department. Uh, the second most visible thing would be that one page report card snapshot that people can look at, which gives more detail, but not all of it. And that was significantly changed. Uh, That was bothersome to me immediately.

[00:07:42] And then there were other things that I didn't agree with as well, which I'll not go into right now, which I'm sure some of our speakers are going to bring up. Uh, so that, that's my introduction, which caused me to think that we needed to hear some more about this and that the public [00:08:00] deserve to hear about it as well.

[00:08:02] And so with that introduction, um, I will turn the microphone over to Jim bender who was here and he represents school trace Wisconsin action. Uh, and then when Mr. Bender is done with his presentation, will, he'll take questions from committee. And then I will likewise scenario for the rest of the speakers that come forward.

[00:08:25] So welcome Mr. Bender. Thank you, Mr. Chairman. I appreciate the opportunity to testify. I'll go in and out of my written statements here, uh, as needed, uh, we are here today to talk about the changes to the statewide report card and just kind of as a variant from my normal testimony, uh, very little of my testimony today will be on private schools participating in the voucher program versus public schools.

[00:08:50] Uh, it will not be on necessarily the individual calculative scores that were changed inside the report card. Today, I'm going to focus on the unaccountable [00:09:00] process that has riddled this report card from its inception, as someone who's involved in report card since 2011. Uh, I think we should establish the process by which we got here today.

[00:09:13] First, all the decisions about the report card from data to calculations to its public role are, are made behind the scenes and behind closed doors at DPI. While there may be the appearance of others offering input in the end, all the substantive decisions are made behind closed doors. DPI gets to act unilaterally where state and federal statutes.

[00:09:39] And even sometimes where they don't second DPI is the only one with the student level data, without that data, other people, researchers, other academics, are not able to make the substantive data run comparisons that DPI can make it's not available. Uh, that ethic is a topic for another day, but it does limit [00:10:00] who can make judgements on the data changes that DPI has made third DPI for the 20, 21 data and all the other data that they release has had the report cards and that data for months, they have the ability to work over the data, to have internal discussions and do all those things.

[00:10:22] These are not snap decisions whatsoever.

[00:10:28] Fourth DPI does everything in a calculated way around the data release to the media and the public. There is a strategy behind everything, regardless of what they say. Now, after the fact moving the cut score down to capture Milwaukee public schools in the meeting, expectations category was not a happenstance occurrence.

[00:10:51] This was not a coincidence. There are no coincidences. This is all planned. [00:11:00] Let me weave a chronological story of the experience of school choice Wisconsin had over the last decade. During that time school choice, Wisconsin was a member of the design team along with representative Pope, uh, for the creation of the report card, worked with hundreds of private schools on their student information system, which is the data portal that goes into the report card and worked on numerous pieces of legislation that either directly or indirectly worked with report cards and standardized test scores.

[00:11:29] During that time, we have testified jointly with DPI and legislation. We have also sued DPI. Occasionally we were doing both at the same time. Starting in 2010 superintendent Evers at that time, signed Wisconsin up for the common core standards. He was the first person's first superintendent to do it in the country.

[00:11:49] We were the first state to register. There was no legislative input to that decision. In 2011, shortly after governor Walker was elected, we were having discussions about replacement of the [00:12:00] WKCE. There is and was no support for the WKCE as a standardized test score. Uh, it was not a nationally normed reference exam was administered in the fall and gave little to no instructional value to teachers in the classroom yet without legislative input, governor IRRs extended the contract for the WKCE for an additional two years, even though he was aware, we were trying to have conversations about trying to test, potentially change that test.

[00:12:25] Then in the fall of 2011, while the afterglow of act 10 was still lingering. The design team for the state report card was convened. The design team was put into place because of federal law that required modifications to state's education, accountability standards. As I mentioned, represented Pope and I were both members of that team.

[00:12:44] We had multiple weeks of presentations and discussion much of which was incredibly informative. I will say that here and now what we went through and what we learned was incredibly informative. However, the end of the process is what matters on one of the [00:13:00] last days, led by superintendent Evers. We started voting on provisions of the report card.

[00:13:06] There was one problem. There was not supposed to be any voting. Yet. Hands were up and tallies were taken. I remember stepping out and calling the governor's chief of staff, and I said two things, one we're voting to it's all cooked. I

specifically mentioned that a through F that was one of the topics we were talking about.

[00:13:25] Do we do five stars or do a through F hands went up. I looked around the room and started to. When you're in the middle of something that, you know, has been set up in advance, all you can do is chuckle. And that's what I did. And talk to the chief of staff. I let him know what happened. And he said, well, that's disappointing.

[00:13:40] There wasn't supposed to be any voting. I said, I understand that, but that's what happened then to add insult to injury, we made a request of DPI that we could see the Wisconsin application before it went off to the feds. That that was for a while said no, but you have the ability to enter comments to the public.

[00:13:57] So as a design team member, we [00:14:00] did not get to see Wisconsin's proposal before it went to the feds. They submitted it. And then like every other person walking down the street, we could submit comments onto the public portion. In other words, being a member of the design team offered us no influence on what the final product was going to look like moving to 2012, two significant events were around releasing of test data indirectly related to the report card score.

[00:14:25] Uh, DPR released test score data in 2012 on Milwaukee, public schools and Waukee parental choice program, but they only released a select portion of the data which gave a misleading portrayal of choice versus public comparison. The remaining data was released the following day after the press, uh, press stories had been written.

[00:14:42] The strategy here was to manipulate the media coverage by selectively releasing data. This slight of hand resulted in the legislature, including language in the next budget, which required DPI to quote, release the data all at the same time, uniformly and completely. The second event was even more enlightening.

[00:14:58] In 2012, [00:15:00] federal law required Wisconsin to adjust their proficiency scores, uh, to match the national standards until that time DPI was in charge of setting those proficiency levels under DPI's control. 82% of Wisconsin students were considered to be proficient in reading when the national metric was applied.

[00:15:17] That number dropped a 38.5. Let me repeat that when DPI was in control, 82% of our kids were proficient in reading. When the national matrix was applied, it dropped a 38 points. Recently, when this committee was discussing how reading scores for Wisconsin were so low, the chairman asked the question, how did we get here to begin?

[00:15:38] When the education department is telling parents that 82% of students were reading proficiently, but the national standards, so less than half, we start to live

in our lake Wobegon days, where all of the kids are above average. If there's not a problem, you can't put anything in place to fix it. Skipping ahead to 2015 assembly bill one was in front of the legislature.

[00:15:58] It was a school accountability [00:16:00] bill. It worked with all schools cross sector and was going to use the report card scores as the matrix for doing that school choice. Wisconsin had three fundamental guidelines in dealing with that piece of legislation. It had to be quality data. The process around setting the report card score had to be transparent and there had to be equal treatment of all sectors.

[00:16:19] We warned that there would be that DPI would be able to make changes to the report card behind closed doors and not tell anybody does that sound familiar also in 2005, the value added research center at UWA made a number of data runs around the first two years of the report card year or two. I forget if it was the first or just the second.

[00:16:40] And unfortunately their analysis said that the statewide report card mirrored almost exactly the demographic data of the state of Wisconsin, meaning the statewide report card didn't show us the impact of what schools were on the student population. It just told you what your student population was. If you are a school of high poverty, your score was lower and it matched up almost one-to-one school [00:17:00] choice.

[00:17:00] Wisconsin worked with a number of stakeholders and, uh, the value added research center with the legislature and brought forward a great deal of information showing what different data runs and different metrics meant to the state of Wisconsin. Therefore, we ended up with in statute, a sliding scale where growth is measured by the level of poverty in the school.

[00:17:20] That was a much better indicator of what the school's influence was on their student population. Not just who was in here. However, there are some people that have some questions today around that growth metric and what we should do. And in that light, we would commit now with five more years of data, let's have a complete review of that.

[00:17:39] Let's get the data, the actual data, show it to this committee, have this committee be involved while representative Pope. And I don't agree on very much in this committee. I would like for her to have input into that process and show multiple different runs of how that growth metric works for school district across the state [00:18:00]

[00:18:00] school choice, Wisconsin. Well, let me get to this, sorry.

[00:18:11] Moving into 2009 TPI, once again released a portion of the school choice data and they didn't release it all at once. Uh, together with the Wisconsin instance do for law and Liberty, we Sue DPI and we won and to this and to credit for this last

year, the current administration for the first time released the test scores in an object of way, without any sort of manipulation of the data.

[00:18:34] I want to give credit where credit is due. However, during that lawsuit, we filed some open records and we unearthed several behind the scenes. Data runs compiled the weeks before the release back in 2019, not the current release. One of the issues with DPI is they combined the choice programs into a single score, which violates any of the quality data scores and data protocols that we've been using around the report card.

[00:18:56] Why? Because you don't combine programs that have different income [00:19:00] limits. You don't combine programs that have different operational schemes, and you certainly don't compare the statewide average of public schools with about a 40% poverty rate with the parental choice programs, which have a much higher 80 plus percent threshold for poverty.

[00:19:14] You wouldn't compare those two numbers yet. That's what DPI did to drive a narrative that public schools were outperforming those in the statewide choice program. What we found in the. Open records was, was a bit shocking in that school choice, Wisconsin for years had done another comparison. We compared Milwaukee to Milwaukee, Racine to Racine and the statewide program to the statewide program.

[00:19:36] When you compare regional and like, uh, datasets, the school choice program on almost every metric exceeded not only their low income peers, but their full income peers in public schools behind the scenes, DPA DPI was running the same data. They had the exact same data that we were running, that we had released for years, but they didn't put it in their press release.

[00:19:55] They didn't put it out with a regular datasets. They were just running it behind the scenes to see [00:20:00] what was going on. So they knew what the accurate data it was, but they chose to put out their own release. And that's why we went to court moving to 2021. Uh, I'm going to move to a different data set than anything that's really covered here.

[00:20:14] And that's test participation. One of the measures of student engagement is by participation on the state exams, parental opt-outs, and then other alternate tests since state exams must be taken in person at the school. The testing protocols for 2021 were acknowledged to be difficult in the spring of 2020, the legislature waived the requirement for state exams, governor Evers, excuse me, but emergency declaration had all schools virtual.

[00:20:42] There was no way to administer the test. The legislature waive the requirement in 21. They did not waive the requirement. It was still by law. Some school districts did better than others to look deeper into test participation. One of the largest districts in the state, two largest districts, Madison and Milwaukee [00:21:00] stood out for their test participation.

[00:21:02] And for those that are able to see this Beloit test that about 80% of their kids, green bay, about 84 Kenosha, about 85. Madison was about 50 Milwaukee was 55 of no test, not just taking. So they were about 45% of their kids. Took the test in Milwaukee and Racine unified was about 80% of their kids took. I went around to a few of your districts and looked at some of the districts where they had at least or close to 50% poverty in Fondulac 96% of the kids took the test in Algoma representative kitchens, 99% representative Mursau who has a large number of districts with a more majority poverty, 85% Oconto 99% grant and a hundred percent Janesville.

[00:21:51] 93% of their kids took the statewide test and the Dells, which is a 50% poverty district. 94% of their students took the statewide test. [00:22:00] When looking at private schools, there were, there was not a, uh, as wide a variance, but certainly there were private schools that did not meet their pre pandemic testing levels.

[00:22:09] I am not here to present to you. The private schools, uh, were without, uh, schools that didn't do very well on their test participation. There was one difference though, the test participation rates under no tests include those that are parentally opted out. And those that just didn't take the test in the private schools, the opt-out provision are much higher.

[00:22:28] There just weren't many opt-outs. And most of the public school districts, one data point that really jumped out though was in Milwaukee. There are 30,000 testable students for the forward exam on reading and 18,000 testable students in the Milwaukee parental choice program. In the end, more students in the Milwaukee parental choice program took the state exam than an MPS, only 13,000 students.

[00:22:52] And it's not included in here, but 58% of low-income students in Milwaukee did not take the test at MPS [00:23:00] for the MPC P 14,471 students took the test in MPS, which has 40% more students, less students took the test. You'll spend about 95, 900 \$50 million in the MPS in a given year, about 250 in the Milwaukee pro choice program.

[00:23:19] You can do the return on. In your head, both Madison and Milwaukee had private schools during that same time, the tested a hundred percent of their kids lighthouse in Madison St. Martini, Milwaukee, both tested a hundred percent of their kids while home in the same geography. And again, there were some schools that didn't reach that a hundred percent not saying otherwise.

[00:23:40] In the end, the level of test participation did not factor into the generation of a report card score. I cannot tell you why the cut scores on the ratings were changed without notice. I can not tell you why, but those two decisions gave MPS a meeting expectations rating on the report card score. [00:24:00] And that is not a coincidence.

[00:24:02] The unfortunate result of the lack of transparency around these decisions to call into question the overall validity of Wisconsin's report card. And with that, I'd be happy to take any questions.

[00:24:17] Thank you, Mr. Bender. Uh, the firsthand I saw on pop-up was representative Wiki. Thank you, Mr. Chair. And, uh, uh, thank you Mr. Bender, for a very detailed set of information. And I'm going to give you some credibility for what you have here, because many people will say that will point to school choice and say that this is about school choice in public, um, education.

[00:24:45] I happen to be the president of the Racine unified school board when the, uh, weightings were changed. And those were done at the last minute by the DPI, which resulted in MPS passing their report card and Racine [00:25:00] unified failing that also unwittingly caused a very good superintendent. We had to be, um, non-renewed, which was, which is a story I can gather at a similar time, but looking at everything that you've put through here, These, these are all the same things that I noticed when I actually sat in a seat and worked with our technical people on what the report card was doing and how the DPI was doing it.

[00:25:27] And so I'll have some interesting questions for the DPI as they follow. Um, the biggest question I have for you is where do we go from here? Um, you, you were on, um, you were on the, the last committee that, that did something with this. I mean, we can take, um, I've, I've got the one statute, that's about two pages that, that makes this a very ambiguous, uh, way for the DPI to, um, say that they're, uh, in, in standard with the statute.

[00:25:58] Um, the other [00:26:00] thing is, uh, so where do we go from here? I could, I could write, write legislation that details that out, but maybe that's not the best routes I'm interested to hear from your perspective, what you believe the report cards should, um, what they should profess and then where, where should we go as a legislature from here?

[00:26:18] Thank you. Oh, I think the first question, uh, represented Wiki is, you know, was the process in 2021, you know, I've been asked this question, uh, did it follow the rulemaking process? Is there, is there, uh, a re-ins act violation here? I'm not the person to answer that, but it, it leads into the, the equation, which is for the most part, this committee has had no input on the process and you're the elected officials members of the education committee.

[00:26:45] And that lack of transparency makes it very difficult to point the direction forward. Uh, unless you start to get a much broader sense of who is able to [00:27:00] actually influences these process and we don't even have the data to do it. So that's kind of the hard part is you've got it. There's gotta be much more transparency around what these mean.

[00:27:08] Um, you know, you had in this process, you had, uh, absenteeism, there was a five point deduction that was really. And it was built into the calculation. And

we had talked with DPI prior to this. That was not something that caught us by surprise in that they were making a change. But I couldn't tell you substantively what the change did and how it impacted schools.

[00:27:30] While I have seen a little bit of data, unless you have the full data set in front of you and are able to make changes and see what the impact of that singular changes on the overall score. You really don't have a good idea of how that score is being impacted by those individual changes. And so it makes it very difficult to say that that's a valid change.

[00:27:50] That's an invalid change because unless you've seen the whole gamut of the data, is it you're just flying blind. And I think that's part of the problem is that members of this committee interested [00:28:00] stakeholders for the most part, we're flying blind because we don't have access to the data. So I think that's the first thing is transparency that and the whole point of this and the whole point of it, I think that the bigger problem for us that work with private schools and the choice program, the private school spend an awful lot of money on student information systems as do public schools.

[00:28:19] They spend an awful lot of time and human resources entering data into the student information system. And we did that and we went along with those things because we were supposed to have this object of review that show the impact of schools on their students. That'd be available to parents and policy makers, right?

[00:28:36] It was all the quality data I've been in front of you. I talked to many of you, uh, last year and this year about, should we test the students? Should we not test students? Is the data valid to be used in some of these things? And, you know, I was the one that was saying, I don't think the results of this year's test should be read into very much because you're going to have such low test protector patient.

[00:28:54] It's really tough to relate it to prior years, but really sticking on that quality data piece. But if we're going to make arbitrary [00:29:00] changes that nobody knows about, and it's rolled out to the public in a way that questions, the validity of it, why are we having schools spend all this time, money and resources importing the data.

[00:29:10] If at the back end it's. That's the part that's just mind numbing to me and this committee had no say in that. And so for me, without transparency, without a really any sort of mechanism to prove that what we're doing has a quality component to it. I don't know that we have much choice other than to just start over.

[00:29:31] So I'll answer one of your questions. And so interestingly enough, as a chairman Thies felt was going through, uh, the report card. There is a guide that's on the, uh, DPI site. Interestingly enough, there was nothing in here about cutoff scores or how they were created. So I I'm I'm with you on that, starting over, maybe the best bet we did ask the question of alleged counsel, whether, um, there was anything that would actually [00:30:00] force the DPI to go through the rule process.

[00:30:01] And unfortunately, um, there isn't anything regarding report cards in that, which leads me to, to, to my own beliefs as to why. I mean, I, I can go through what, what happened and I can look at the statute and nothing in here dictates that someone has to come to us with a change. There has to be a rules processed on, um, it's just the standard statute, which is always something that I am makes me cringe because we should be putting every detail in here.

[00:30:33] If there's a change in a score, it should come before the, the, the two committees that we have one this in the assembly and the other one in the Senate. But, uh, we found and ledge counsel can correct me. If, if that interpretation we got is wrong, but there is nothing in this statute that requires them to come through the rule process, which would come through us in a JCR.

[00:30:53] ER, so I appreciate the honesty and directness, and I believe there'll be some [00:31:00] changes coming in the future representative where you looking for, um, legislative counsel to respond here. No, I don't have any corrections to that. I agree with your conclusion.

