



JESSE KREMER

STATE REPRESENTATIVE • 59TH ASSEMBLY DISTRICT

*Testimony before the Assembly Committee on Education
State Representative Jesse Kremer
September 7, 2017*

Good morning,

Thank you committee members, and especially you, Chairman Thiesfeldt, for holding a hearing on Assembly Bill 221.

One of my primary goals as a lawmaker is to ensure that every child in Wisconsin has an equal opportunity to succeed. One of our late 2015 monthly legislative discussions with CESA 6 superintendents and school board members revolved around unnecessary, outdated and cumbersome government rules and regulations. One particular presentation included the rough draft of a proposal to eliminate the antiquated school hours and minutes seat time requirements. Obviously, this statute revolves around a cookie cutter 8:00-3:00 school day to ensure that children are receiving a specified amount of "teacher time". But what is truly being measured with this regulation? It certainly isn't teacher effectiveness or student achievement. It is simply an arbitrary number. I believe that Wisconsin should continue to lead the nation. Let's continue to evolve and ensure that our schools remain accountable while educating our youngsters through the best, most efficient and effective means possible. This bill, AB 221 creates a two year pilot program within the CESA 6 region that, if proven effective, can eventually be opened up statewide. The goal is two-fold:

1. Create an incentive for lower performing school districts to improve their educational effectiveness.
2. Provide flexibility for well-performing schools that have a desire to continue expanding their creativity.

AB 221 will allow school boards to waive the traditional scheduled hour requirements of a specific school through an annual resolution if the school's most recent report card grade indicated an "Exceeds Expectations" or "Significantly Exceeds Expectations" score.

Thank you again for the opportunity to testify today and I encourage you to support Assembly Bill 221.



MIKE ROHRKASTE

STATE REPRESENTATIVE • 55TH ASSEMBLY DISTRICT

Assembly Bill 221

Relating to: creating a pilot program under which certain school districts are not required to provide a minimum number of hours of direct pupil instruction

Testimony of State Representative Mike Rohrkaste

Assembly Committee on Education

September 7th, 2017

Thank you, Chair Thiesfeldt and members of the Assembly Committee on Education, for holding this public hearing. I would also like to thank my colleague, Representative Jesse Kremer, for his work on this important legislation.

Assembly Bill 221 is the culmination of a dialogue that has been progressing for several years. Administrators, superintendents, school board members, and school business managers within CESA 6 have all been involved in the conversation that has ultimately led to the introduction of this legislation, and I would like to thank everyone for their time and effort.

As our economy continues to grow and change, our education system must as well. This legislation will give school districts within the CESA 6 region the ability to innovate and provide students with an education that best fits their needs. The current seat time model is rigid and will only become more ineffective over time. It is an arbitrary number that does not help to reflect the effectiveness of our teachers or the achievement of our students.

Assembly Bill 221 will create a two-year pilot program within the CESA 6 region that could eventually be taken statewide. This legislation will allow school boards within the region to adopt an annual resolution of their intent to participate in the program and to identify the schools in the district at which a minimum number of hours of direct pupil instruction will not be scheduled. Only school districts and schools that have received a rating of "significantly exceeds expectations" or "exceeds expectations" on the most recent school and school district accountability report may opt out of the requirement for a minimum number of hours of direct pupil instruction.

The goal of our education system is to prepare students for whatever they may do in the future, whether that is a job right out of school, a technical education, or a four-year education. Because of this, our education system also needs to change with the world around it. A student in a desk, with a specific teacher, for a pre-determined amount time does not equate to best outcomes. We need to allow our schools districts to innovate, and this legislation does exactly that.

Thank you for your time and I encourage members of the committee to support Assembly Bill 221.



Luther S. Olsen

State Senator

14th District

TO: Assembly Committee on Education
FROM: Senator Luther Olsen
DATE: Thursday, September 7, 2017
SUBJECT: Testimony for Assembly Bill 221

Thank you Chairman Thiesfeldt and members of the Assembly Committee on Education for holding a hearing and allowing me to testify in support of Assembly Bill 221.

Currently, we require that each school board must schedule a certain number of hours of direct pupil instruction. Kindergarten must have 437, grades 1-6 must have 1,050, and grades 7-12 must have 1,137 hours per school year.

This bill will create a pilot program that allows public schools to opt out of this requirement to provide a minimum number of hours and allows them to set their own. In order to be eligible for this pilot program school districts must:

1. Be located within the Cooperative Educational Services Agency (CESA) 6 region.
2. Have received a rating that exceeds or significantly exceeds expectations of a school or school district accountability report.

