



WISCONSIN CATHOLIC CONFERENCE

TESTIMONY ON ASSEMBLY BILL 379: SCHOOL ACCOUNTABILITY

Presented to the Assembly Committee on Education
By Kim Wadas, Associate Director
February 12, 2014

On behalf of the Wisconsin Catholic Conference (WCC), I thank you for the opportunity to provide testimony for information on how Assembly Bill 379 and Assembly Substitute Amendment 1 to AB 379, would affect our Catholic schools and systems participating in parental choice programs.

The WCC, along with many of our private school partners, has consistently supported efforts to improve accountability and transparency within the choice programs. Catholic educators recognize that students, families, and communities need access to information on school and student performance. Catholic schools have willingly complied with measures to promote greater program accountability – from ensuring school fiscal viability and sound financial reporting to enhanced accreditation and educator credentialing; and from improved auditing of program compliance to heightened enforcement and penalty provisions for errant schools and officials. As Catholics, we fully support efforts to promote good stewardship of our public resources.

Also, we wish to express our gratitude for certain changes that have been made in Substitute Amendment 1. Requirements, such as posting when an accountability report is limited to choice pupils and their completed assessments, and a required data component sample size of 20 students, help to ensure that the system is fair and accurate. The substitute amendment also removes many of the provisions requiring extensive data collection for items such as the immigration status of students.

Currently, over 90 Catholic schools participate in choice programs statewide. Under AB 379 and its substitute amendment, these schools would need to procure and maintain a compliant, commercially-available system through which schools would submit choice pupil data to the Department of Public Instruction (DPI). This data would then be utilized to determine a rating for the school's choice population under the DPI's school accountability system.

As the representative of Catholic schools educating choice students, we have several concerns as to how this accountability system will serve those students and the larger community, especially in terms of the fair assessment of choice students and schools, as well as the protection of student privacy. We also have significant concerns as to how this implementation will be facilitated. Any accountability system should be fair, but recognize the unique nature of traditional public, charter, and private schools.

Student Privacy. First, AB 379 requires choice schools to provide data solely on choice students and their assessments. As you know, beginning in the spring of 2014-15, Wisconsin will require the administration of the Smarter Balanced Assessment in public schools for English language arts and mathematics through grade eight. Public high schools will be required to administer the ACT Suite of assessments, with two examinations for grade nine, one for grade ten, and two for grade eleven. Additionally, students will continue to take the Wisconsin Knowledge and Concepts Examination (WKCE) for science and social studies in the fall of 2014 for grades four, eight, and ten.

These requirements will apply to choice students in grades three through twelve. However, it is uncertain whether other private school students will be able to access the Smarter Balanced Assessments. This means schools will be required to administer some other form of test if they want the entire school body, or even students in the same grade, to use the same assessment mechanism. This also means that choice students will be identified every time they are required to take a Smarter Balanced assessment.

The substitute amendment provides a means through which the DPI, working in concert with the Value-Added Research Center (VARC) at University of Wisconsin-Madison, can statistically equate the scores of a nationally recognized, norm-referenced test to measure achievement and the growth of pupils attending a private school with those collected for other populations, including public schools.

To avoid identifying choice students, we request that the Committee consider amending the bill and permit choice schools to use this same process in lieu of the requirement that choice students utilize the Smarter Balanced and WKCE assessments.

Under the law, families have the right to opt their choice students out of taking required assessments. However, AB 379 permits the DPI to determine if the percentage of pupils participating in examinations was inadequate and then penalize the school for this low percentage. This seems unfair as schools cannot require students and families to participate in these examinations, and within the choice programs there are significant incentives for students not to participate given that taking the required assessments will identify students as being from families with limited incomes.

Student Information. Catholic schools teach all students and strive to serve as many as their resources will allow. However, families are not required to provide certain information upon a child's enrollment in a Catholic school. For example, families of children with special needs in Catholic schools often refrain from identifying their child. Therefore, we have concerns about what method will be used to identify special needs students under the accountability system.

Additionally, several private schools do not participate in free and reduced lunch programs. To comply with AB 379, schools will need to solicit income information from choice families. With such a process, new questions arise, such as whether a school will be held responsible if a family mistakenly reports their income.

Lack of Clarity. When there is insufficient data collected, Substitute Amendment 1 permits the DPI to rate a school with a “satisfactory” or “needs improvement” rating, but leaves this determination to DPI’s discretion. The bill provides no certainty that a school will be held harmless in terms of their accountability rating if the school does not have information for certain data elements. As mentioned before, this is especially troubling given the previously mentioned opt-out for choice students from testing. Choice schools will hazard being penalized for honoring parents’ wishes and state law. Assembly Bill 379 also fails to specify terms or phrases such as “enrollment status” and “history of pupils attending the school.”

Student Information System (SIS). Finally, choice schools must begin using a compatible SIS beginning in the 2015-16 school year. Such a system costs \$3 to \$12 per pupil annually. This does not include costs for implementation, maintenance, training, or staff time devoted to data entry. For private schools that currently do not have a SIS, compliance with the law will require finding the system that best serves the schools’ needs, meets the requirements of AB 379, is within the schools’ budget, and can be purchased and brought online with staff training – all in a year and a half without additional funding. Additionally, many schools new to choice programs are already dealing with their first choice state assessments, reporting, and audits this year.

Student Records Disclosure. Finally, Substitute Amendment 1 amends a series of provisions regarding the disclosure of student records. Included in these provisions is a requirement to publish rules regarding student records disclosure with a class 1 notice under Chapter 985. Certain provisions also limit how long a school may maintain a record, as well as how long it must keep student records on file. This significantly alters how private schools currently operate and requires further review to determine how this affects both the administration of private schools, as well as certain privacy concerns.

Again, Catholic educators are not opposed to accountability. That is why the WCC is not opposing this legislation at this time. However, data collection in choice schools should be limited to that which is necessary and permits the private school to be unique from other schools.

By providing greater clarity and specificity in this legislation, our schools and staff participating in choice programs can be more certain of student privacy protection, understand how performance will be measured, and know how results will be published. This will ensure a consistent and transparent system that maintains accountability without altering the unique character and climate of our Catholic schools.