[00:31:16] Um, next on my list is representative due. COVID. I want to insert a thought here before I go to her. I have a letter here. I got a letter yesterday from, uh, superintendent underly, uh, and was in response to a request that Senator darling, who is the Senate education chair. And I had sent to her asking, um, among other things, the one point that'll bring up was asking that the, we get a copy of what the latest report cards would look like using the old system of [00:32:00] creating the report cards and the old cut scores.

[00:32:03] Um, the response that I got to that, uh, was to say that they couldn't put it together fast enough, which I guess would have been a, a valid reason. I, I think they got the letter on Monday and we were asking for it on Wednesday or was it Friday on Friday? Uh, so I mean, I, if that's a valid reason, fine was short order.

[00:32:28] Uh, but what they did give us to us was a rerun of the 18, 19 report cards using the new system, which is completely worthless as far as I can tell, because that's prior to the pandemic. Uh, and so I don't, I don't see what value that had, but, and I also, uh, when they're up here, I'll, I'll ask this question as well.

[00:32:58] Why, why [00:33:00] could you run the one and not the most recent one. Presumably they've been produced to the public, that that information ought to be able to just as readily run through a computer, which I assume is how they did it. Uh, would you have any thought as to why that could be and have been produced well in our conversations with the department?

[00:33:21] So, uh, another little historical story. So, uh, we're in regular contact with the department, uh, and over the summer, um, especially regarding some of the different federal funds that were coming down, we had a weekly call with DPI and the topic of changing the absenteeism deduction came up, that they were considering changing that and building it into the formula.

[00:33:43] Again, I didn't take the rabbit hole, dive into the formula will Flanders may be able to answer better questions about that or the department than I can, but immediately upon hearing that, and this was in the summer at some point, I don't remember exactly when, but it was over the summer. And I had said, can I see the data runs?

[00:33:59] And there [00:34:00] was a pause. And they said, which data runs? I'm like, I'm not, you know, it might be Tuesday, but it's not, you know, I went on Tuesday, but not last Tuesday. I know you guys do data runs before you make any decisions, so that I've seen it. And I want to see what you've run into the current data sets that would show what the difference is by changing.

[00:34:17] Just that deduction, what I want to see what it does to the report card scores and this kind of willingly said, okay. All right, well, okay. We'll get that to you. That was in July, August, sometime, sometime in the summer. And I kept asking and kept asking through September, kept asking through October, and then in, I believe in November, uh, finally started the process and it wasn't giving me the old datasets.

[00:34:41] It was the data set that they've given to you, which is the comparison from 2018 to 2019, the old way to the new way. But the new way has a number of different things. It's not just the absenteeism cut score. There's other things that are going on to my knowledge at this point. I don't know what other changes they made that I don't even know about, but there would be multiple [00:35:00] changes in that.

[00:35:00] So that data run when we took that data. We looked at and I looked at the schools that had received the five point deduction and their chore scores changed a little bit in the scores, the schools that did not had a five point deduction, their scores changed a little bit more. It wasn't, it was agnostic on private and public.

[00:35:17] It was just an overall change, but it didn't really provide me much value because again, it's a snippet of data. I need a lot more data comparatively to look at it in a linear fashion to say, what is this one impact here? That's going to do it. When I asked for the 2021 data just as you did. I was told that, you know, by open records, laws, DPI is not required to give me anything that they have to create.

[00:35:38] They can, they only have to turn over things that are already created and it would take a long time to get that done. But I asked that back months ago to have that data. And I said, I'll pay for it. If that is going to take a while to run it, I'll, I'll figure out a way what's the money, you know, I'll pay for it.

[00:35:52] That's not really what we mean. It's not producing it. We don't have to create anything for you because it's a, it's an open records and we only have to turn over data that we've already [00:36:00] created. So I never got that data either. Uh, and I haven't seen it. And so the 2018 19 data is helpful to an extent, but it's really difficult without a lot more data to, to draw any conclusions from what that change was a follow-up question, um, somewhat related.

[00:36:19] So in reference to the requests that Senator darling and I sent to superintendent underly, uh, in that letter also, uh, we indicated that we didn't really, as you've stated, numerous times, we didn't really have much of a say or perhaps any say in these changes that were being made. And I was sent back an email that apparently had been sent to me in February of 21, so almost a year ago.

[00:36:51] Uh, and that was presumably, and I do not remember this email evidence here that I must have received it. [00:37:00] Uh, but it says I'll just quote from. Email that was sent to me over a year ago. It says during this time, by this time, it means the time period when they normally would have been producing the report card, but they weren't because the legislature waived it for that year.

[00:37:15] So it's, during this time, DPI has worked with an accountability advisory group of public and private school stakeholders from across the state, as well as a panel of national experts to make updates, to state accountability report cards. And then it goes on stating what the themes were. Uh, so I don't recall having been invited to be a part of that accountability advisory group.

[00:37:42] Do you know of any private school stakeholders that were invited to be part of that discussion? Other than I believe, uh, Sharon Schmeling from w Chris was on there. Uh, there were a number of committees that we had recommended. I don't remember. This is one of them. It might've been that we had turned over some names of some [00:38:00] folks of some school leaders that would potentially be interested in doing that.

[00:38:03] I don't know if that is the particular committee. Um, it had a number of different working groups, not all related to the report card, but some of it was the federal funding and we had turned over. I was not part of the committee, but I know we traditionally try to turn over school. If they're looking for school leaders, we try to turn over school leaders, not school choice, Wisconsin, uh, to talk about that, but I'm not aware of, uh, what the committee's work was.

[00:38:25] Uh, who's on it. I know, uh, I had talked with, uh, Sharon smelling a number of times about, uh, some of the potential changes that she was looking for in some other data that she was looking to get. And I know she, and I don't want to speak for her. I have to talk to her, but I know she was not completely satisfied with that experience.

[00:38:40] Okay. Representative of Duco. Thank you, Mr. Speaker. Hi, Jim. Good. Um, okay, so you gave me a lot of numbers and I try to write them down fast. So you said there were 30,000 eligible students in Milwaukee that could have been tested in the spring. Correct. [00:39:00] And it only 13,000 word. Yes. Did, can you see, can you tell if they, if that was parental opt out or just didn't take her, there were only 185 opt-outs there were 16,786 students that did not take the test in 185 will perennially opted out.

[00:39:17] So that, that leaves you with 16,500 something students that, uh, didn't take the test. And I think this has been a question that I didn't get answered. I, I don't necessarily have a solution for it, but there is a statutory requirement to deliver the test. And if there's the parental opt-out, the school has no control over them.

[00:39:38] That's a parental statutory, uh, provision that they have. If a parent opposes a student out of teaching a school, private or public, doesn't make a difference to the parents is the ultimate arbiter of that. So that that's not an issue, but if there are students that are, that are on no test, that just don't take the test, but it's required by law.

[00:39:54] Evidently there's no ramification from a legal standpoint, and I'm not necessarily suggesting that there should be, [00:40:00] uh, but there certainly wasn't any accommodation made inside the report card. And to be truthful, you know, before this DPI could probably tell you what the test rates were, but they're typically in the nineties, right?

[00:40:13] You know, you get 90 plus percent or 95%. I think at one point there was a, uh, uh, uh, if you were below a certain percentage, you got things on the report card for that even. Uh, but the test taking this year is clearly an outlier when it comes to test participation. So might this happen again in the future, uh, since COVID is going to be around, I think it might in the future.

[00:40:33] So I just don't know what the application of the law is around a student that doesn't take the test where it's required. Is this something that DPI should have reached out to MPS and said, why didn't these kids take the test? I can't speak for DPI or why that would have happened. I mean, again, you're, you know, to, you know, the elephant in the room is.

[00:40:56] Right. Madison and NPS, we're virtual longer than [00:41:00] any other school districts in the state. Right? And so their conductivity with their students was less than optimal. And from the stories that I hear in Milwaukee, it was really less than optimal about the connectivity with students. So getting them physically into their buildings in order to complete that test again, I acknowledge the fact that that was going to be a struggle, but there were a lot of private schools in that exact same setting, serving those exact same kids that figured out a way to do it.

[00:41:26] It's this wasn't impossible. And to have 58% of your low income kids, not engaged with your district enough to take the test, that's shocking to me. And I'm afraid of what the ramifications mean for Milwaukee for not just now, but for the next 10 years, 10 years. Um, again, I don't have an answer from a legal standpoint.

[00:41:48] Uh, to me that seems like something that would have been, if for instance, DPI would have come out and said, we aren't able to generate a score for NPS because the test participation rate was too low. I don't know that I, that would [00:42:00] have been something that would have been out of balance. There are other ways it happens more on the choice program because the testing cohorts are

sometimes really small and school that just get into the program where they don't have enough testable kids, or they only have enough for certain areas, but their subgroups don't work.

[00:42:15] And so they don't generate a score. I don't know that it's happened in a public district before, because he don't have enough testable students to generate that score. But in this situation that might've, that may have been an appropriate procedure to take. What would have been really appropriate is for this committee to engage on that.

[00:42:31] And for you guys to have a discussion about that, I think that's what would have been the most appropriate. Again, this test participate test participation rate was known to DPI months and months before it was released. This is not something that got dropped in their lap and they have three days to make a decision.

[00:42:47] Right? So all of these things. Our questions of transparency, potentially more than the decision. Cause I don't know what the factors were that when is the decision, why they generated a score, I can't answer any of those questions. And then I want [00:43:00] to ask you about the data and maybe this is for alleged counsel.

[00:43:03] So they collect all this data and we don't have access to that. And I'm not asking for a student's name or address do I mean, when I look at this report card, it tells me that there were so many Asian students, so many African-American, I mean, don't, we have access to this data, the raw data on this or not.

[00:43:25] And is there, well, there's certainly limits on the personally identifiable information and what TBI can release there, but somebody to a public records request as Mr. Bender was referring to, um, it requires that DPI would in response to a public records request to give out any records that exist, um, with any personally identifiable information redacted, but it doesn't actually require them to generate any additional records that they do not have in their possession currently.

[00:43:58] Okay. And I don't know [00:44:00] about the legislature. I do know that other groups have made in an attempt to get that information, to run research on it, not personally identifiable information, but the demographic data on the student level data. And they've been unable to attain it. And again, this is not in a situation where nobody's trying to make anything public.

[00:44:16] You know, if there's research agreements that have for confidentiality, nobody's trying to find personally identifiable information, but without the raw data that goes into the computation of the report card score, I mean, I believe back in the day, I don't think they do anymore, but the value added research center at UOW did the growth metric.

[00:44:34] I don't think DPI, I don't think DPI did the individual growth computations in house. They farm that out and I think it's a different group that does. So you w

under the bark, they had access to that data. They had to have it in order to, to create those, those growth computations. But other than mark, who was under contract with DPI, I'm not aware of anybody else that has that data.

[00:44:55] And I'm not just to be clear, I'm not suggesting that DPI violate any of the federal [00:45:00] laws around personally identifiable information is not at all what I'm saying here. No. And I'm asking him to violate anything either. I think obviously that's something that we need to change. And since our governor is the ex superintendent and so high on education, I'm sure he'd be happy to sign that legislation.

[00:45:16] So thank you very much, Mr. Bender

[00:45:22] representative.

[00:45:29] Thank you, Mr. Chair. Happy new year, Jim, happy new year to year representative poll, hopefully of many more to come to be honest with you. Um, so I remember the moment when we decided that we were going to vote on that eight to F uh, scoring on report cards. Were you in the room at? Yes, my hand went up. Okay.

[00:45:58] I was in favor of a, through F [00:46:00] I was sitting here. The governor was sitting with before we got to the point of voting. Do you remember how intense that conversation became in the room? And do you recall who the four chairs of that taskforce was? Yes. Representative Castelle representative. I'm sorry.

[00:46:19] Senator Olsen, the governor and superintendent Evers and governor Walker and governor, governor Walker, three of yours and superintendent, you referred to the they, and we, that that was something you referred to in talking. Well, there was a, there was an organization that was hard by DPI to facilitate that though.

[00:46:44] Um, and I would argue, there are times when Senator Olson was, was not too attached to any particular team when it came to education. Yeah. So what I, and I thank him for that. Um, but the four chairs agreed [00:47:00] that we would take a vote. My memory is different. I don't remember that, that, that I do. Okay. That was very intense.

[00:47:08] And I do remember the intensity. Yes. Yeah. And that vote was taken because the four chairs agreed to do it. We weren't finding consensus in the room at the time. Would we ever, well, you're kind of laying this on former superintendent Eavers as having done something pretty sneaky and unheard of, but it was the four chairs who agreed to take that vote because we couldn't come to some kind of consensus and we couldn't move forward, a decision needed to be made.

[00:47:41] So that was a joint decision by then Republican Senator Olsen, Republican assembly, representative Castelle, Republican governor walkers Walker, and non-partisan Tony [00:48:00] Evers. So, you know, be careful how you paint that

big picture, because I don't think that was terribly accurate for the time that it occurred.

[00:48:11] Okay. Can I just follow up with your line of questioning there? Um, I've never operated this committee with four chairs. I don't know how that would go. Um, but I assume one of them must have been in charge at that point. It was governor Walker. It was just curious if anybody remembers, uh, that and that I don't remember.

[00:48:33] The governor Walker was in charge of that. That was the committee existed. The committee existed because of the Wisconsin application that needed to be submitted by. I mean, again, just for those that aren't aware, Wisconsin's unique in that it's got a constitutionally elected superintendent public instruction.

[00:48:51] That's not appointed by the governor. And the way that the federal law works, the Wisconsin application was being submitted by DPI. It wasn't being even [00:49:00] submitted by the committee. It wasn't governor Walker was not in charge of that application. That application process was, was under the control of the superintendent of public instruction as the constitution and steps.

[00:49:12] And I've never questioned the legality of it. I've never, I've never said that that isn't there, that there was any law broken. That is certainly not what I'm saying by any means. Picture that made it look like, well, it wasn't meant to be any legal sense. It was meant to be on a transparency sense that going in the room I use, I was in the room and I knew that before that there was not going to be any voting.

[00:49:32] That was part of the process walking in as a committee, as a design team member. And so that, uh, a snapshot decision was made and things happened. Uh, it does not invalidate my criticism of the process, which is at the end of the day, the process around submitting the Wisconsin application, all the final decisions on the final calculations were all made by DPI behind closed doors.

[00:49:56] I wasn't in the room. Maybe you were, but as a design team member, I wasn't in the [00:50:00] room and it goes to the larger, it goes to the larger process now where DPI is going to testify about decisions that they made. Once again, behind closed doors. My testimony here is to talk to the process. I'm not digging into the calculations.

[00:50:13] What I'm seeing is my experience with the report card from beginning to end has been the DPI gets to make decisions in a way that is not very transparent. That is what my testimony is for. Okay, but it's not illegal. I've never said it was. And I wouldn't hate to if, if, if you got the implication that I was saying it was illegal, then that was my fault.

[00:50:32] I do not ever say that they broke the law. I think the whole thing has been pretty tainted in terms of sort of laying blame on DPI for doing things behind closed doors, when that is how they are allowed to function by constitution and the statutes.

And I wouldn't disagree with you to the point of saying as a design team member, I don't recall ever being told that no voting would take place.[00:51:00]

[00:51:00] That decision was made at the end of the day, at the end of all of those months of work when we couldn't come to some kind of consensus. So I just wanted to clear that up. Thank you, representative Wiki. Thank you, Mr. Chairman being one of those as I guess I've just been categorized. Um,

[00:51:25] I better stay away from this one because if we want to start talking about our academic performance over the last 15 years, I think that discussion would be a lot more interesting if we wanted to start shifting blame and asking for accountability over that point in time, I'll get back to what we're trying to do today, which is trying to find out how we can accurately gauge where students are and in a way that we can fill a workforce that is suffering immensely, um, with the way that our K through 12 is performing at this time.

[00:51:55] Uh, I'd like to just clarify some things that it may have heard, and I'm not sure if you [00:52:00] have the answer to it and you can defer, um, is, is the Ford exam, is that allowed to be administered electronically? Uh, well electronically, but in person. So it's, I think that you're, you're not necessarily required to take it and I could have DPI say this, but it is in-person.

[00:52:16] You can't take it. Let's put it this way. You're not allowed to take advantage. I believe you have to be in person, whether you're on a computer or not, but you have to be in-person to take it. Okay. So I'll slightly alter my semantics then. Okay. So right now it has to be done, um, electronically. Um, in-person do you know of any, any process or so on that could be considered where it would be done, um, where it could be done virtually, um, and electronically considering where we're at now?

[00:52:48] Is that something that could be, I would have to, I would have to defer to DPI on that. I'm not, I'm not as familiar with that contract. I mean, again, there's a contract with a vendor that did that distributes I'm not knowledgeable enough on [00:53:00] that implementation of that test, that they could provide protocols for virtual.

[00:53:05] And I'll ask them the same question. I just wanted to know, since you were in the design committee, if you have any knowledge of, I believe that that ever, ever came up. In fact, we had, uh, we're still under the WKCE when we were talking about this. And then we had one year the Badger exam, which was way over budget, uh, was supposed to be interpretive, uh, and change.

[00:53:25] As you took the test to become more difficult, the better you did an easier, if you were struggling was supposed to be this adaptive, uh, protocol that never worked. Um, and then we had that for a year and then we went to the forward exam. So, which is still not really a nationally norm reference exam. It's not, uh, I still have problems with that, but that's for another, another day.

[00:53:43] So in the process that we have, uh, my recollection is, is that the, the, the DPI runs certain. Let's just say, I'll just say runs a first run of what the report card does, then individual schools [00:54:00] or districts have the ability to review that data and then make changes. Is that correct? They get the, they have the opportunity to check the data.

[00:54:07] I, I let them speak to whether it's before or after the report card has done. I know they certainly get to check their data on the standardized test scores and they're sent it to check. And then I believe at a minimum, they're able to check all the data components that go into the report card. I don't know if that's before or after the final calculation is made, it might be, but I know that the schools and districts do get a preview just to make sure that the data that they sent matches up with what DPI sending back to them.