This bill aims to give more flexibility to public school districts that are high performing so that they have more room for innovation to better educate Wisconsin's children and I believe that this pilot is a great place to start.

Again, thank you for holding a hearing today and I ask for your support on AB 221.

**Assembly Committee on Education
September 7, 2017**

**Wisconsin Department of Public Instruction
Testimony for information on Assembly Bill 221**

Thank you Chairman Thiesfeldt and members of the Committee for the opportunity to be here today to testify on Assembly Bill 221. The Department thanks the Committee for engaging in the discussion around innovative strategies to improve student outcomes.

Assembly Bill 221 creates a two year pilot program beginning in the 2018-19 school years under which the school board of a school district located in the Cooperative Educational Service Agency 6 (CESA 6) region that received a rating of significantly exceeds expectations or exceeds expectations on the most recent school and school district accountability report may opt out of the requirement to provide a minimum number of hours of direct pupil instruction at schools in the school district that received a rating of significantly exceeds expectations or exceeds expectations on the most recent school and school district accountability report.

To participate in the pilot program, the school board of an eligible school district must adopt an annual resolution that indicates its intent to participate in the pilot program during that school year and identifies the schools in the school district at which the school board will not be required to schedule the minimum number of hours of direct pupil instruction under the pilot program.

Current law requires each school board to schedule at least 437 hours of direct pupil instruction in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6, and at least 1,137 hours of direct pupil instruction in grades 7 to 12.

Under current law there is no requirement regarding minimum days of instruction. 2013 WI Act 257, enacted on 4/8/2014 eliminated the requirement that public schools hold school for 180 days each year. (First effective in 2014-15)

The Department fully understands that School districts across Wisconsin are continually seeking new ways to improve learning and increase opportunities for their students. Innovative practices are used every day, but in some cases, more flexibility is needed to innovate.

Simultaneously to the development AB 221, the Department worked with educational leaders from across Wisconsin to develop the Innovation District application and process. In March 2017, State Superintendent Tony Evers convened the group and charged them with defining a clear, streamlined process to create Innovation Districts. Through an Innovation District application, districts could request exemptions from state law or administrative rules needed to implement innovative practices or reduce barriers to student learning, with the goal of improving outcomes for all kids.

Members of this group included a cross-section of leaders from districts of varying size around the state, including:

- Jon Bales, Executive Director, WASDA
- Kevin Bruggink, District Superintendent, Oostburg School District
- Jim Erickson, District Administrator, Webster School District
- Mark Hansen, District Superintendent, Elmbrook School District
- Nancy Hendrickson, District Administrator, Highland School District
- Gregg Goers, Teacher, Neenah High School, Neenah School District
- Michelle Langenfeld, District Superintendent, Green Bay Area Public School District
- Ted Neitzke, Agency Administrator, CESA 6
- Randy Nelson, District Superintendent, LaCrosse School District
- Sue Savaglio-Jarvis, District Superintendent, Kenosha Unified School District

Districts can apply to become Innovation Districts on behalf of one, more than one, or all schools within their district. All applicants will need to detail how their proposal aligns to their district's strategic direction, demonstrate how their request for an exemption will improve outcomes for all students, and how they will evaluate their success. Once approved by the DPI, waivers are in effect for four years and are renewable for additional four year intervals with evidence of improved student outcomes.

The application process requires that the district certify the following:

- **Stakeholder Engagement:** The Applicant has evidence of stakeholder engagement in development of the innovation plan (such as teachers, students, parents, business, and community leaders).
- **Compliance with State and Federal Laws:** The Applicant has evidence that the innovation plan meets all state and federal legal requirements, including those related to pupil confidentiality [Wis. Stats. s. 118.125] and those required for seeking a waiver from the State Superintendent [Wis. Stats. s. 118.38]. As part of this assurance, the Applicant agrees it is not seeking a waiver from any statutory provision ineligible for a waiver under Wis. Stats. s. 118.38, including those related to:
 - The health and safety of pupils;
 - Pupil discrimination;

- Pupil assessment;
 - Pupil records;
 - Data collection/reporting;
 - Financial reporting and audits;
 - Licensure or certification;
 - Commencement of the school term; and
 - Requirements for SAGE/AGR contracts.
- **Public Progress Review:** The Applicant shall provide periodic reports to the local school board(s) describing progress toward the goals outlined in its innovation plan and in this application, and such reports shall be publicly available.

