Dear Senator Baldwin:

The waiver plans are not adequate substitutes for ESEA reauthorization, which is five years overdue. Although they provide some relief from NCLB’s onerous accountability requirements, the waivers have created a patchwork system of temporary fixes and do not provide the stability and continuity that our education system needs. This process is not the preferred way to set federal education policy.

As the cornerstone of federal K–12 education policy, ESEA needs to be reauthorized by Congress this year to provide the stability and long-term vision our education system needs. The offer of waivers from the challenging NCLB requirements was a welcome relief, but this new set of federal requirements presents its own implementation challenges, including strain on staff capacity and resources. The requirements to develop educator evaluation and school improvement systems fail to recognize the unique circumstances or existing support structures of each school/district.

From Laurie Asher, Superintendent, School District of Laona: While the waiver for Wisconsin is a work in progress and has some good things like multiple measures, it also is very weak in the data for high school and cannot be used either for school improvement or understanding how well a school is doing. For my school district, which is very small, we only got one score out of the four--attendance. We did not have enough students to rate in the ACT or gap areas. This may have made our score lower and shed a negative light on our district. The other concern about the waiver is that we will put our financial and personnel resources both at the state and district level into using this data and meeting these goals. When NCLB is reauthorized, if it has other guidelines, we will have to change our practices yet again, creating more confusion and negative feelings due to the lack of consistent legislation.

Waiver requirements are another set of considerations educators must deal with as they work to implement any number of federal and state initiatives, some of which are duplicative, overlap, compete with each other, or are out-of-sequence. These initiatives include Race to the Top, Common Core State Standards implementation, and the work of two different assessment consortia. From Fran Finco, Superintendent, School District of Onalaska: The number of waivers and the time frame in which we are expected to have those in place is near impossible. Many of these reforms have required state and local policy changes, but great uncertainty remains regarding the temporary nature of the waivers (lasting only two years) and the effect of ESEA reauthorization occurring over this same period.

From Holly Rottger, Assistant Superintendent, Kimberly Area School District: One of the areas of concern in the Wisconsin waiver is in regard to Teacher Effectiveness. The waiver requires that states implement a system that raises accountability for teachers. Wisconsin created a system that requires a consistent evaluation of teacher practice (50%) and use of test scores (50%). In creating this system, two broad concerns have arisen:

1. Erosion of high quality teacher evaluation: The nature of the systems developed to ascertain teacher effectiveness have caused more time to be used in cataloguing data instead of having the crucial post-observation coaching that we know makes a significant difference in a teacher’s practice.
2. Inadequate availability of assessment data: In the haste of creating a system to hold teachers accountable, current assessment practices were not adequately considered. The high-quality assessment data we have for teachers to write Student Learning Objectives is most often focused around individual classroom units and benchmarks. This will provide microscopic data for accountability, but will do little to raise the level of classroom achievement.

Overall, the concern is that the system will take valuable time away from excellent teaching and evaluation practices. In my opinion, the solution would be to provide a framework of accountability so that districts can submit their own systems for approval (if they meet the criteria of the framework). This way they can remain accountable at a state level, yet focus on local needs and priorities in teacher evaluation and student learning. For those districts that are doing well, the current system stands to damage good practices instead of enhance them.

We urge you to continue to work with your colleagues in a bipartisan manner to complete ESEA reauthorization in 2013 so that schools, districts, and states can move ahead with planning for the coming school years without the uncertainty of a patchwork system of ESEA fixes and temporary waivers. Thank you for your attention to this education issue.

Karen Wendorf-Heldt, WASCD President

Denise Pheifer, Executive Director

February 6, 2013
The Honorable Tammy Baldwin
United State Senate
Washington DC 20510

RE: Committee on Health, Education, Labor, and Pensions Hearing, Thursday, February 7 to examine the Early Lessons of State Flexibility Waivers

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