[00:54:31] Yes. And then in your opinion, do you think it would be valuable for us to consider, um, having an outside party that let's say has better technology, um, more skills with, uh, um, running, um, data scenarios, et cetera, actually take over that process of creating the, uh, information that would actually feed into the, to the report card scores and so on and remove that entirely [00:55:00] from the DPI oversight.

[00:55:02] You know, that's, I think that's up for debate on the actual physical, you know, calculations and how they're run in the end. It's computers doing it, you know, not humans, but, um, I would say a larger concern for us is the metrics that go in and, and as representative Pope, accurately pointed out statute in the constitution enabled DPI to make all of these decisions under current law, inside the four walls of, of DPI, they are absolutely legally allowed to do that.

[00:55:37] But if that's the method, just because you're legally allowed to do something, doesn't mean that they can't bring changes to this committee beforehand. There's absolutely the ability to do that. And if you choose not to do that, if you choose not a transparent process, there's certainly nothing in the constitution or statute that limits their ability to be transparent with what they're doing.

[00:55:53] And if they're not going to be transparent about it, then you get to own it. Then it's yours and yours alone. [00:56:00] And for us, I think that's the bigger problem is not the actual computation. And the schools are given an ability to make sure that the data's right, if that process is working and it seems to be, I don't know that I've heard anything where the schools have had an issue with that.

[00:56:14] Um, but it's the baseline calculations and adjustments that are made. I mean, to be completely honest, I'm not aware of any other changes that were made to the report card, uh, internally, but after seeing the cut scores getting changed without announcement without public declaration and not even on the website, I'm questioning, are there other changes that were made in the past because there were allowed without a rules making process, literally they can change it whenever they want.

[00:56:40] And I don't have the expertise to tell you that there hasn't been minor tweaks made. And again, I have no evidence to say it. I'm not even making an accusation. All I'm saying is the process right now is, has no transparency. So nobody else knows. And I just think that's a horrible way for a grading system on what this building spends more [00:57:00] money on it.

[00:57:00] Anything else in the state and the oversight and the grading of that system is done with zero transparency, zero accountability. There's nothing there that keeps DPI from doing what they want to do. And if, if I sat here and I said, there are completely neutral arbiters in the world of education, but I can't say that because I don't think they are.

[00:57:20] And so to have a non-transparent process do that, I had a conversation this week with a very gifted researcher who said your report card is what you want it to say to the audience of choice. That'll dictate what your scores are, what your calculations are and what the information is that's putting out there.

[00:57:38] And right now, when I look at the report card, it's certainly is not a useful tool for a parent in a simple way to say, how is my school doing? Parents don't know that the cut scores removed. I mean, unless they read a couple of handful of email or media stories that made reference to it. But you're changing the report card.

[00:57:57] That's going to parents that they don't have any idea that the cut scores got [00:58:00] changed. And to me, that's just not acceptable. I've had a number of people leave. I appreciate that. And I will tell you that data can be changed. And I think it's, it's normally through the first one, because I was part of that at one time.

[00:58:14] And, um, interestingly enough, uh, like I said, I firsthand realized that their ability to change something and pick winners and losers, and that's not what we should be about. We should, we should be about reporting exactly where our kids are and providing the right investment from the state side to improve our, to, to improve, um, our competency.

[00:58:39] But, um, I appreciate many of the things that you've given us because, uh, luckily, uh, we have the ability to change the statute. And I think there are, there's probably some, some things that we'll consider moving forward just recommend that, you know, any changes that are proposed are made to the report [00:59:00] card are going to have winners and losers.

[00:59:01] Anytime you touch a dial, somebody's going to go up, somebody's going to go down. That's kind of the nature of the beast. And that was how we got to some of the heated conversations inside the report card. So I don't want to limit the ability for there to be changes to the report card, because if we can make it better, we should make it better.

[00:59:17] If we have data that comes through, that shows that a change should be made and we should make it better, we should do that at a minimum. This committee

should have a say on that or an elected official should have. I mean, other than the superintendent, there should be transparency. There should be eyeballs on that before we make a decision, because there it's mind boggling to me that this is done in a way that nobody gets to see what the final clicks of the dials are.

[00:59:37] That's just, that's just mind boggling. So I'll see. I'll just correct what I said, because you are correct. There are winners and losers, but we should understand why there are winners and losers rather than picking and choosing for other reasons, in my opinion. Thank you.

[00:59:55] Representative Rampling. Thank you, Mr. Chairman.[01:00:00]

[01:00:03] Wow. A lot, a lot to think about here. I, first of all, Mr. Chairman, I'd like to open up with some praise to you personally for bringing this information to light today. And for the correct was at work, you that you did, by the way, I have it all down here. I'll get it back to you. I was wondering it's all here and I got it.

[01:00:19] So that's on me. Um, I didn't expect this today. I didn't expect this type of information to come out in this type of concern. Uh, I'm also a Cedar school board member. And my core reason for wanting to serve on a school board is to make sure that every kid gets the best education it can for the benefit to society.

[01:00:41] And when I'm getting into this conversation, seeing this information in your presentation, Mr. Bender's outstanding. Thank you for coming today. And thank you for presenting this, this, uh, alarm, because it's a huge takeaway for me. I, um, I'm very concerned. I don't want to get into who did what and when, and who's to blame and finger pointing and name calling and all that [01:01:00] stuff.

[01:01:01] What we have is, is, is if we don't report accurately where we are with our students and their development in, in their development years, we're going to introduce that to society and any wonder why we've got problems in our society. So, so that's more of my concern, the effect on the child who did what and when we can address.

[01:01:18] And we will. Uh, but, uh, I'm, I'm really concerned that we w what we have here is a crap sandwich. In my opinion, this reporting, it's not giving us what we need to, to justify funding to this entity. We have to do something dramatically different. I liked your last statement where you did question the overall validity of the Wisconsin report card from the DPI.

[01:01:40] My question to you is, do you think we can obtain an accurate one or do we have to scrap and start over as somebody that has a decade of work or more into this? Um, I don't make that statement. We have been as an organization, heavily invested in [01:02:00] making sure that working with schools that they're compliant with the S in the student information system.

[01:02:05] I mean, that's a big deal. In fact, I was in front of the finance committee, I think in 2013, because originally DPI had caught the contract for a single vendor. It was a vendor outside of Wisconsin. Somebody who may remember Skyward was going to leave Steven's point because they lost the contract. And we were able, still, not quite sure how we pull the rabbit out of the hat, but we reversed that contract and got it to be a multi-vendor system.

[01:02:29] So your districts that had something other than, I forget the name of the vendor that had it. Um, but those that had Skyward and, and power school and some of the other ones could keep their systems. And now it seems to be working correctly. And we had DPI when we have regional school meetings in 2015, I think we had four or five different regional school meetings.

[01:02:47] And the most popular part of that was the technician from DPI that came on, was helping the private schools, get their student information system set up so they could transfer the data correctly and make sure that it was working correctly. I mean, we have a lot of time, money and resources [01:03:00] invested into creating a quality dataset that can be used in a way for us.

[01:03:05] We think it's for parents. Yes. It's great that you guys have a policy makers have it. We want that, but school choice, Wisconsin. We want to make sure that parents have a good data on the educational opportunities in front of them. Their are options. So I, when I don't put that sentence in there lightly, but I put it in there on purpose because when you look at, and again, I keep harping on this, but when you look at the process by which we got to here, I don't know how you can't question the result because it's not transparent.

[01:03:33] And I don't know if they just hope nobody would notice that the cut scores change. I really can't speak to. Um, but it tells me that the end product that we have, unless we completely changed the process by which we're producing the end product. I don't know how you can ever have faith in something that you don't know how it's built.

[01:03:53] Right? I mean, you can't judge a building by its exterior. There's a reason why the building codes focus on the [01:04:00] foundation and the internal structure of the building as it's being built, they have to see what's going on between it. And if you just voted by the exterior of it, that building could go down in a heartbeat.

[01:04:09] And that's kind of what we've got now is we've got this exterior shell of a report card and some of the inner workings of it. We don't know how they got there. I think that last statement perhaps answered my question. The reason I poked it too. And not only to see what you would say was, I would like to see what the real data would have been, because then we would know maybe, perhaps what was being hidden.

[01:04:30] But more importantly to me personally goes back to my statement earlier then we would know that the status of our students and where they are with their

comprehension and their education level and what are we actually introducing to society down the road. If we continue to move the goalpost, if you would, or, or change the tool set to get us a number that's a piece of pleasing people so they can get more funding or whatever it is, whatever.

[01:04:51] And I am not testifying that the change of removing absenteeism deductions was the wrong decision. I'm not testifying, but even moving the cut scores was [01:05:00] necessarily the wrong decision. I'm not testifying that the change in the format that really deemphasized the score and made it made an easy, uh, parental again, it's not what we like, but I'm not necessarily sitting up here saying that that's wrong.

[01:05:13] What I'm seeing is nobody on this committee and none of the other stakeholders had any input on it. And so it's difficult for me to say what's right or wrong. When all you see is the end result, it's just difficult to the input input element. I'd like to couple more points, Mr. Chairman, uh, compliment representative Wiki for bringing up the idea that we should consider moving rule or report changes through.

[01:05:34] Legislative committee like JCR, Yar. I think that's a solution based approach. I think that could help us and also to compliment representative Tuco's inquiry on numbers. When she talked about how the report came out and your qualified 16,500 students in Milwaukee MPS did not take the test. It to me, it begs the question.

[01:05:52] Compliance elements should be also levied against districts for not compliant to statutory [01:06:00] requirements. And perhaps we pull back on funding if they don't deliver what we asked for through our, our laws. So there's some things I think we can do to have this discussion and this report data not happen again, because I think we went backwards big time, and I think it was probably ought to do with masking, with the effect of COVID and shutting down schools.

[01:06:18] So ultimately my last, and I'll say it one last time, the effect of what we're doing here by, by changing these reporting elements is changing the outcome of the comprehension of the student, which is gonna affect your society. And that's my biggest concern, the damage that can come from this so we can cross T's and dot I's and, and move along the status quo, mental behavior.

[01:06:40] It's not the right way to do this thing. We're causing way more harm than good. So thank you for coming in today. Thanks for your testimony. Thank you, Mr. Chairman.

[01:06:52] All right. Um, we have no one else who has any questions for Mr. Bender. And, um, if possible, I I've asked [01:07:00] the people as they testify, if they're willing to stay, um, that we perhaps might need to refer back to them for something or another. Um, and so certainly you're welcome to stay. Uh, one thing that I, as a call up the department, so, uh, Wisconsin to public, to public department of public instruction, it would be our next speaker, uh, is I just want to refer to legislative

council because there think it was representative with key made reference to the rules process.

[01:07:31] And I just wanted to follow up with that briefly. The, the administrative rules process is statutes chapter 2 27. So in the formation of the report card, um, are you aware of anything in there that requires a rules process to be followed? Um, so the statute that governs, um, the report cards does not explicitly require rulemaking by DPI.

[01:07:59] However, if [01:08:00] something needs the statutory definition of a rule, it would still have to be promulgated through the rule-making process. Um, but there's some question here about whether the calculations and categories, um, that DPI determined as part of the report cards would in fact qualify under the definition of rule, because there's a question about the piece of the definition that requires something, a policy to have the effect of law in order to meet the definition and trigger the requirements for rulemaking.

[01:08:30] And so just to follow up on that, if, if the department had wanted to, there would have been nothing stopping them from running something through as a rural, um, certainly they can promulgate rules on things that they are not required to promulgate. Yes. Okay.

[01:08:58] all right. All right. So the department is [01:09:00] here. Uh, if you could just state your name and your, your role with the department, when you begin, you mentioned, uh, Tom McCarthy. I am the executive director of the office of the state superintendent for Dr. Underly chairman, these fellow members. I appreciate your time today.

[01:09:16] And really it was looking forward to having a conversation about the changes that were made here in the context of the why, and had written down some very lovely thoughts that I wanted to share with. I'm still gonna read them through, but I think what I, what I'm really hoping for is an honest back and forth and an engagement about the facts of the matter at place here.

[01:09:35] And I worry that there is a little bit of thumb on the scale about what happened when and why and why. So I'm really, honestly, the thing you will get to know about me is candor is probably should be my middle name. I will tell you where the department has fallen flat in certain ways in the past. And I will tell you where we are making decisions strongly based in science and data practices.

[01:09:56] And I worry that in the past, back and forth I heard there, I heard a [01:10:00] blending of the idea that we want to run report cards and look at the value judgements that we'd like to see as outcomes. Then turn the dial and then turn the report cards on. And historically the way the department has treated report cards is that we call it a black curtain.

[01:10:15] I'd love to let you behind it. So you can look at it. Cause it's really just a bunch of mathematicians who are nerdy and really apolitical, but we hold that sacrosanct when we're doing these things. So we make calculation changes. We'd take feedback from stakeholders. Did we give everyone everything that they want all the time?

[01:10:30] Absolutely not. It's all about finding that middle road where you're making the best decisions for kids. And then we apply those measures to assessment, data and other pieces of information in an unbiased way. And that is really where the rubber meets the road. That's where we make the least amount of friends.

[01:10:48] Because as soon as you do something like that, you are turning on a system that is showing people something that they didn't expect necessarily because you are making those mathematical and statistical changes, not necessarily in a [01:11:00] vacuum, but devoid of putting the real numbers into place. Cause as soon as you put those real numbers into place, you have bias in your particular interest as a school board member, as someone who represents a community of private schools, interjects itself, whether you like it or not.

[01:11:13] And that's the problem that we need to prevent. If we're going to design an accountability system for schools that we can hold up as bad. Otherwise, we are really just turning the dial to get the results that we want. And I can, I can lecture, see our mathematicians and work with them to get the results that you want.

[01:11:27] That's the easy part. The hard part is the buy-in the stakeholder work on the front end to set those values, to codify them in numbers and policy, and then run the system, knowing that it might not work exactly how you want it to. So that's the part that I want to talk to you all about, because I think that is an important criteria of how you hold these things sacred.

[01:11:48] So a little bit about me. This is an awesome unique moment for me, because I have sat in all different seats through the history of report cards, much like Mr. Bender, who has been ingrained in this process from the start [01:12:00] and, um, you know, this a long history, and there've been a lot of changes and tweaks that have come along the way to satisfy individual concerns and things.

[01:12:09] The thing that I want to do is if you have questions about that, please ask them because I think we run into a dangerous problem when we're making assumptions, that everybody knows about the history of the quad shares, how that particular no child left behind waiver that we sought because every single state in the nation was in a place where no child left behind was requiring them to meet 100% proficiency across subject areas.

[01:12:31] And no one was doing that, not a single state that Wisconsin, not any of the neighbors you want to compare them to. That is why the waiver was created to allow an accountability system that was more dynamic and more based in the values of an individual state. However, to do that, we needed statutory authority.

[01:12:45] We were not going to cook up a system without the input of the legislature, without the input of them, governor Walker and others. That was the intent of the quad chair. So when we ask about how power and dynamic was changed, the agency was not just going to turn on an accountability system without legal authority to do so.

[01:12:59] [01:13:00] So that was that, that particular process. We had a decent back and forth about that. You have more questions, please let me know, because I sat in a room and listened to many of them. So let's go to the first year of report cards because that was the end result of that particular statutory change and 11.

[01:13:17] We committed in that process to constantly iterate, to make sure that the values of this committee, the values of our communities and the values of our schools are represented in those particular report cards. We've hit bumps along the way. We have had changes along the way that were either recommended by the department or passed the law by this particular committee and others we've had pause years where things did not go well as Mr.

[01:13:38] Bender testified to. When we tried to implement the smarter balanced assessment, it was a hot mess. It did not work. We were not the only state that found ourselves in a place where we had to ditch smarter balance. This committee came together and said, we're not statutorily allowed to do business with them anymore.

[01:13:52] I am not here to defend that. I think that was probably the right choice, given how that rolled out for us in the particular departments. We also had a [01:14:00] pause year during COVID where as Mr. Bender also testified to, and you guys kind of pierced into, we had a lot of challenge with districts, getting kids to sit for an assessment and to stay engaged in school that was uniform across all different school types and all models save for maybe some of our virtual school friends who you're going to hear from later.

[01:14:17] Like a lot of people were taking lessons learned and stock from the models that they were using and operating for more than a decade. Um, so I kind of want to shift a little bit into one of the biggest changes in my mind that was done to the report cards from a legislative standpoint, and it was creating a value added construction and that value added construction is still the thing that today arguably drives the biggest differences in all schools, public choice.

[01:14:46] And it is the most volatile and dynamic that is left after the changes that we have made, because what it does is it applies a different formula of growth and achievement based on who's in the school. And you heard Mr. Vendor talk about the intent of that. Why we [01:15:00] did that? I think it was a noble cost because as, as we talked about the early runs of the report card, up until that value added was changed and added were largely a one-to-one correlation between the poverty of your district and your outcomes.

[01:15:14] Let me break that down. I can tell you, based on how many kids that you had as a percentage in your school that were economically disadvantaged, where you would fall on the report card, the correlation we used to take around a scatterplot where we show all the different schools, where they landed on the line and you could see the correlation very clearly.

[01:15:32] It didn't take a mathematician to be able to notice that so we needed a fix, and this is what we cooked up. Funny story about that. I still keep this graph on my wall. When we were constructing that piece, we made a mistake in the statute. It didn't work the math of the actual derivative of how to do that was incorrect.

[01:15:49] And then we had to come back and fix it. The reason I tell that story is to just cement in your mind, this is not a conversation that is only happening in the backrooms of the department of public instruction. This [01:16:00] is a conversation that is often Manhattan, the public it has been had with this committee.

[01:16:03] And I know that members change. And so I think it's important that we take stock of that fact. So little bit of that background sort of brings me to where we are today. I gave you guys a memo I've been talking to off of it a lot, but I want to emphasize some of the things that we did in the most recent tweaks to their report cards.

[01:16:20] And then I also want to spend a little bit of time talking about stakeholder engagement feedback, because I think that's where you're going to hear a big dynamic shift from me versus past administrations. So let's talk about the wide and what we were trying to address. One of the biggest concerns that we've heard, um, from actual parents and from our community stakeholders was that particular PDF document that we've passed around.