The Department feels that the Innovations District Program is less restrictive and more equitable than what is statutorily provided through AB 221. The Innovations Districts program allows districts to pursue locally driven solutions that will improve outcomes for Wisconsin children. Unlike AB 221 the Innovations District Program is available to any district statewide and insures:

- The proposal aligns to the district's strategic direction;
- The exemption is designed to improve outcomes for students and includes a plan to evaluate that success, and
- Requires significant stakeholder engagement.

Thank you for the opportunity to testify on this bill – I am happy to answer any questions.



School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Assembly Committee on Education
FROM: John Forester, Executive Director
DATE: September 7, 2017
RE: AB 221 – Minimum number of hours of instruction

The School Administrators Alliance (SAA) supports Assembly Bill 221, relating to creating a pilot program under which certain school districts would not be required to provide a minimum number of hours of direct pupil instruction.

AB 221 creates a pilot program under which school districts located within Cooperative Educational Services Agency (CESA) 6 that have received a rating of exceeds expectations or significantly exceeds expectations on the most recent school and school district accountability report may opt out of the requirement to provide a minimum number of hours of direct pupil instruction at schools in the district that received a rating of exceeds expectations or significantly exceeds expectations on the most recent school and school district accountability report.

The SAA has long supported proposals providing operational and instructional flexibility for Wisconsin school districts. Allow me to highlight just two examples from this legislative session. The SAA was the driving force behind the development of the stakeholder teacher/administrator licensure revisions currently embodied in the DPI emergency rule. In addition, SAA members made up 9 of 10 members of the Innovation Working Group charged with advising State Superintendent Evers on the development of the Districts of Innovation program announced in June of this year. According to DPI, under this program, if districts can demonstrate that state laws or regulations are impeding their efforts to improve outcomes for children and articulate a different approach to improving student achievement, the Department will use its authority to get those barriers out of the way.

Wisconsin school districts continually seek new ways to improve student learning and maximize educational opportunities for the children they serve. But, sometimes districts need more flexibility to innovate than current state laws and regulations will allow. And that is why we support the concept behind this legislation.

Critics of this bill will argue that allowing districts to opt out of the minimum hours of instruction requirement will result in those districts providing “less school” and less rigor in instruction. I guess I could follow that argument were it not for one thing: School districts are ultimately held accountable by their annual school and school district accountability reports – the state report card. And, if that is the accountability model we continue to use here in Wisconsin, then school leaders

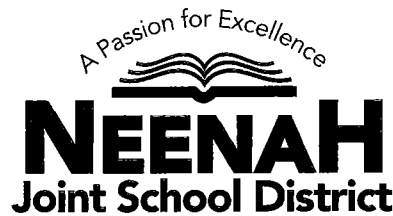
ought to be free to deliver instruction in different ways to enhance learning and add value for students.

Seat time is not necessary to enhance student achievement. Increasingly, instruction is being delivered in non-traditional ways with a lot of student learning taking place outside of the classroom. Work-based learning and project-based learning are just a couple of the many examples. These “square pegs” don’t fit very neatly into the “round hole” of the minimum hours of direct pupil instruction requirement.

Mr. Chairman, I’d like to close with a few additional comments on the bill:

- The bill limits the participating districts in the pilot to those in CESA 6. Many school administrators outside of CESA 6 have expressed their need for this flexibility as well.
- The bill also limits the participating districts in the pilot to those that received a rating of significantly exceeds expectations or exceeds expectations on the most recent school and school district accountability report. I think a strong argument could be made that districts ranking lower on the state report card are perhaps more in need of the flexibility to innovate and deliver instruction in ways that enhance student learning.
- I think it is important to note that districts that would not qualify to participate in this pilot could get a waiver of the minimum hours of instruction requirement through the Districts of Innovation program. What’s more, I believe they could do so with fewer restrictions and greater flexibility than under the terms of this pilot.
- Finally, I believe the objective behind this type of pilot is to see if allowing districts this instructional flexibility works. How will we determine if it works?

Thank you for your consideration of our views. If you should have any questions on our thoughts on AB 221, please call me at 608-242-1370.



410 South Commercial Street • Neenah, WI 54956 • Tel: (920) 751-6800 • Fax: (920) 751-6809

September 7, 2017

Dear Chairman Thiesfeldt and Education Committee Members,

My name is Dr. Mary Pfeiffer and I have the privilege of serving the Neenah Joint School District as the superintendent. Our District serves just over 6,500 students and we have approximately 650 employees. Thank you for providing this forum for public input regarding Assembly Bill 221.