[01:16:42] Despite the fact that people liked the main category, look and feel made no sense to anybody. Once you got past that visual of the state being a particular color and where you fell in the cut scores and we're diving into the data, right? So you have the, the front and back page, which like I said, most people's [01:17:00] eyes went right to that color and they put it down and left.

[01:17:03] And that was nasty intent of what we were trying to do with the report cards. We were trying to let people, all people, not just educators, not just people deep in this. Understand what we were measuring, why we were measuring it and how it was functioning in that district and relate it back to them. We are committing to continue to iterate that.

[01:17:19] So if you have questions, concerns, things that you want to see changed, we will tweak it again, but getting it out of that PDF format, which was arcane and not functional for us to create was essential to us. Being able to make future tweaks to the visual, look and feel, and continue to engage people who historically feel disengaged by their school community or talked down to, we have to continue to commit to that.

[01:17:42] We have to be accessible with the information and transparent. The other thing that we did was we incorporated new data into the report card in ways that we have not published before, specifically around readiness. So we have several indicators in statute that are required, that we turned on this particular year and then arts [01:18:00] new things as with any new thing, we ticked off a lot of school districts because they were collecting this information and very unaware that we were going to turn it on to the point of dialogue that representative Wiki and others have talked about, about the verification process of data.

[01:18:14] We took a lot of inquiries, right? We had a lot of districts saying, I didn't know you're going to do this. Why did you do this to us? How long has this been going on? And I'm going to get to this at a certain point, but there becomes a moment in time when we're doing all these things over the history of time and communicating with each other a lot that we reach information overload and people have to make value-based decisions about what they're going to pay attention to.

[01:18:34] And now we'll come back to that in the stakeholder piece. But just the lesson learned in that one is that we've been telling districts for years, that this was going to happen when we actually turned it on and they were still upset with us. The big one I buried it for the end is the target group piece.

[01:18:48] So target group versus the historic closing gap score piece. I'm gonna talk through that a little bit because I think it's important for us to be able to understand and transparently, explain what we were doing. Now, I put in the appendix of [01:19:00] the informational brief, I gave you an example of why. The old closing gaps piece is volatile.

[01:19:05] It was volatile for small schools. And we heard a lot from small school districts, rural school districts that, Hey, we appreciate what you're doing in regard to trying to walk us toward the valuing of making sure that we're serving all kids. But when we grappled with the fact that we don't have that many kids that measure turning on and off ping pongs us up and down in the validity of report cards, and it changes our scores in a way that if you would Norman on a long-term graph, make sense, but in the short run, it makes them look like they're dropping multiple points year over year.

[01:19:38] So in order to do that, we did gauge and convene a stakeholder group and pick ideas from schools. Mr. Vendor had nominations of four people on that, and he gave us four schools because we needed school based leaders to have that discussion. And we worked through how to do this. And the agreed upon way of doing this was to instead target instead of targeting suburbs, [01:20:00] target the bottom 25% of a population and make multiple different target groups across the different format.

[01:20:06] So the report card, and then subsequently kind of run mini report cards and compare the rest of the population against that particular group. I'm gonna stop there because I know like, let that sink in your brain for a second and ask questions when I'm done talking. I know we can't do it in the moment, even though I love that

stuff, but that change allowed us to be more consistent and less volatile in that particular dynamic, which is of great importance.

[01:20:28] Because when you're thinking about the work you're doing to serve the most disadvantaged kids, the kids who need it the most, if your system of measurement is not doing a good job of staying stable, the actual classroom interventions you're going to use are not going to be stable either. So we needed to provide them with something that they could make decisions based on the track.

[01:20:46] And mark, it would benefit all of those kids, not just one particular group that were struggling in schools. That's the background. That's sort of the why, if you will, a couple of the other changes that have already been battered around. Absenteeism [01:21:00] is no longer a standard deduction. It is baked into that target group piece.

[01:21:03] So it is weighted for, and technically you can lose more than the old absenteeism five point deduction. So engagement is still incorporated in there. It's still a component of what we value because we know that that's something that's critical in schools. Finally, it takes me to the cut score piece. And I think I really want to spend some time here making sure that we have a firm understanding of how cut scores are managed and how we manage this particular cut score change.

[01:21:27] When we do cut scores for the point I made at the beginning of this testimony, the last thing that we want to do is take all of the information and then apply some sort of statistical model to it. Once it's all said and done, what we went into doing is saying when we have the norm in the distribution of information that we get from report cards, we want them to match.

[01:21:47] In other words, we want to see the same amount in proportion of schools, in all of the different categories. As we make changes, we did all of the statistical modeling before the data was present before the year of assessment, we locked those [01:22:00] pieces in, we ran the formula and this is what we got. So there's no gaming, there's no dial twisting, nothing like that, because if we did that, that is how you inject bias.

[01:22:09] Now here's where I'm going to stop. And just say that the fact that y'all didn't know that, and there wasn't a deep enough level of engagement for you to understand that is a problem. And that is not something that I take lightly. When I say that it's not something that'll happen again. They get any of you that have had dealings with myself and this administration in the time that we've been here can testify to the fact that that's not how we operate.

[01:22:29] This is a big decision. I understand the absolute, every piece of the concerns that you have brought forward today. But I just, I need you to know that old administration, newness, new administration, there will be a break in some of these things and there will be changes. And that is going to bring some comfort and some discomfort.

[01:22:46] Because when we do that level of engagement, you are going to be involved in some of these painful conversations about how we're going to do these things. And it's going to put us all on the hook together for the change that we're going to. And that's important because [01:23:00] it makes better decision-making and sorry, my laptop's locked out here and trying to communicate with my department staff to make sure I don't say anything.

[01:23:08] So they are chatting DPI. I want to continue on that stakeholder piece too, because as chairman P spelt mentioned, we did send out a bunch of surveys to people. We did one-on-one engagement with school choice, Wisconsin, and some of the other bigger stakeholders and partners in this work. And as I was kind of preparing for this testimony, going back through all of the different back and forth, this is the part where I'm just going to acknowledge some of the things that we did were not up to par with what our legacy is.

[01:23:37] Sending an email to a committee and saying, Hey, what do you think? Here's a bunch of information that's real deep in the weeds. Probably not the level of engagement that we need to be doing, right? Especially with legislators, you guys have a billion and a half things going on. I sat in an office here for seven years, and I know the volume of information that comes in and out.

[01:23:53] That's not acceptable. That will not happen again. However, when we do things like this, we do need you as partners to come [01:24:00] through and represent your communities and say, what is on the mind of these school district leaders? We do the same thing, but they have the same problem. We talk to them all the time.

[01:24:09] We flood them with information. They have trouble sorting what is important and what is not. That is an honest thing that I think any district leader would tell you right now, is that the volume of change, the volume of information is high. I think the same would be true for private school partners, right?

[01:24:21] It's intense. So how do we cut through that noise when we make decisions like this and that's the human to human piece. So what I'm asking of you is, you know, this is a commitment of me pick up the phone, call me. I am there always. And that is what I really think is important. I wouldn't be here if we had done our job perfectly well, because you all would have been able to talk backwards and forwards about this.

[01:24:42] You might not have loved it, but you'd have been able to explain it. You'd have been able to explain it in a plain faced way and that's critical, right? So I want to leave you with a little bit of a personal start here because it's how I am. Um, I am the father of a three-year-old and I love. So I knew I was gonna be doing this today.

[01:24:59] I got in the [01:25:00] car, expecting my jams to come on, like get myself hyped up, doing my homework and all the points. Right. My little pony comes on. My daughter is obsessed with my little pony right now. It was embarrassing because I

had volume up crank and getting ready. That is not what I would consider my hype music for how to come talk to you.

[01:25:14] A bunch of people about some technical information. There's also a great reminder for me though, about why, when we cut through all the banter about like who wins, who loses. And we remember that we are all here to try to improve our communities and the future of our learners. That is when we find consensus on these issues.

[01:25:32] So we put aside the political weaponry for a minute and just think about what we're doing and think with a clear head, we're going to make better decisions. And that is the commitment again that I'm making to you that Dr. Unruly wants to make to all of you as well, is that, that is how our administration is going to operate.

[01:25:46] We put kids first, we put learners first, we put our educators in our schools. First. We do not want to engage in a back and forth about who wins, who loses in what school system is better than the other, because we know at the end of the day, there are learners in every one of those schools and it is [01:26:00] our constitutional responsibility to serve them.

[01:26:03] Happy to answer questions you got. I know there's a lot of technical stuff in here, so, so I will take anyone that has questions about, luckily I get to go first since I have the magical gavel in front of me, which I really appreciate. I don't know where to start after that. So I'm just going to start with a few things.

[01:26:24] Okay. That was really a nice speech. And, um, you know, oops, sorry. Won't happen again. Just doesn't cut it with me. So can you, can you explain to me, um, when you have all these stakeholder groups that you mentioned in here, why the legislature's in here when you made these changes? It's going back to, uh, January into, uh, 20, 20, 20 year.

[01:26:49] But, but there was no foresight from the DPI to come before either the Senate or the assembly. Uh, education committees to discuss what [01:27:00] the changes were or to let us know what you were thinking. You say that you want to partner with us, but I'll just say that actions speak louder than words. The new DPI secretary, when we put forward, at least a plan to invest in better testing and accountability, and early education said no reason for legislature to metal in that, nothing to see here, even though we have 60%, which is about 600,000 kids in this state that cannot read to grade level, can't do math to grade level.

[01:27:30] And I don't have to do it by just looking at this or getting a back and forth. As you said, politically, I go to businesses in my district. I have parents calling me with all of these issues. You should maybe take some time and come with us into our districts. I'll take you to some business owners that have shown me that kids that are at the high school level.

[01:27:49] Now can't spell things correctly, like chicken and bacon, and they have to check, check every single order that they take the math, because [01:28:00] basic math is tough. I've had, I have a 19 year old that went to a, um, college this year. It took him at least two different tries to pass a remedial math test in, um, college.

[01:28:13] One of the reasons poor preparation between K through 12. And I think that bears out and what we're doing. So my first question to you is there, there would be, I think some important information. I, I believe that a lot of the committee members would like. And so I'm going to ask that the DPI provide us with a listing of all the stakeholder groups that you, who they were.

[01:28:35] I've see, you've provided the meeting dates and that's fine, but I'd like to know who is in, in, in all of these areas. Okay. That's what. Um, secondly, um, as you can see, I, I get a little passionate about this because we, we are not focused on solutions and that is the downfall of what we've got going on now.

[01:28:57] And, um, [01:29:00] so for, are you going to tell, uh, based on your testimony, are you saying that the decision to make the changes for these report cards and the extensive changes that were made were made by you through these advisory, um, groups? So one appreciate your comments too, and not trying to devalue them by me.

[01:29:21] This, this gets hard because you're dealing with the change in administration. Was it made by the department of public instruction? Absolutely. Was it made by me? Was it made by Dr. Andrew? No, no. I'm asking, I'm asking you, if I take a look at the memo that you provided, you said you, you took feedback from all of these groups and then made changes to the report card.

[01:29:40] And so my, my question is, did it come out of these sessions? The DPI I've read the statute, the DPI, and specifically the superintendent of the department of public instruction is responsible for the report cards. So the buck stops there. I don't, I don't have to go any further, but my question really is you [01:30:00] said that this was made, changes were made based on information that you got.

[01:30:04] My question is, is it through these advisory groups? Is it am I to, to gather that these were recommended changes because they say that it would better, um, help us to see where, where we are deficient and providing education. And then a second one to that is one question that I want to ask before I lose sight of it.

[01:30:26] And, and that is what is your belief in, in compiling these report cards? What do you take away as to what they should, should, uh, tell the public and what they should tell people in their districts as to, uh, the performance and so on that's going on and what they should tell us? Because my point is always, we need a way to gauge performance and make investments that that will help move the needle.

[01:30:52] And all I have to do it's historically we're not there. And so there are plenty of us that are frustrated with [01:31:00] just the same, same answers to the

questions. And I was on a task force in the minority community and they are tired. They're fed up, they want answers. They want ways to move, move the needle, not just, uh, we'll try a little harder next time around.

[01:31:15] So with that, a better let others, uh, provide some questions and I'll let you answer what I did so far. So I'm going to take them in the order they were given, even though I liked your last question first, but, um, so the advisor group, from what I can discern, and again, I'm sort of doing investigation interrogation.

[01:31:33] I was not at the department. I was somewhere else when this happened, but what I can tell is that they were responding to historic criticisms of those three particular areas, volatility in the closing gaps, B you know, readability of the report cards. And then the, the other pieces of the puzzle that I kind of outlined, like, how do we deal with these?

[01:31:54] And they use that technical advisory group and other states as an exemplar to take feedback and figure out how to [01:32:00] change that they also maintained a commitment to iteration through the entire thing. So as we're, as we're moving through. That was kind of why I belabored the point too about, uh, multiple people have had input to all of the different changes that the report cards have had.

[01:32:13] They're not going to be the same. I mean, we know that we have 11, we have let go of the rope in terms of thinking that the report card is going to be consistent for a decade so that you can go back and flip through the visuals and say, this is exactly the same. That's not how education works. It'd be lovely.

[01:32:26] If we could snap 12 years, look at what happened to the kid at the end of the 12 years and say, oh, isn't that special and great that's we know both politically and from a policy standpoint, that's not going to work. So did we listen to them? Yes. Did we take everybody's advice impossible because you have conflicting advice.

[01:32:42] So you have to sort of sift and window and find those best decisions. And that's why we bring together a diverse group. When we're doing those things. Your second question, what are our report cards? Tell us, I think this is what I would caution. A lot of people, public included look to their report cards.

[01:32:57] They, again, they find that top level score of [01:33:00] where does my district fit within the five categories, and then they full stop. They don't even look beyond that into the other measures. So they don't know how that score is fed in. They don't know what's driving that particular score. And that's a problem.

[01:33:13] If you have ideas of how we can spend time educating people to engage and dig deeper, I'm all ears, because that's what we want to, we want to be able to display information that is actionable, not just to educators, but to families, to parents, to communities so that they can help shape through local school boards and community involvement, how their districts are serving their communities.

[01:33:32] So one of the things I was at department of children and families for a while, one of the things I learned there that I take home and think about a lot in all of the work that we do is that what I value is different from somebody, with somebody else values and that dynamic element of how am I putting my thumb on the scale to get what I want out of the school system out of the childcare facility, out of child protective services is the sort of fabric of how Wisconsin is constructed as a local control state.

[01:33:57] So how do we then subsequently as a [01:34:00] department provide that flexibility for the school district ever seen to say. We have a huge issue with students with disabilities, right? We need to figure out how to address that and get around it. We see it in the report card. We know how the data functions within the report card, how it drives the different outcomes.

[01:34:16] We're going to double down and push into this space. That's an effective system. That's one where I think you can say to the community, as a board member, as a leader of that district, as a, as a choice school who was using that particular metric, we're going to push in on this. Here's our commitment. And we can hold each other mutually accountable because that's where we really like.

[01:34:33] That's what really matters is being able to like these are called accountability systems and accountability report card. But accountability is a two way street between the people who are giving you the authority and power to run the district and the family too. That is, that is invested in that particular community and making sure that they feel heard and engaged in their school experience.

[01:34:51] That's critical. That's how we move this. Hopefully that answers your questions. I'm happy if you want to redirect[01:35:00]

[01:35:02] any other questions?

[01:35:12] thank you very much, Mr. Speaker. Hi. Um, I got a couple of questions for you, but back to the report card saying that they're going to change year to year. I understand something can not be stagnant, but if they're going to be changing year to year, how do we go back and compare our progress? That's a great question.

[01:35:29] And I mean, that's, that's one of the things that we struggle mightily, to be honest, because it is important that they're valid across a year to year. I think the thing that I heard and saw the chairman put up was the, the visual aspect of them. But that your question goes to the heart of why that cut score decision was so important and critical because the decision about how we configure the cut score is how we make that validity work from year to year is we look at the math of how the distribution and how individual schools were falling within the distribution of.

[01:36:00]

[01:36:00] Before we get the results of the next year. We figure out how to work the math of the changes to make sure that they're going to reflect how the old system

works. And then we turn it on and where the chips fall, they fall. Right? So if, if we were hoping to create a system that, you know, advantaged or disadvantaged that the choice schools or Milwaukee or someone else you would find evidence, come kick the tires, send us open records, request.

[01:36:24] Great. We would like to, and I have to say I'm a little disturbed when you said, when we work the math, because I went to school a really long time ago, but math is really black and white to me. Exactly. I don't have a lot of gray. I mean, two and two is four. So we're working math. That's a little disturbing to me.

[01:36:38] Um, I would like to get access to all of this data. Can I have that? Sure. Great. Thank you very much. Another question. How many P how many students attended MPS in 2018 versus fall of 2021? I don't have that data at the tip of my fingers. Did you get that for me? Sure. And then when we only had 16,000 students out of 33 and 16,000 students, [01:37:00] 13,000 took the test out of 30,000, never eligible at MPS.

[01:37:04] Did you reach out to NPS to ask why those students didn't take the test? Yes. And we also worked aggressively with them to figure out how to get kids by flexing. The assessment window is as much as we physically could under law to give them more room, to get kids into the school, to take the test. I think what, what, hopefully you're gonna hear a little bit from our virtual school partners is that there may be ways that as we continue to evolve assessments, that we can get away from the world of proctoring and assessment in-person.

[01:37:31] But one of the things that we run into in terms of a challenge is that validity of the assessment, how are you making sure that someone's parent isn't standing over them and pushing the thing around and around right now with the . Right. But that's not where we are right now in the forward exam. So yes, that is, that is something that we, you know, should we explore a sure.

[01:37:50] Yes. Was MPS virtual or in school last spring? I can't remember. I believe they were virtual up until quarter three. I believe. [01:38:00] So then the fourth quarter they were in school. Yes. Go ahead.

[01:38:10] oh, that's right. At least seniors as special needs kids went to school. Yep. Thank you, Katie. Forgotten that one. Okay. Um, so I guess my, one of my big concerns is I'm looking at what's going on in NPS right now that we're virtual there. And are you going to be working with them to help them get those kids back in the classroom?

[01:38:28] Yes, we do. On a, I have calls with them every single week where we talk about this particular issue. And I know that they are committed to bringing people back to in-person instruction. It's a different world from last particular year when we're talking about what we know and value and what the department of public instruction is urging districts to do.

[01:38:45] I mean, you get, there's a body of communication that's been going on since Dr. Andrew has been here that has been emphasizing with districts. Here's how we do this. You need to be in person. You need to put mitigation strategies in place. And I think what we're experiencing in walkie right now is that [01:39:00] the district is doing the right thing in terms of trying to keep kids safe when they're in the classroom and the community is not necessarily backing that up, always in safety measures in the district is assuming as a teacher leaves, they're gonna make sure that I'm asked everywhere they're go.

[01:39:13] But when we don't have community guidelines in place, well, I'm going to stop you right there. Go ahead. My schools have been in-person all the time. We are not wearing masks in Waukesha county and we never have been and we will not be okay. So my teachers are sitting in a bar next to me and they're going to school Monday and they're teaching.

[01:39:31] So if we can do it in Waukesha, we can do it in Milwaukee, where I get a 10th of the funding that they get in Milwaukee. So I'm done with the excuses. Okay. But right now we have people not being able to operate districts because there is just not a workforce component for them to show up and operate because people have, it's amazing that the other 71 counties have got everybody else going to work.

[01:39:52] So I'm, I'm, I'm, I'm done with their excuses and I actually like very much to get the numbers from you on the 2018 enrollment versus 2000. [01:40:00] Yeah, I can, I can probably even do, oh, I I've got it for you. 17, 18 70 5,000 18, 19 70 5,000, uh, 19 20, 70 4,000. And some change 20 21 70 1000 and some change they're all reported publicly on wise dash, which is our data dashboard that you can pull from from, thank you, representative.

[01:40:25] Uh, now we'll go on to representative Meyers, please. Thank you. Temporary, Mr. Chairman. One of the questions I wanted to ask with regard to looking at how report cards have been done, I wanted to go back further than last year. So going back to about 2016, there was the opportunity schools issue. They came into play.

[01:40:51] One of the things that I'm noticing is a lot of the same rhetoric that happened, that were conversations that were had back then prior to my coming to the [01:41:00] legislature is now resurfacing. At this point in time, I have some reasons why I think that is however can, if you could kind of walk through the process of changes that have gone on with the report card over time.

[01:41:14] So let's say 20 15, 20 16, up until now. What were some of the reasons that the report card might have changed? I mean, the big one that I spoke to is the variable waiting on growth. I mean, that's the one that really swung when you're, when you're looking specifically at OSP, the opportunity school partnership program, that is what really drove the movement of Milwaukee from being a historically fails to meet to a meets view and a meets expectations.

[01:41:44] And it's something that I can tell you. I was, I worked at the department when that. We communicated heavily with the legislature who made that decision to warrant. Lauren is the wrong word to make sure that they understood that the impact of what they were doing was going to cause that, and I [01:42:00] think that that's one of those things where, when I talked about the bias of the policy decision making, I think everybody wanted to have a system that was valuing what schools were doing and what they were working on.

[01:42:11] Right? So if you have a school that has a lot of poverty in it, growth is more important than achievement in a lot of spaces, right? But when you kind of find that in statute, which is how that happened, it has an impact. And all of a sudden, now you are living with the fact that the decision you liked cause the end points that you didn't like, but it also benefited a lot of the things that were being targeted and more honest conversation about student growth across a cross sector conversation that is Mr.

[01:42:37] Benner has said a number of times valued what schools are dealing with in the moment more frequently, because we know that in a lot of those choice schools and a lot of MPS and a lot of communities that have struggles with poverty, they are focusing on growth because that is what matters the most. So that so 15, 16, the variable waiting in growth, the stopping of the test [01:43:00] participation deduction was another big one.

[01:43:01] And the reason that that came into place, again, kind of policy, goal, and impact being broken from each other was as Mr. Renner spoke to common core was a political fight. It was, there was a lot of people that were hot about how that decision happened. What we ended up seeing in some communities was district administrators, encouraging people to not to take the test.

[01:43:22] And then as that particular deduction was being applied to them, they went back to the legislature and said, Hey, tell DPI to knock this off. Like we need to stop applying that deduction because parents are making a choice to have their kids not take the test, whether they filled out, opt out paperwork or not, doesn't matter because that's how the application worked.

[01:43:40] And we were penalizing them. So we make those decisions. Is that the same as when I'm looking at numbers that we have here, where you talk about kids who just didn't take the test, is that a possibility where you had parents that filled out the opt-out form in NPS or something that just didn't show up to [01:44:00] school?

[01:44:00] I'm asking, even though I know the answer, because I used to be a test coordinator, so it would be kids who didn't want to come to school that day. Correct. And take act aspire would just miss that day. Yep. And they would miss the makeup day. Yeah, for sure. It'd be like, okay, well, I'll have to take that because I don't want to get yeah.

[01:44:17] In the old world, the participation and deductions would have dinged them. And then the district would have been on the hook for the fact that the kid was not there at that moment. And in the new world, when we've went through that storm of people saying, get rid of the deduction. And it was a bipartisan group of people that were like, get rid of the duction.

[01:44:33] We had Madison school districts that were fighting against common core for one end of the spectrum. We had, um, I can't remember what district it was in south Eastern. That was the kind of the lead of it, fighting it for another end of the spectrum. And we had political pressure from all over the place and get rid of the deduction.

[01:44:48] That choice has an impact. And I think that's what we're, that's what we're sitting in is that when we don't commit to these things, and then we decide a few years later, oh, we shouldn't have done that. And that was a bad idea when we cast stones at that [01:45:00] particular decision. And a lot of the people that sit here have changed.

[01:45:02] They weren't there for that decision. They weren't there for that fight, but it still lingers in the background of the system. So how do we get around that? I don't know.

[01:45:12] One other question I had was, um, under the current guidelines for report cards, is there anywhere that ha that schools or districts have to, I don't know, put on the report card, how many days they were virtual versus in-person. Is, has that been discussed. No, you know, there's been a lot of, for the joint finance committee motion 57 around Sr three was, is really the first silo that we had in public schools with collecting modality is the term that people use now, but like how you're instructing.

[01:45:44] So historically we have not collected that information set. We've done it at a school level where if you're, if you're committed at an entire school level to be virtual, all of a sudden you have a different set of statutes that you fall into your virtual charter school, you have different requirements that you're meeting, but in [01:46:00] the COVID pandemic, we found as you, as you're acutely aware, represented Myers districts that were making that policy choice in the moment and the department doesn't collect it.

[01:46:08] And, and, you know, has life been up here and talked about collecting of data by the department? And I know that's a sensitive issue, but I do get the sense that in the world that we're in right now, modality may be something that you're open to us pushing into and collecting at least until we're through with this pandemic.

[01:46:24] Okay. And I guess then just thinking about what you said, that makes sense because it's local control for that particular school board making that decision. So that would make sense. And it takes us a bit of time to, to set up the data system. As, as Mr. Bender talked about too, we have an interoperable data system.

[01:46:42] Most states have a single SIS. So when we make a change to like a data collection that says, Hey, we need you to collect this fine data point. It's not like we just flip a switch and all of a sudden it matriculates through and all the schools are collecting this. It takes a lot of work and training behind the scenes to say, Hey, we're turning on this element.

[01:46:58] Here's how you collected. It's either a student [01:47:00] level of school level. What have you basically factor in lifetime of about six months when we did modality collection for the motion 57 for us, or three, what it amounted to was kind of a voluntary compliance with districts where our school finance staff were calling and hand-wringing in districts for weeks and weeks to try to get them to say, this is how much time we've spent.

[01:47:19] It's like, it's a problem we're running into right now, too, around the pandemic EBT benefits, which are benefits for when a student drops out. Because most of the time when you're dealing with a student who's facing poverty, They're getting all their food source at the school. So when they're not physically in the school where they're being fed.

[01:47:35] So figuring out that modality question is hot button topic right now. Thank you. I just hope we keep the same energy in our own personal districts that we have for MPS. I think that everybody's so concerned about us, Mr. Chairman, if I may just add one little comment representative to your on the 2015 on the growth component.

[01:47:57] One of the things I hope we continue to talk about [01:48:00] is an issue that's come up that wasn't necessarily discussed at the time that we did it. But when you, we have an X, so when your poverty goes up, your growth percentage of waiting goes up. The, so that has two impacts that has the growth itself. And also, how are you measuring poverty?

[01:48:16] And we have schools right now that are not depending on where you are. The measurement of poverty is not, is not an exact science. And so by changing the weighting of the growth and attainment based on that poverty metric, you're getting another subjective part of that, that I think warrants, conservable more review because we know at the end of the day, whatever that score is, we want it to be based on good data and accurate whether we agree that on the path of there or not.

[01:48:41] But when we know the data points that right now we know the poverty data points are not always Packard, that impacts that overall growth waiting, which then impacts the overall score. And that's one thing we should continue to talk about is kind of fun. I didn't know. I get that. I got a follow-up question because of what he just mentioned.

[01:48:58] So back to DPI, my [01:49:00] question to you, Tom, is about when we look at poverty as an axis, I remember 2019, I think it was DPI came to give the committee a briefing and we were able to see, it was kind of like a green screen with

red dots. You got to see where poverty was growing in the state. It was growing in rural communities.

[01:49:21] I also remember conversations and watching committee on tea on Wisconsin. I back in 2016 was looking at. With the OSP legislation as was written at that time, it captured only Milwaukee, but there were other districts outside of Milwaukee that were considered failing districts even at that time. So how do we get to that point to going back to what you asked about looking at the access?

[01:49:47] Is there a standard deviation for poverty? And if it's not, how can we go about getting one so that it can be allocated? And we can be looking at districts in similar ways, because there are districts that [01:50:00] have folks that qualify for free and reduced lunch, but they refuse funding. I think Walker Shaw did that.

[01:50:06] So there are districts where they have rural districts where folks don't want to have, maybe are embarrassed to say, we have a high number of poverty students and are not getting the eligibility or funding additional that they could get for those districts. How do we kind of look at that? Arithmetical honestly, I love that question because it has been, as I left the department, that was the emergent issue was, Hey, we were previously using a measure of poverty as qualification for free and reduced lunch.

[01:50:41] So we were taking the food programs and we were saying, okay, we're going to scoop this over. This is your economic data. Well, what the federal government has cautioned from the jump about economically disadvantaged data for learners is don't do that because you have a lot of different policy applications within that food program that [01:51:00] you're not accounting for.

[01:51:00] And one of them is changing income. And that is a real ongoing struggle right now for school districts, to be able to measure poverty in their schools. And we've, we've seen some of it play out too, as we've made policy choices outside of the school-based collection around free and reduced lunch and economically disadvantage like the title one program, which uses a census based count and cuts up how many kids based on the sentence.

[01:51:28] Should it be qualifying in there. So getting accurate data on that measure is critical. And if you have ideas or thoughts anybody up here, we welcome them because it is a legit real challenge. I'm sure Mr. Bender would tell you the same thing in private schools. I mean, it is not an easy conversation to have with families to say, look, what's your income level outside of the qualification for the program.

[01:51:49] Once that ball starts rolling for them, why do they want to tell you? I mean, it's hard. It is a very hard, hard discussion. Thank you. [01:52:00] All right. Before we go on here, I just want to make a clarification on the administrative procedure. I suppose, sort of say how we're going to run this. Cause maybe I wasn't clear earlier and then it was complicated because I left and I came back and then actually I'm going to have to leave again in a little while.

[01:52:17] Um, the allowing the participants, um, to remain here. I don't, you know, Mr. Bender was on the list when I got in here. So he presumably had been allowed to do that by who subs? Um, Mr. Witkin, who substituted for me. Uh, so I allowed him to do that, but I, I don't want the people who are done with their testimony to be raising their hand.

[01:52:42] Can I ask a question? So, um, your role in remaining here is if committee members raise something that's pertinent to you, then you'd still be here to respond to that. So that's how I'd like to operate going forward. So, uh, I hope that's clear with everybody. [01:53:00] All right, now I do have two people on the list.

[01:53:02] I've got representative Pope and represented with you. So representative pool first. Thank you Mr. Realtor. Um,

[01:53:13] this might take us off in a direction that is not at all helpful, but not all states develop a school report card.

[01:53:28] I don't know what the status is right now, but this is a complicated question because there are required report cards under Sr or Nassar, sorry, CA the, the federal law. So we have federal report cards and then most states, and I don't know if it was all when no child left behind was hitting and crashing into the wall of not having everyone be compliant in the timeline that it's set out.

[01:53:50] Most states took the opportunity to create a state accountability system so that they could alleviate that must be at a hundred percent proficiency by 20 to 20, 20 11. I [01:54:00] believe it was so a lot of states were in the boat that Wisconsin was in. I don't know what the status of state based accountability systems is in this current moment, but I could research and find out what I, you know, having been here as long as I have is that Wisconsin's is very specific, very detailed finely tuned.

[01:54:22] Every couple years. We just, we haven't developed something solid and left it in place. Which sort of begs the question. How helpful is it really when we drink comparative? Yeah, I mean, I don't know if that was rhetorical or not, but I would say that's a, it's a tricky one. Right? Right. Um, and what value does it I think representative Wiki, I think to a certain extent, rather than random has also been saying, what value does it have to the people actually, right?

[01:54:54] So not just this committee and the policy makers, but what, what value does that school or district report card have to [01:55:00] parent or a caregiver who is sending a child to that particular school? What does it do for them? And I think that is the, that is the crux of what we're doing here. I mean, I hope it to be right, because that's why I signed up to do this work is I want a system where parents feel engaged and can make decisions in those moments because that's what I want as a parent.

[01:55:19] So I I'm presuming Dr. Under Lee is involved. The national state superintendents organization, are there two DPI's knowledge states that are doing this really well, that can compare to Wisconsin sort of in the demographics. I look at

Minnesota, we're not that different than Minnesota, for example. Um, can I just assume that that effort has been made in the past or currently?

[01:55:52] Yeah, that's, that's a good point. Um, we do, we have historically always been a part of a technical advisory group from the council of [01:56:00] chief state school officers or CCS CSL that advises people on everything from how you're collecting data, to how you're running your accountability systems and not to toot toot our old horn because it was the last time I was here, Wisconsin was seen as one of the better what they call Ed-Fi states.

[01:56:15] So what we're doing with data, how we're training schools and educators to use data as an informed decision making tool, and then our just a greater through the SISA network technical ability to support people who are using data driven decisions and their report card is a component of that. So making sure that it's a valid tool in that conversation at essentially the highest level a school or a district is important, but I think I sense where you're going at here.

[01:56:39] And I think one of the things that has sort of shifted in the world of education after these report cards were created is that there has been an increased emphasis on classroom activities and responsibility of classroom teachers to use more than just the statewide assessment to drive decisions. It's, it's the conversation that gets dripped into when we talk about literacy and how we're [01:57:00] serving literacy and how screeners aren't used is making sure that our classroom practitioners, not just the data wonks and nerds in school districts are able to do this and understand the impact of what they're doing in the classroom.

[01:57:11] And I do my, my smart people have told me that most states used the federal pause from EFCA to not do accountability in the past couple of. Um, and do the conversation around task participation. That is where we get the authority because it's driven in federal our ability to punish school districts around the what's called the 95% threshold in participation.

[01:57:34] The feds have waived that and they're continuing to waive it. So we, we don't have the usual Claude method. We would say to a district like what happens during the common core standards fight to say, Hey, you didn't meet test participation. And also, as they're telling you not to most states have a combined state and federal reporting or accountability system.

[01:57:54] So they don't, we're, we're somewhat unique in having two of them with the state one and the federal one. Okay. [01:58:00] Thank you.

[01:58:06] All right. I have two more on the list here, but I'm going to insert myself in front of them using the chairman's prerogative before I have to leave again. Uh, so you were here for my initial comments at the beginning. Uh, and so you kind of have an understanding of where it is that, uh, I was heading with my concerns here.

[01:58:25] Uh, so let me just stage a series of questions for you here. And I apologize if somebody here already asked it. So if that's the case, somebody just say, Hey, that was already asked. All right. Uh, so first let me just, uh, ask you this one. So the, the report card, uh, I'll call it the group that was gathered together to give input on this, uh, in that email that was sent to me about a year ago.

[01:58:55] Could you give a little more definition as to who was involved in that group? [01:59:00] Yeah. And representative Duco actually asked for a member list, but I'll tell you just verbally and then I'll get you their names. So we tried to create a balanced system of the different schools, districts, and technical support folks through CSOs that are involved in report card work.

[01:59:15] So I believe it was 34 individuals across all the different sectors and stakeholders that. And we issued out seeds to people like Mr. Bender and said, Hey, you get four people give us your four people. We want practitioners because we're talking about nuts and bolts mechanics. So I will get you the list.

[01:59:30] I'm just going to send it to the whole committee. Cause I feel like this discussion has been big enough that it's good for you all to know because a lot of them are in your communities. And, and is it safe to say that those were virtual meetings, right? Considering the times they were held or guesses?

[01:59:46] Yes, but I'm not a hundred percent certain. I was not there. So would you be able to include with that? Sure. What, when the meetings were held as well.

[01:59:56] All right. Then second thing would be [02:00:00] the changes it's been repeated. A number of times that the department has the authority to very well unilaterally make these changes and also has the option of course, of seeping seeking input. Uh, but then it's up to the department, whether they want to use that input or just decide within the department.

[02:00:18] And that's completely legal to do that. Uh, and so can you narrow down for me the changes that were made in here? Uh, particularly one I would be most interested in is the changing of the cut scores, uh, who, who, who made that final decision that, that was going to happen? It's a good question. From what I was able to discern.

[02:00:43] It was the former state superintendent. I understand you've had a change over and I'm being honest with you because I feel it's, I, I, you want to open records request. I can show you the, the memo and the decision, like how it matriculated up. And I think we had a discussion while you're stepped out for other responsibilities, [02:01:00] with representative Duco, where we were talking about how the cut scores, the, the sort of why behind the cut scores and that the intent of what was going on and changing the cut scores was that as we made some of the other changes to the report card, we want it to hold stable, the comparisons across the year.

[02:01:16] And we factored the cut score math before we had accountability results for the school year, so that we were not biasing the end results. We wanted stability year over year, to your point of like, how are we making comparisons? And the other thing that I said while you're out too, is if you all didn't understand that that's on us to fix that that's not acceptable stakeholder work.

[02:01:36] We did not spend enough time in this committee, in these halls explaining to people what was going on. And that's why, you know, as I've said, a couple of times here, that's why I'm here and it doesn't feel good. I would rather be here saying, Hey, look at this. What do we want to do going forward instead of re-evaluating what happened in the past, but that's our fault.

[02:01:52] That's what I'm saying. And so with the, the cut scores, um, I circulated this document before about the [02:02:00] report cards and what's new on the report card. Was that just simply an oversight that that was left off. I find it hard to believe with the detail that the department gets into when they produce things that that was an oversight.

[02:02:11] So can you tell me about discussions about that issue and not putting that on the document and then part V to that would be essentially scrubbing the website of the old document? I would think that just complete transparency with that would have been the best option. I'm going to take them in order of the way you get them.

[02:02:32] So the cut score piece, wasn't an oversight. I don't, I will find out for you and I will make public my response back to this entire committee. Cause I honestly don't know why the decision was made not to put that in there, but I will find out and get back to you. I'm getting some real time information.

[02:02:47] We did have one physical meeting of that group, the advisory group in person in the restaurant, virtual. Alright. Um, the secondary question you had around, um, the scrubbing of the website, all the information is still on there.

[02:03:00] The, the place and I, as you were talking, I Google it on my phone. The historic way that we've communicated about cut score, establishment and values was in the technical documents for each year.

[02:03:09] So we publish a basically friends at well, wherever they are back there, we'll probably tell. We make the math transparent in regards to how the report cards work so that you can technically take all of the information that's public apply the mathematics that are in the technical guide, which is long. I will admit it's, you know, 60, 70 pages long and create the report cards yourself, the, the conversation that is sort of steeped in.

[02:03:33] So I'm going to stop there because that addresses your piece of did we scrub the website? We did not all the old report cards to are still visible, which is how you found it. Yeah. And I guess I, when, when I first heard that the cut scores had been changed and I went to the report card website and I saw the chart there, I kind

of immediately assumed that both charts would be there so that we would be able to see them.[02:04:00]

[02:04:00] And as I said to try as I may, I could not find the old chart any, we actually ended up recreating it so that it would look the same. Uh, so you're you're saying is, is that articular chart is somewhere, yes. The agency's historic practice to keep people less confused. But clearly that was not the case in your circumstances, which I apologize for was to take the old resources from report cards and nest them into the year, the calendar year in which that report card took place.

[02:04:29] Uh, for example, if you go to our website and the accountability history, and you open up the accordion on the website, you'll be able to see every single year that we've run the report cards and the technical document, which shows you where all the information goes and how the math is applied. So it just, uh, I'm gonna, I'll make one, ask one more question, and then I'm going to go to those who have been waiting.

[02:04:51] So in retrospect now where you've said that it should have been handled better than that. So would the department, and I know you can't [02:05:00] necessarily speak for the superintendent, uh, but if you can, I'd like to hear an answer. Okay. Would the department be willing now at this stage of the game, to what that chart right next to the other one on the website and make changes to that document indicating what changes were made to the report card?

[02:05:21] So this is an interesting question. If you think about what the chart is actually going to show you there's different scale magnitude scores in math in there. So I actually think it might be slightly misleading, but are we willing to try to develop a crosswalk so that people better understand it? Yes.

[02:05:39] And I can commit to that. I don't, I don't want it to be something that presents information that adds confusion. So maybe we can work together as a figure on what necessarily to satisfy your concerns and maintain the validity or system. I mean, my biggest concern is that parents understand, regardless of how many press [02:06:00] releases I put out, largely just the media pays attention to those.

[02:06:05] Uh, it's hard to get the average parent to get that information to the average parent and if they're searching and they go to that particular website, they ought to have that right there in front of them. So, um, just final thought on that. So I, I would be more than willing to sit down with you once you've got that figured out how you're going to present that to the public and give you my thoughts on that.

[02:06:29] So with that, I'll go to representative Wiki. Thank you, Mr. Chairman. I want to, first of all, apologize for abusing my power as a sub substitute chairman. Um, I will, uh, use your guidelines accordingly. I just have some questions on information. And so whether you have this date available or not, um, I think if he could provide it to the, uh, committee, I think it would be possible.

[02:06:55] So for, for first of all, um, how many districts, um, [02:07:00] that were below meets expectations? Um, how many of them, without this change in the threshold cut score, um, would still remain below instead of being jumped up to meet set expectations. So that's one thing I'd like to see. Um, the other one is, um, you know, you talked about, uh, trying to represent absenteeism better.

[02:07:23] There's a, there's a bigger impact for that. Um, how many districts would have had that absence seen deduction under the old criteria, but a way for us to gauge that? Um, and then, uh, I think one of the things that, uh, many of us are, are, are basically frustrated with is that when I go look at district report cards, um, I see many of them meet expectations, but a great percentage of the schools within those districts and their actual results are well below that.

[02:07:59] [02:08:00] And so I guess I'm, I'm, I'm, I'm wondering if we're, we're doing a report card for the benefit of the district and not for the benefit of parents and, uh, um, other other people that are interested in that information. The last thing, um, uh, one of the Le uh, Mr. Sharon, I've two things that I'd like to get to.

[02:08:21] Um, first of all, uh, do we have, do you have, does the DPI carry some cost of, uh, creating the report cards? Whether it be in full-time equivalent dollars devoted for it? Cause I'd like to understand what that is as well. And like I said, I don't, I don't need something today, but these are things I'd like to see, um, and how we have them.

[02:08:40] The last thing is, is I'd like to understand. What the impact is to a community, uh, when you decide to make changes based on, on some factors that you've been using, um, in these processes when I was board president, okay. I've [02:09:00] said this now, um, the report card waiting was changed, which caused us our district to be in a failing report card.

[02:09:08] So what you did to close to 20,000 students in that district was one superintendent that was making really good advances and trying to turn the needle around that district was eventually not renewed because of that one item. Uh, secondly, uh, do you know how that has stymied development in the Racine community?

[02:09:29] Because we don't have a school system, um, based on the report cards, based on looking at them based on the way that you've created them. Now, the impact to that, to individual families, home prices, et cetera, is unbelievable. And if you'd like to sit down and talk about that, I'd be more than glad to, um, reinforce that information.

[02:09:50] So with that, I'm going to ask a question that delves farther into the weeds, because I want to understand at that point, the, the way it was [02:10:00] explained to me, the way that that waiting went. So if I take a look at your, um, growth scale and I had a thousand students that weren't proficient in anything, and I took a thousand students to right to the precipice of being somewhat proficient.

[02:10:19] My understanding is that the growth factor I would have got for those individual students would be much less than if I took a hundred students from the precipice of somewhat provision and got them over the line to be somewhat provisioned and change category. Because of the way that, that, that behind the scenes that this is working, which means there was, if I to get someone from not proficient to close to it, I would have had better student achievement scores, which gets less, less waiting.

[02:10:56] Do I have, and like I said, if, if [02:11:00] you want to sit down with an explanation, but that's how it was explained to me. And I think that's where the real problem exists here because we're, we're waiting things. And as I was told by, like I said, a superintendent that I really respected, you can play the game between moving kids between different categories that are right on the edge, but yet we've got large volumes of kids that aren't, that, that we're not getting credit for the achievement scores or whatever were districts have to put in a lot of work to get there.

[02:11:31] And that's, that's my concern. And so if you, I, my door, and I've said this in a hundred committee meetings, my doors is open for any kind of discussion. Um, I'll spend a day with the department if they want, um, I'll even offer the, uh, superintendent to, to, uh, find out where my office is, which leads me to my last question.

[02:11:52] And that is, um, is the DPI department of public instruction. Are you back in, as one of our agencies, are you back in the [02:12:00] office now, a hundred percent working from the office. I'm gonna take these all in the order they came. Okay. So change comparison. I can get that for you. I think it's probably in the best interest of this entire conversation today that we commit to reproducing the report cards in a way that brings them in to address person this particular year, we gave representative chairman Thies Feld, uh, an analysis vendor as well.

[02:12:28] It does have validity and it shows how the modeling works. But I understand your concern. I'm happy to sit down and explain and walk you through why in each particular. Reconstructing how the report cards are actually applied in real data is an important exercise. Whether it's us taking the new criteria back to 2016, 17, and showing you versus 16, 17, or 18, 19 20, 21, understanding how the parameters work and how the dials click up and down as we've sort of used the language today is critical for you to be like, all right.

[02:12:56] So when we're doing this in an unbiased way, what's going to happen because [02:13:00] we've, we're telling you, you do not want to be in the space of trying to cook the books with the math as you're seeing the results come in in real time, because that's a response that that is not something that we should be doing when we're talking about educational performance or any statistical modeling.

[02:13:15] Um, so we're going to run that. I think it's important for us to do, it's going to take us a while because by and large, we have to work with the now they're called

EDU analytics. Um, the group that does the growth calculation for us, and they had a lot of struggle in this particular year, dealing with a skip your growth model.

[02:13:29] So when we didn't have the assessment, they have to figure out how to track kids across different schools, apply growth and then assign value. Right? So tricky. The question about FTE money, um, I will get back to you and send you what it is, but isn't it, we're not talking about millions of dollars and lots of teams by conversation around those PDFs and how much computing power it took to produce the old report cards.

[02:13:52] That was what really sunk a lot of value in tying into our staff was figuring out how to create a database and our [02:14:00] database in house to be able to do something like that. So we've sort of skipped up into being much more efficient in this way. The question about the value added, I just want to make this really clear again, as a statutory construction, the department and the moment that that was happening, had some concerns.

[02:14:14] And we were trying to be very transparent about those concerns. One of them is the very concerned that you had, and we were in constant contact with the Racine school district because we knew what that was going to do to them because we could model. It is not something that we did behind a curtain without anybody's oversight or, you know, thoughts or anything.

[02:14:31] It was a statutory change that ran through this house of the legislature, signed by governor Walker and put into place that we follow and comply with. So it was not us that did that to you now, did we, did we absolutely encourage a conversation about the strong correlation between poverty and achievement?

[02:14:47] Yes, we did. And we wanted to develop some sort of method to account for it in data because otherwise our data system and our accountability system is doing nothing more than reporting poverty. And that's what we had in the old days.

[02:15:00] Your question, I'm sorry. I forgot what your last one was, how to do this by memory, right?

[02:15:06] Are you back in the office high rate? So, no, we, we, I know face of the army crime wave. We have given people flexibility to be working remotely, and we are working toward a final policy for our agency, by which we can all make decisions about where we work. And that includes a conversation around footprint, because I think what we know is that we don't want to be, if people aren't desiring to work in person, and that is a recruitment and retention problem that we have run into in state government a lot is people have left us for jobs that are more flexible and you can't run an it shop as an example because we have such high turnover.

[02:15:44] We need to be responsive to that as an employer, not just as the state of Wisconsin, but also be good stewards of taxpayer dollars, which means not having a bunch of footprints in a building that we're not utilizing. So we're working through all

of that and we're six months in as an administration and we need to figure out how [02:16:00] we're doing that.

[02:16:01] I appreciate that because that kind of gives me a little bit with my, um, service to the building commission. That's something that we are examining, uh, very closely. Um, just last year, I want to clarify, cause you said the last. The last regime is made a lot of these decisions. And I just want to clarify, you're talking about, uh, if I remember correctly four years ago, our governor, um, Tony Evers was the head of department of public instruction.

[02:16:27] And so the former gene would actually be whoever was appointed after the fact, which was the deputy deputy secretary at the time. Correct. And that was actually the assistant state superintendent learning. I mean, still want to point to you within the administration. I just want to make sure that cause I'm following the timeline and I want to make sure people are clear where different decisions came from.

[02:16:48] Yep. All right. Thank you.

[02:16:53] All right. Um, just to follow up quickly from representative with these questions. So did the department go back, everybody go [02:17:00] back into the building prior to crime? Yes, you did. Okay. Uh, then our next questions come from representative Binkie and then representative rampant.

[02:17:14] Um, a couple of quick, easy questions, whose decision was it to make the changes in the 20 21, 20 20 and 2021 report card, including how statement at was calculated and the accountability rating score threshold changes. So that was the former states. And then did the department at the time pursue making changes.

[02:17:35] And if not, why we did not historically changes to this particular area of the agency who did not engage the rule-making process. And okay. And then who's the accountability advisory group like when these changes are, is it just the secretary at the top? Um, we talked that I want to get this to you all so that we can put this to bed and I know that people are coming and going.

[02:17:58] So I'm not mad at you asking [02:18:00] this, but we had, it was a 34 person body that consisted of private school folks, folks from Jim benders group, public school folks, our technical accountability experts that sit in, see says, Hmm, Yeah, it was designed to be as practitioner heavy Laden so that we could have these deep conversations about how the mechanics of this work.

[02:18:18] Okay. Thank you.

[02:18:23] Represented bank at your complete. Yup. All right. Representative Ramathan. Thank you, Mr. Chairman, thank you for coming today. Appreciate your testimony. Um, you had mentioned earlier, your computer froze up. You were

chatting with people now, logistics aside, we've been here for two and a half hours and we've had two speakers speak two and a half hours.

[02:18:45] The urgency is obvious. The issues are important. The issue is important. My question is, was one of the people you were chatting with the superintendent, not at this particular moment. I mean, I talked to her on a daily basis, [02:19:00] but I'm talking with our technical ex. I asked the question because I would like to suggest going forward to have when we have something as important as this, that maybe the superintendent show as well.

[02:19:08] I think he appearance by that individual for something as important as this is something I'd like to see. I've been here for four years now and on this committee as well. And I don't believe that superintendents ever come to present. And I think that would be a really nice change to have that happen.

[02:19:22] Number one of three a is Don number two. Uh, I think the representative, we keep poked at this, but he's qualified the specific failing element I was simply going to ask and you run a report the old way with the data to show us what we would have had prior to all the changes you made to the process.

[02:19:40] Yeah, it's the, I don't, I think we got lost in how long and how multiproduct the question representative with gas Mia was, but when we started, that was my commitment. It's going to take some time because you have to work with external stakeholders. Time's okay. As long as we get a result in quality to the point of me talking with some of our technical experts, I do want to clarify one thing around how value added functions, because I think it's an [02:20:00] important conversation that we deep knowledge on.

[02:20:03] So value added it. It looks there's a mathematical. It shows us what a predicted score for a student should be based on demographics and previous success in school. And it compares it to the actual, so it's it's and that's what Robin educator, ed you analytics have sort of proprietary sway over. And it's their model that we are required to use in statute.

[02:20:27] We'd love to see the before and after reports and then have that discussion. But until I see the before and after, I really don't want to go there. The last item I'd like to poke is a resident of Duco touched on it one more time regarding the 16 five in the Malki county schools that didn't or Maki public schools that did not test check me on this.

[02:20:44] If I heard you, right, was there a, you used to be in place rather was there in place a deduction element where if you didn't take the test that the district lost funding lost some money funding ass over here. It's I heard you say something about people [02:21:00] wanting to remove the deduction element was the deduction element relative to kids who didn't take the test and did the district have to pay for that.

[02:21:08] There's two parts to this report cards and then the assessment accountability, and they sort of blend together in these conversations. So I apologize for a long-winded answer. Much. Council also jumped in if I miss the federal law, but all the deduction points that you're talking about in the report card around test participation was something that had been done away with, for a while due to the sort of political volatility around taking the assessment in the common core era.

[02:21:31] So that's been something that's been out of the gate for a while. What we were doing even while the report cards were not punishing districts in their score is complying with federal law, which says that under federal law, you need to test 95% of your kids across students subgroups. So the one that usually gets districts in trouble is students with discipline.

[02:21:51] There is an alternative accountability assessment that they can take the, I believe is what it's called, but they're still are required to test those kids if they [02:22:00] don't test them, they're subject to penalty, which yes, it is financial around their federal funds in the pandemic. The USDE has waived that particular penalty provision.

[02:22:12] So I think what you're experiencing and what you got your finger on around, like walking in some of these other larger districts, it's kind of a twofold situation. We're here talking about report cards. So of course that's top of mind. And like normally their score would have gone down in 20 15, 16 days.

[02:22:26] Even before that it didn't secondarily the conversation about the financial piece, which is more a federally driven statute that says, hold their federal money. If they don't need 95% participation, I believe it has to be over 200 students. Well, represented Myers touched on it earlier too. When she mentioned that, you know, they would be scheduled to take it to an end.

[02:22:44] It wouldn't show up and then they would have the retake date and they would skip that one too. And then, Hey, they didn't have to take it. I think they should have to trick it. I think they should have to get the accountability elements in place so that when you have a report, you can actually qualify it better because right now it's got holes all over it.

[02:22:58] So no further [02:23:00] questions. Thank you, Mr. Chairman.

[02:23:08] All right. Sorry. I wasn't gauging conversation. You're you're finished up. All right, sir. I am. Thank you. Thank you. Um, I'm gonna insert a few questions here once again. Um, but first of all, just want to make sure that it's clear. I mean, the issue of, um, superintendent appearing rather than Tom was raised and just make sure it's clear.

[02:23:29] I mean, I would have been fine if she came. I mean that hasn't been common practice for superintendents to come testify in front of this committee, which has been frankly, a little bothersome to me. Um, Uh, she was more than welcome to

come in and give this testimony today. A couple other groups that were invited just to make sure it's clear, uh, Wisconsin association of school boards was invited as well and declined Wisconsin association of school district administrators was invited and declined and [02:24:00] Wisconsin console religious and independent schools also declined with a qualifier was that, um, the head of that organization had a principal who was going to come and speak and was not able to get away from school.

[02:24:15] Uh, and didn't feel her testimony would be as valuable as the principals would be. So those three were also invited. Do you mind if I just did that? I think across all those groups, what we're dealing with right now in staffing schools is a crisis. And I know in talking to the school board association and the administrators, and I think I, hopefully I'm not speaking too much for Jim's organization or Mr.

[02:24:39] Bender's organization, but we are all hands on deck trying to keep schools in person and operational at this particular moment in time. So yeah, I don't want to take any shots at any of those organizations. They are doing everything they can to support schools. Right. Okay. And I think that there is probably an issue in all of our districts right now.

[02:24:58] All right. Uh, then [02:25:00] my next question would be, is, and this gets back to, again, to my earlier line of questioning on the administrative rules portion of this. So in the, on the changes sheet, uh, the third change on here was the target group outcomes priority area, which had previously been a closing gaps priority area.

[02:25:28] Now looking at the statutes I copied from the state statutes here, one 15.385, uh, sub 0.8. There is a one then for whatever reason they want to M and then a three and a four, I don't know where to went, but I'm sure we made changes to it. Uh, but in there it lists in the statutes that one of the factors in putting together the report card is to be pupil achievement in reading and math.

[02:25:56] A second one is to be growth in purple achievement, [02:26:00] pupil achievement in reading and math calculated using value added methodology, which you referred to earlier. And then the third one is what I want a full third and fourth, third one is gap closure and pupil achievement, which has now been dropped and replaced with this targeted group outcome.

[02:26:18] And then the fourth is the rates of attendance, uh, which it seems was left out. Okay. So on correction, that is not. So my main concern there is the third one because it's app closures listed in the statutes here, but yet it was dropped. Can you explain that? Yeah, I think this is, I apologize. Cause I had this note to myself and testimony and just kind of lost it and my general rambling, which I'm sure you're probably sick and tired of, but um, targeted growth or the target group is a nomenclature thing.

[02:26:45] It's, it's, it's how we're naming it. There is gap that a gap closure is a critical component of how that is constructed and that is where the absenteeism component is also included. So I'll give you a breakdown of just like the [02:27:00]

sort of value, variable waiting piece. There is a scale of how that particular score is constructed.

[02:27:06] That is student growth, achievement, absenteeism, and graduation. So it's, it, it is present in that how that is constructed and the gap piece is huge. That is so a name thing, not a, so just trying to interpret what you're saying there. So it's basically a name change, but you're doing the same thing. I haven't dug into the data enough to know, to know that, um, You would agree that it says you have to do gap closure analysis because it's in the statutes.

[02:27:39] Yep. Now, would that, was that something that, um, the committee or DPI, whoever made the final decision on that, that you thought about, should we run a rule through, on this? This might be confusing to people. I don't know, to be honest with you. I mean, I think that your, your [02:28:00] historic argument of why this was not run through rural, I am not here to really, I mean, I'm happy to continue a conversation with you on that.

[02:28:07] I guess if that's something that you want to pursue. I don't, you know, I think what I know about law and I would sort of defer to ledge council on this as well. I would, my fear would be, we do not have express rule-making authority within that statute. And so if you wanted to provide the, the department express rulemaking authority to make sure that what we promulgated through rule actually had standing and authority to be created.

[02:28:30] I think we could have a conversation. I would think that, I think legislative council said this before that if it doesn't explicitly state that you don't cannot run the rules on this, that it certainly is within your purview to be able to do that. Am I, I experienced with JCR would lead me to say differently about that.

[02:28:53] So I guess my comment had to do with whether something that the DPI was doing by policy would qualify and [02:29:00] fit the definition of rule than it would need to be promulgated as a rule. They couldn't just go ahead and create rule, which is law, um, on something for which they have no statutory authority to do.

[02:29:12] So, however, in a situation where they are interpreting statute, which probably is the situation we would have here, because there is a statutory basis, um, here. And if they're interpreting statute and implementing it, if it also has the effect of law, then that probably would be appropriate for rulemaking.

[02:29:32] Um, my final question here, and then I'll go to representative Duco. Um, so the issue of Milwaukee and the struggles and Waukeee have been kind of front and center in this debate that we've been having here. So explain to me as best as you can. How is it that Milwaukee can have 10% of its students considered proficient, but yet it is labeled [02:30:00] as meets expectations.

[02:30:03] I can explain you the math, but I'm not going to change your face validity argument. The math is that the thing that we keep rounding around about, which is

the variable growth waiting, which says that even if you're not at proficiency level, if you are increasing your attainment in a particular calendar year, you're given value.

[02:30:22] And that is what is bullying the scores of Milwaukee. I mean, it's, there's really not much more to poke out there. It's, it's that simple. And I think it's an effect that Mr. Bender seasoned some of the choice schools that are struggling with achievement as well, due to extreme barriers that families learners are facing in those particular schools.

[02:30:40] And that was a policy decision that was made by this legislature to value that. Alright, thank you. Representative Duco, just two quick questions. Um, as far as the superintendent coming, I will say that I've had probably almost every department secretary at one point in time, come and testify at a hearing.

[02:30:56] So we would love to see her. Um, and then could you tell me how many employees are [02:31:00] in DPI? I think 641 is the report that we give to the blue book, but you know, you have and flow based on turnover and, and are all of them housed in the building on Weber street? No, the, that is the main headquarters, but we have locations in Milwaukee, green bay, Eau Claire and Ashland.

[02:31:22] Um, so the one on Weber street, I believe that the state leases that building and the other buildings are those least also. I believe they're all leased. I don't think we own any outstate property. Okay. Okay. I just found a way to save some money. I do. I will say that in terms of being physically present, the out-state facilities are the ones that run the programs of those Scouts and educational opportunities program.

[02:31:48] And some of the other federal programs that are designed to directly serve students and families. So if we're talking about cutting footprint and we get to a place where the department elects to be more of a hybrid [02:32:00] workplace, Jeff three is going to be the place where we'd reduce footprint. Some of those out-state facilities are where parents interact with the programs.

[02:32:06] And so the likelihood that we would say, no, we're shutting down face-to-face operations and Waukee is not. I mean, unless parents, just all of a sudden their caregivers, all of a sudden decide, Hey, we love only virtual, which is not what we're seeing. Right? So like the outstate satellite places are a little different for us.

[02:32:23] Um, then Homebase headquarters. Okay. Thank you.

[02:32:30] I had made this, I know I said it was my last one, but changed my mind. Uh, I made this an issue back when the report cards first came out in particular, was trickled with this, with my comment on Milwaukee before, but could include Madison as well, where we had such a low percentage of the students actually take the forward exam.

[02:32:53] Uh, and, and we've had, if you go through a lot of the report cards, you'll see the N a [02:33:00] pretty frequently not in which stands for not applicable because there's not enough data set to put something down. And so it was there a consideration given, um, to, because there was such a low dataset to not even give them a score.

[02:33:19] It's been a long time since we've done that with a school or a district we've been marching toward a format where we're finding ways to produce scores and use. The data that's available to produce them, to hold them accountable, frankly, for the students that even show up. I don't think anybody in that policy decision foresaw COVID coming.

[02:33:37] Right. Which I think is what, what I think I know where you're going with this is that districts like Milwaukee, Madison, some of the kids that showed up tended to be some of the more higher performing students. So what you had was an inversion of what normally happens, right? Where you've got these high flyers driving achievement, I think just, and maybe this would be a good place where I can tag my pallet, Ms.

[02:33:58] Render and over here too, is that [02:34:00] the idea that we don't provide a score and that the small sizes increased volatility in year to year thing has been something we've been grappling with since 12. And I think the choice schools are the ones that bear a lot of the burden of that statutorily required to produce.

[02:34:17] Not a lot of kids always taking the test. Sometimes it's different kids that take it year over year. What value does that have? Like we're, we're turning it on and shaming and the fact that they're dealing with only a handful of kids taking the test. Yeah. Did you want to come if I'm officially tagged, I'd be happy to, um, you know, I, I, I think the question is I'm going to kind of refer back to where I was, which is, you know, that's, that's a valid conversation to have and all the context that goes along with it.

[02:34:48] Um, the fact that you've got, and I off the top of my head, I can't tell you how many different private schools, but there were a great number, especially those are onboarding. They're just joining the program. Um, [02:35:00] sometimes it takes them multiple years to have enough testable students to generate a report card score.

[02:35:05] But those are set, we know less than 20 kids in certain things. I mean, those, those are rules that are set and we have conversations about that. In fact, we had a lot of conversations with the department on what's a viable, some of it's set by federal law, I believe, but some of it was for the state accountability program, which was an open dialogue, which said, here are the avenues, which we think were.

[02:35:26] A valid data set, which is going to provide again, back to that quality data, that, that that's a quality data input. That's what we want. And I think I'm just going to

go back to the process where that didn't happen here. And that's, that's a hard thing cause I, I, I'm not saying again, I'll say that for the last time.

[02:35:42] I I'm not here testifying that what the scores were or what, uh, the calculations inside the absenteeism, some of those things were, are necessarily wrong. That's not it at all, but for those of us that are involved in committee members who are cabinet have a vested interest in this, without that conversation, without that [02:36:00] transparency, it's hard to understand, um, you know, what went into the decision, not again, not to say that the final decisions there, but when it comes to, is there a threshold for districts to meet their testing protocol in order to generate a report card?

[02:36:16] What that data on the low participation Madison and Milwaukee was in the department months ago and months before they released the information. And I think if there's anything that I want to leave with committee members today, that's the time to spark those conversations and have them. And so, as Tom said before, make you guys own it a little bit, you know, bring it here.

[02:36:38] So they're not, so he's not sitting here, you know, taking shrapnel all day and pointing at me. Um, but, uh, you know, I think there's a validity to that, that, that getting the committee engaged and being engaged in that process, then there's, then it's, then it's a collective effort that we're not sitting in a committee hearing after the fact, uh, unwinding it a bit, uh, to try to add some context.[02:37:00]

[02:37:00] I think too, if this requires us to have a standing briefing where we come in after the assessment window and say, here's where the results are we posted on why's dash D is why is dash the easiest thing in the world to use? No, but if you can design me one, that's better. I think you'd have millions of dollars in your pocket.

[02:37:15] Cause it's, as we look across states for valid assessment portals, that show. It's pretty close to the top. Most of the other states are still operating off of ragtag Excel. Spreadsheet, display sometimes a Tablo, but it still is not as engaging as what we have. The problem is volume. I mean, you're talking about results for hundreds of thousands of kids rolled up into schools and districts and how we communicate that.

[02:37:40] I mean, I want to work with you all to get better at it, frankly. It's a conversation that I welcome. So the, the, the N a the not applicable, or that I said before, which I think is set at 20 students, if they're not at least 20 students in a category, then the anti-gay category appears or reference [02:38:00] appears, is that statutory, or is that a DPI decision that was made?

[02:38:06] It's sort of a, it's hard to divorce them because we're dealing with PII. So we're dealing with how we grapple around identifiable information and use of data, and then co force that into an accountability system. So it it's, it's a complicated answer to that question. We can't turn on a system that could potentially identify a kid.

[02:38:27] Okay. So the decision rules we're making behind it are designed to do that. So, and so is it safe to say that maybe the number isn't statutory, but the concept is you, there you go. Yeah. That's. And so therefore you could have made the unilateral decision to not include Milwaukee and Madison, which I understand you didn't you decided to include them to give them a report card.

[02:38:51] In spite, the fact that they had such a small fraction of their students actually take the tasks to you. You could have done that. I don't know the answer to that [02:39:00] question because the statute is pretty clear that we're required to produce. So, I, I don't know how that would've gone. I mean, put yourself in my shoes unless we came here and probably did a similar thing about why we didn't produce it because, and I can understand had you not put it in there, there probably would've been an explosion.

[02:39:16] I probably would've put out a press release about that so I can understand your reasoning behind doing that. Um, but it is clear. I agree, a hundred percent with you, which you said before that, and this was a point I made right after report cards came out, is that when there's a small percentage of them, that actually took it.

[02:39:37] Those are probably the stronger students. And therefore, if the weaker students didn't take it, these scores could be even far worse than what they were. It don't think you're wrong. I think when we looked at statistical modeling and who sat for the test and tried to do our best to look at growth and figure out what happened in the state of Wisconsin, because we care about [02:40:00] what the end impact of quality is here.

[02:40:02] That is the caution that we were given. One warning, not a lot of kids in these particular districts took the test. So it's dangerous to make takeaways similar to what I think. Mr. Renner will tell you a lot when we're talking about small sizes in the private schools, but yeah, you're right. I mean the demographics point in that direction.

[02:40:17] Can I say it with certainty? No, but it sure seems that way. All right. I have no one else on my list. Okay. All right. So as someone who, w who authored AB won a few years. Sat on that chair on one. Was it tiny three hours? So

[02:40:44] thank you for your honest assessment of my legislations. I know, I honestly don't mind it. I appreciate having the venue to talk with you all. And I w you know, to representative Wiki's point about door being open, so is mine. And I want you to know my phone number and know how to reach me and ask me [02:41:00] hard questions, because that's the only way that we're going to get through this stuff.

[02:41:02] If I put up a barrier and say, no, I'm only going to respond like a technocratic bureaucrat, we're going to be doing this for the next six years. That's not, that's not how I roll. I mean, I think Katie can justify the fact when you email me, I'm gonna respond. It's it's important to me. Okay. Uh, one requests I'd have before we let you go here.

[02:41:21] So there've been a number of pieces of information that had been requested, and probably there will be some more, I assume someone will be continuing to listen. Uh, could you get those to one, all the committee members, rather than just the individuals who asked, uh, or you get it to the committee clerk and, and Katie concern circulated at all?

[02:41:43] Can I do a quick rundown of what I have on my list? Just to make sure I'm not missing anything? Yeah. So I've got, who was on the advisory groups, the formal dates they met along with, uh, the format in which they met. I've got the calculations behind the score [02:42:00] mechanics, uh, representative Duco asked for, I got you the MPS year over year, but I'm happy to, again, just kind of pull wise dash and show you where I got that from so that we understand that some questions around state-based accountability systems to figure out how many are federal and state combined versus state and federal separate.

[02:42:17] Um, I have the FTE of the, uh, group that does this particular work inside the agency and their budget string. I think that's it, but please correct me if I'm wrong. I think I got most of the other ones. Okay. I did not catch anything there that was missing unless other representative Rosa. Um, thank you. And you know, we have, we were committee rich today.

[02:42:42] So do you mind if I ask you your name since I don't know who you are and what your position at DCI is? Sure. Tom McCarthy, executive director in the office of the state superintendent. And the other question I have is of those 641 employees. Can you tell me how many of those are [02:43:00] still working remotely and how many of them go to the office every day?

[02:43:04] So we did move back to a format before, um, a crown really spiked of being a requirement to be physically in person. And when that, when the recent spike happened, we shifted back to a remote under conditions that we're in now, and then also developed a work group to figure out, Hey, we need to be stable with how we're using our facilities and how we're handling employees.

[02:43:25] So we put together a policy work group that we're trying to get to a final conclusion so that we're not ping-pong back and forth in abusing the footprint that we have to. So you're saying that all 641 employees are now working remotely. No, we do definitely have people core function that required to do face-to-face service are still in-person, but we have made a decision based on the position descriptions of our staff as to whether they physically need to be there to complete their duties.

[02:43:53] And then they have to work with their manager as we call them directors or assistant directors to figure out whether they need to be here a [02:44:00] day, a week, more than a day, a week, you know, volume based on job duties is basically what it comes down to. I also, I, I got a correction from somebody in my staff.

[02:44:08] I forgot to mention that we do actually run two residential schools as part of the department of public construction, the school for the blind and visually

impaired and the school for the deaf and hard of hearing. They are physically in person. I believe that they've taken some pauses because of outbreaks in the schools to keep the kids and the teachers healthy, but they're in person instruction as well.

[02:44:25] All right, then represented. What can you do you have, I have your name on my list. Oh,

[02:44:34] sorry, Mr. Sheriff, but I believe the questions that I had asked, um, Mr. Carthy was going to rerun report cards under your projection. Yes. So if that answers all of your questions, I'm more than happy with that. Thank you. Okay. All right. Well, I'll pause to let you finish rating there. All right. [02:45:00] Well, thank you, Tom.

[02:45:01] Um, and certainly you're welcome to stick around too. And, uh, with that, we will go on to our next speaker. Now look a little bit of, um, possible readjustment in this year, Wisconsin Institute in wan Liberty has some timer screens. Is that accurate? Uh, and so I'm looking at stride. So if it, if you would be okay with them going first, or you need to go now, or I just make the executive decision, all right, you're going out.

[02:45:33] You're halfway there. So that's a pretty strong indication. You're ready to go.

[02:45:50] Yeah. If you could just please identify with, yeah, absolutely. Thank you. Chairman Thies felt and the committee for having us today. I am a Sarah Cutler. I'm the [02:46:00] director executive director of Wisconsin virtual academies. We are the largest virtual school in the state of Wisconsin. We serve over 3000 students a little bit about me.

[02:46:13] Um, I grew up in central Wisconsin, um, near representative Rosauers hometown, and I'm a Wisconsin native. I worked in the Madison school district for 18 years and I am a two-time graduate of UWU. I got my doctorate. I also worked at the state department of New York in, um, in the early two thousands when NC Belbien first came out, no child left behind and helped the state department in New York at that time consider the ramifications of that law.

[02:46:47] So here we are talking about state accountability 20 some years later. I hope that what you hear from us as representatives of [02:47:00] kids is, is that we're somewhere in the middle of the last two speakers. There are a lots and lots of things I agree with for the first speaker and a lot of things that DPI is doing, right?

[02:47:11] So, um, I hope that when you hear this testimony and you hear that we come from a very reform minded space and we want to see schools that work for kids. And, um, I represent kids from every corner of this state. We have over a thousand kids in the Southeast corner, Milwaukee Racine who have chosen our school, a not profit public school.

[02:47:38] And we have students from the corner of superior to lacrosse to green bay. So we've really do represent kids and families in every part of our state and what they need in education. So you all do have a packet of slides there, and I'll kind of my talking points will follow through with those, [02:48:00] um, making the key ideas that are from stride and also implemented in Wisconsin virtual academy.

[02:48:09] So, first of all, it's my first time here. So I hope that my smile creates a little bit of kindness. I felt for Tom, a few moments there, but my testimony will really focus on how do we move. I heard a lot about what we've been doing wrong. And I'm a parent of two boys. One is 13 and one is 18. My 18 year old is on the autistic spectrum.

[02:48:37] And school did not work the same for him as it does for my delightful and 13 year old. I say that with tongue in cheek, who loves his socialization in school. So I think about schools and what we need to do to support all kids across our state. I hope that you hear from [02:49:00] us that we need to go beyond taking the test.

[02:49:03] Lots of talking about what is the test? Did they take the test? How many kids took the test? I think the test is flood and I have spent eight, 20 years, 20 some years in education. I started as a teacher. I have been a principal. I've been an instructional coach. I helped review the common core state standards in mathematics as a math expert in elementary education.

[02:49:29] I come to you as a mom and as an executive director of schools that I believe are reform minded and can change the way we school children in our state. So I'd like to really talk about what we can do different. First of all, a little bit about our schools on that first, the second slide or the first slide, we do have four charters.

[02:49:51] We are authorized through McFarland as our authorizer. We have been a little brown in Farlan since 2009. [02:50:00] And dare I say, as I come from the Madison school district in the last year, we do virtual education really, really well. And I say that as someone who ran virtual education in the public school, um, brick and mortar and someone who is now in charge of 3000 plus students across the state schooling virtually we are managed by stride.

[02:50:23] Are very lucky to be able to utilize the national resources that come with stride. So some of the research that I'm able to tap into the innovation and the teacher training around what virtual education can do is provided by stride. And I'm proud to be an employer of them.

[02:50:43] I want to state that this year, as I moved into this position, as all district administrators, do, we go through a review and we listen to our stakeholders and we decide what we're about. And after many, many listening sessions, we said, we are about [02:51:00] equitable education. And what that means is that we need to S we are seeking a different way to school.

[02:51:07] And for many of our kids, and I will say of the 3,300 plus students, there are 3,300 plus reasons. They come to our school and it is their choice to come to our school. And it is of no cost for them to come to our school. They have not found success in their resident school district. This is particularly true of our high school students.

[02:51:29] And our high school report card is particularly the lowest one. If we're going to talk about report cards, that's because kids come to us after years of non-success and they come to us for something different. We want to provide them an equitable opportunity to school and be educated and to create this themselves in the image of their future.

[02:51:54] So, for us, this means, and this statement of our promise comes from a high school student [02:52:00] who said, this is what we have done for her support students and personalized learning, no matter where they are, who they are or what they need. What I want to articulate today is that the current state report cards focus on compliance.

[02:52:14] And I've heard that word used multiple times today. Statistics, lots of talk about how the math is. And scores and I just don't think that's good enough for kids. I think we should be looking at competency over compliance students over statistics and success over scores. So throughout the rest of this time, I'm going to talk about each of those three areas.

[02:52:41] And I'm going to link them to the five priorities that are within the state report card, as it has been designed.

[02:52:51] If you're following along, I'm on slide four. So in student achievement, which is a priority area in the state report [02:53:00] card, it is all aggregate. Yep. We all want to see one final score. This school is feeling or not feeling that does not tell the story of the kids inside of that building or behind that computer.

[02:53:16] It is based on a one-time state, standardized test and one score. And yet many kids aren't showing up and representative Myers. I had that kid multiple times. I know those kids. They're my favorite, because if I can convince that kid to show up for a reason, then I've done my work kids. These days are not going to show up.

[02:53:39] I don't know how many of you have kids or grandkids in their teens right now, this is a hole in the world and we've got to start adapting to it.

[02:53:50] The student growth is measured. And I want to say that that is a very important goal. We should be measuring growth. We should be seeing because that's for a teacher, for me as a [02:54:00] teacher, that is what I had control over that student comes to me. I don't care where you came from or who you are. You come to me.

[02:54:05] If I can get you to grow and move forward, then I've done my work. And that is an important part of what we should be measuring. But again, it is measured on a one time, sit down and met and take this. The target group on comes that we've been talking about today. I'd like to look a little bit differently about how we measure those.

[02:54:26] I'd like us to think about how we progress monitor model, which is what our teachers do and how we go beyond single summative ratings. And I'd really liked to talk about graduation. I had the greatest honor to, to shake the hands of our 12th graders last summer in a COVID friendly ceremony in a park in beaver dam and the stories they told could move anyone, but they are not measured in what is now on the state report card.

[02:54:58] Their stories are really not [02:55:00] told. And finally, I want us to be measuring where kids are after high school, because as representative Witcher said, and Wiki said, we are trying to create society. That is what schools do, where they go after high school, their placement and their, their, um, employability.

[02:55:21] That's what should be, we should be measuring in schools, not how they did on a test score. I do agree with a first speaker, um, Mr. Bender, that we do need to be more transparent. I do agree with the DPI that we do need to report on more than one page. This is complicated. Kids are complicated. We cannot just create a one score one time and say, yup, you did well.

[02:55:50] Or you didn't. So let me go a little bit deeper. I would like to propose a student centered approach to assessment. [02:56:00] Accountability then moves us beyond aggregate scores, focused on an institutional success toward individual accountability, focused on students and their progress toward their life. We need to ask our students engaged.

[02:56:13] Are they progressing toward graduation? And what is their success post K-12? Because ultimately we need to start measuring what matters. And I am a professional educator. I truly think we aren't quite doing it yet. So let me talk a little bit about each of these compliance versus competency. Nationally, there is a trend toward competency based assessment.

[02:56:41] We need to get on that wagon. It is about measuring a student's growth, not the aggregate of the whole school. It is prioritizing assessments that drive student learning and help a teacher move that student forward and add to this [02:57:00] that we can be testing kids virtually, and we can be testing kids more than once a year.

[02:57:05] And we can do this with validity. I know because I know our company does it. We need to create more relevant performance based assessments. That show how kids will do post-graduation. Are they going to be employable? Are they going to be ready for their next step? And we need to listen to kids and highlight student autonomy with transparency.

[02:57:26] I agree. We are not transparent enough about the assessments. There should be no hidden, anything hidden about what we're testing. This is what we need you to know and be able to do to be great in our school and great Denard society. Show us you can. We need to look at how we're progressing toward graduation and not just measuring whether or not they graduated for some kids.

[02:57:51] They need more than four years. We have to stop making them all fit into one box tests, need to be relevant, and we [02:58:00] need to prioritize our post-secondary skill acquisition. The skills, knowledge, and disposition students require after grids. As representative Wiki said, we need to prepare them for the workforce.

[02:58:13] Our one-time test is not showing us if they are prepared students, not scores. I'm going to have this on every slide, which says measure a student's growth individual students. Yes, I am talking about every single one of them, Milwaukee, Madison, any place, what did they learn? And how did they progress? We need to continue to measure against state standards.

[02:58:41] There's nothing wrong with a standard. Took your child to those pediatrician at three years old, they're supposed to be this big, it's the standard, but not all kids meet that standard at the same time. Not every nine month old starts walking, right? Some start at nine [02:59:00] months, some start at 18. So there is a standard and we measure against it, but we allow for progression toward it.

[02:59:09] We do need to compare kids against kids, but like kids against kids, every kid in our state comes from a different background. And we can't deny that they're going to compete for jobs. And they're going to compete for being in the school of their choice. We need to be true to them about that. And we need to tell them that they are going to need to meet a certain standard in place.

[02:59:33] But with that, I agree with Tom, we have to focus on what's in the classroom. We have to track individual student progress, and we need to look at a student information system to do that. We need to use ongoing formative assessments that help us find where students are placed, not just prepared for after graduation.

[02:59:55] We need to be able to show our results based on assessments that matter to our students [03:00:00] and our families, because that is why so many of our students and families come to our. We are personalizing and working for what they need. Finally, we need to look at success and not statistics. You heard about how much time and thought, and I've sat on the UWA.

[03:00:21] Tell me how to create the value added marks. And I'm a pretty smart lady. I can not explain that measure. I agree with the idea that we need value added, but we cannot just be talking about statistics. When we're really talking about a kid's life. There has to be an adjustment to the metrics, and we have to look at where kids are moving.

[03:00:45] We have to be able to track kids across the state. Many, many kids will come to us for an intervention. They will try and they will move out again. And we don't have a good way of collaborating with districts in other places across the state to support that kid. [03:01:00] I agree. We need to wait growth over proficiency.

[03:01:04] And I am trying to say, as represent Duchamp asked about progress toward graduation, that we do need to look toward how we are moving kids toward that success. Mr. Bednar also mentioned a school information system and the immense amount of time and energy and money that went into trying to create that years ago.

[03:01:24] I remember that very well. I would like to see us go back to thinking about how that can support us in tracking student success. We can no longer live under this traditional idea of education. We have to shift the mentality that we're preparing kids toward a university at 18. We need to put providing them with programmatic changes that really create a change, a chance for them to start in the workforce at 18.

[03:01:54] If that is their choice, we need to support students in individually [03:02:00] planning for their personalized opportunity. Because we know that in this generation, kids are gonna have seven different careers. They need to have flexibility and the knowledge and skills and disposition. These tests are not testing that I want to state that I really do believe the report card has had some positive improvements.

[03:02:21] I appreciate the CTE measures. I appreciate the focus on the arts. I think we need to look beyond just reading and math. I think that if we're continually going on and on and after about how we're not educating, we're only talking about the deficits. And instead, we're looking, we need to start looking at how kids are learning, because I guarantee you the hours my kid spends on tic-tac, he's learning something, it's done all that,

[03:02:51] but it's not a one size fit, all fits all. And the validity of what is currently occurring is not, it [03:03:00] cannot be the reason why we won't go to change is that we're afraid of the validity. For example, will a parent help that child at home. We cannot be afraid of that. We need to move forward into a new progressive place where aggregates are not the math and the statistics, but rather we're looking at the students.

[03:03:20] So if you're on slide eight, you can see my clear points are hopefully clear here, but I'm really asking about how we may look at a system that individually tracks students, that we're not focused on aggregate test scores, that we are focused on growth that we have. Competency-based assessments that look at employability skills because students aren't showing up for the act anymore.

[03:03:47] Like they used to. And the act is actually not being as used, used as much as. And we need to consider how students move throughout the state, because

they're gone only going to move as [03:04:00] students. They're going to move as adults and prepare to be more flexible in our programming. I believe we need to focus on progress monitoring, not a single test score.

[03:04:10] We need to monitor progress toward graduation and not only measure against a four year cohort, we need to listen to the kids. Y'all if you aren't listening to them right now, they're going to start burning down the house because they aren't going to show up anymore. They are really, really, really going to revolutionize our system.

[03:04:32] If we don't start doing it before they come,

[03:04:40] I want to end by saying that our school's promise is to provide the best equitable opportunity that we can. It means that we serve students who are seeking a different way and it's because they didn't fit before our enrollment has doubled in the [03:05:00] last two years, families who came to us because of COVID, aren't leaving because they're happy with the experience and the learning their students have received.

[03:05:10] We are working to meet the needs of the diverse learners throughout this state. And I'm trying to get to know every single one of them from every corner. And they're in the same classrooms, kids in Milwaukee, talking to kids in Marshfield, in the classroom, talking to each other and talking about what they're learning and where they want to be next.

[03:05:30] Our traditional education system is, has struggled to pivot. I am going to say that I also really am interested in moving toward blended learning opportunities. Students need to be able to move from being virtual, to being in person, depending on the skill and disposition that they are learning. I will be working forward in our larger urban areas to provide those opportunities for kids through our schools.

[03:05:58] So when they need to be in person, they [03:06:00] can be when they can be home and continue to learn, they can be doing that as well. Our schools are developing, learning partnerships and setting collective goals with students using individualized learning plans, 3000, some students, every single one of them seen as an individual.

[03:06:20] I think we can do that statewide. And I think we shouldn't be limiting ourselves to an archaic system, but rather starting all over from scratch the individualized program centered on progress toward post-secondary and secondary placement is not quite measured yet. And I want to leave you with that word yet.

[03:06:41] I really believe that if students are seeking a new way to school, we have to start seeking a new way to measure and hold our schools accountable to what they need and what our families need.

[03:06:56] I'm going to turn it over to my colleague, Bob or a few more. Alright,
[03:07:00] good morning, Bob Welch. Not my first time before our committee. Uh, well, glad to be here, speaking on behalf of stride in our views on student centered accountability. Um, and thank you, Mr. Chairman in absentia for inviting us. We really appreciate the opportunity.

[03:07:18] I want to start out my brief comments going, gonna be very brief. I want to start out though, just talking about online education, because a lot of comments in the newspapers over the last year and a half have been people saying, oh my gosh, it's so horrible. Our kids have to go online and they're not necessarily wrong, but there's a difference between our high quality full-time online schools that people choose to go to.

[03:07:39] And the emergency remote teaching that happens when nobody was prepared for that. So let's be clear. We have teachers that are trained to do. We have parents that have chosen for their students to attend these schools because they think, at least they want to try it. And after awhile they agree, they like it and they stay or they don't, but they're allowed to [03:08:00] try it.

[03:08:00] And the parents are engaged because part of the deal, when your student is sitting in their bedroom working and did you gotta be engaged as a parent, as part of the deal and our parents are, and we have programming to make sure they are. So it's not like, nevermind, what was going on? It's you need to be involved or this isn't gonna work.

[03:08:17] We have the way we test the way we deal with the students on an ongoing basis. The way we insist on engagement is all measured. Tested. Sarah could get into the details of how it all works. I'm not the education professional, but we have all that stuff in place and it works for many, not all. And we understand that it doesn't work for all.

[03:08:36] That's why it's still a choice to choose to get in, but you can also choose to get out. Um, and we have the experience of, you know, over 20 years of doing this and getting the best and brightest from all over the country to help us design all these programs work and it's transparent. So you can see what's going on and you can decide if you like it or not based on what's going on.

[03:08:57] And lastly, the curriculum is [03:09:00] developed for this. It isn't like, well, this is a math we taught last year, and now we get to do it online. So we'll just pick that up and use it. No it's designed to be used in an online setting. That's why we doubled in size and went on as if nothing had happened. Whenever we were also struggling from COVID, we offered help.

[03:09:15] We didn't necessarily, a lot of people take us up on it, but, you know, we did, we did want to be helpful. And I think we helped some students. Now when it gets to report cards, this is why I start with that, because I want to now talk about how it works for us with report cards. Sarah spent a lot of time talking about what

we'd like to see, which I think is a great place after the last two speakers to talk about, where should we go?

[03:09:36] And I want to tell you a real simple example of what I think she said, but I'm going to say it a little different. Let's say we have three students. None of them were doing. They're all about to become high school seniors, but they're only like halfway through their sophomore year. They're failing. They come to our school, we have three students.

[03:09:55] The first one gets all the way through, makes up a year and a half and graduates [03:10:00] with CS that gives them an okay mark. The second one makes up a year and a half, but not two years. And doesn't quite graduate with their cohort, but they made up a year and a half and they weren't doing that before they fail.

[03:10:14] And the third one actually fails. We just don't catch that student. It wasn't a good fit. So we, we don't, none of those students succeeds, according to the report card, I would say the first one is a brilliant success. The second one is a huge success. Now the third one, not so much. So what do we get for scores?

[03:10:32] If we just look at the report card, what do we get? If we ask the parents, I, Sarah suggesting, did we succeed for your kid? What do you think those parents are going to say about the first two? You saved my kid. Let me get a zero on the report card for that. So that's what we have to think about when we're designing a report cards and you're all going to look at them and say, gee, Sarah, school's failing.

[03:10:52] No. What is it actually doing for the kids? And that's what we're asking you to do to think about today because we take these [03:11:00] tests and you get the results six months later, who does that help? Does it help the student as the parents, the teachers, the school boards, you guys trying to be policy setters doesn't help any of you, but if we can read it.

[03:11:14] Test Tuesday, start working on Wednesday. What we got from the test and then continue from there. We can help kids, whether you're in virtual setting or in bricks and mortar, what happened. So that's my few sort of non-educational professional would just sort of trying to tell it, like it is comments and equals.

[03:11:31] Okay. Thank you for being coming in. Uh, I think, oh yeah. And so that was cheating. I was like, I'll let you speak for 25, but then Roger emailed me saying I never got your offer. Like, so one of the things I will commend you on is the word student centered on here that are not in this state,

[03:11:51] our thoughts on systems, et cetera. And that really has to change quite a bit. Um, just, just a couple of things. And I don't [03:12:00] disagree with what you're saying. Um, I'm curious as to what types of tools do you use to measure that? Because one of the things, um, you know, it doesn't matter what profession you're in.

[03:12:13] Um, as long as he ran a manufacturing line measured by how many pieces you can do in our blood site, if you're in a automotive repair setting out and you know, other professions like finance and accounting, uh, how many accreditations do you get continuing education, et cetera. I'm not going to disagree that, um, if you have better ideas, I'd love to hear them, but I'm just, if you could explain a little bit more as to parking, I mean, you know, like the one at Berkeley, it looks like if it's not a test, would it be, uh, so I've been criticized of being a little bit of a dreamer in education, um, in my reform mindedness.[03:13:00]

[03:13:00] But I think one of the things that I'm so excited about is our destinations. And we are partnering with, um, businesses and, um, we are the only place in the nation to have a construction pathway. So kids will leave, ready to have through an, a construction process or ready or ahead of the construction apprenticeship.

[03:13:26] So we need to measure what it's like to have, um, get up and go notice these dispositions that we need to support our kids in being able to do and competency based assessments. They're across all the different pathways. There's 18 different pathways. CTE programming throughout this country is blowing up and stride is at the forefront.

[03:13:53] And it's not just, if you're doing a pathway, it is really the measures that we should be looking at for kids. [03:14:00] And there is commonalities across all of them, and they're not different than what's in the common core state standards. Can you read something and think about it? Can you sit here in front of this committee and talk about it, right?

[03:14:13] These are, these are skills that employers want. There are, is a list of.