The conversation related to seat time has been ongoing for several years. Thanks to the CESA 6 administration, area superintendents, business managers, and school board members, along with the legislators attending our Legislative Breakfasts, as our dialogue related to this issue and others continues to be something we appreciate. Our legislators asked great questions that led to additional thinking and conversations.

Related more specifically to Neenah, we have made significant changes since Act 10. We were one of the first adopters of a pay-for-performance approach for all employees, we decreased our mill rate (considering our taxpayers) to be the lowest in the Fox Valley, we made significant changes to our insurance, and continue to provide our employees with other benefits to be competitive state-wide. We have done this while still performing at a high level and creating effective and innovative experiences for our students.

I strongly believe that shifting to a full innovative practice in public schools is a must. This will require a different mindset not only at the school level, but at the state level as well. We must stop believing that every student needs to be in a desk or a school with a specific teacher for the same period of time. We must build a capacity in students so by the time they graduate from high school they are prepared for entry into the work force, going into the military, enrolling and being accepted into a technical college, or pursuing a four-year college degree. School districts must be afforded the flexibility to redefine what readiness after graduation means for our students and community.

In recognition of this need for flexibility, in 2013, legislators in Wisconsin lifted the 180-day requirement for public schools as presented in Act 257. That was a huge step for our state and a welcoming one at the local level. However, under current state statute, students are still required to receive direct instruction for a specific number of hours as indicated in 121.02 (1)(f) 2.

121.02 (1) (f) 2. Annually schedule at least 437 hours of direct pupil instruction in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours under this subdivision include recess and time for pupils to transfer between classes but do not

include the lunch period. Scheduled hours under this paragraph do not include hours of direct pupil instruction offered during an interim session. Scheduled hours under this paragraph may include hours on Saturdays. A school board operating a 4-year-old kindergarten program may use up to 87.5 of the scheduled hours for outreach activities.

As we consider varied ways of meeting the individual needs of our students, why would we prescribe the same amount of hours for everyone? Here are a couple of examples that if implemented, would not be possible under the current law:

1. At our high school, we have had discussions about wanting flexibility for school-to-work experiences and creating a schedule similar to what students will experience in college and technical college. Our businesses want to become involved in a way that is more than simply speaking to students. They want to engage our students. This would mean a significant adjustment and as I am interpreting the current statute, these valuable tools would not be available to our students.
2. We currently have a charter school in one of our elementary schools and it continues to be one of our highest performing. Every Friday, students are dismissed at 12:00 p.m. Students are also out for seven additional days due to staff learning and development taking place in our District. This is allowable in a charter school in our own District, but we cannot provide the same schedule and innovative approach at other elementary schools in our District due to the current seat time law.
3. Another example is snow days. As you know, there are times we must call off school. If students are not in their seats for the specific number of hours, we must then make up the day and that usually takes place by adding days in June. Is this really going to impact their learning? Is postponing the beginning of summer school in order to make up these lost hours of direct instruction really necessary and in the best interest of students and families?

Current legislation was developed prior to our accountability measures being in place. Perhaps seat time made sense in the early 1900's, but it is not aligned with best practice for student learning nor preparing them to be college and career ready today. The number of minutes our students are in their seats doesn't make a difference. How we lead our students throughout the learning process before, during, and after school is what really matters. Give us this capability.

I would ask for consideration and further discussion on the following points:

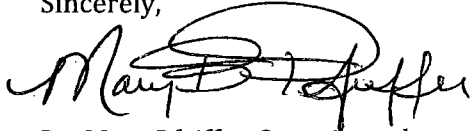
1. Please consider expanding this to the entire state. As I have spoken with colleagues throughout Wisconsin, this idea could lead to great things not only in our CESA 6 region, but statewide.
2. When discussing the report card achievement link, I would request that you consider having a score of exceeds expectations or significantly exceeds expectations at least once in a three-year period or perhaps have districts at least meet expectations. My reason for requesting that is that we do not receive our scores until October. If our District met the threshold of exceeding or significantly exceeding the first year and not the second, it would be very difficult to make abrupt changes. As an example, if we

made a schedule change, it would be for more than one year as families need to prepare. Additionally, sometimes change leads to a dip in performance the first year prior to accelerating in the following years.

3. Please do not believe that school districts (with Board approval), would consider making these types of changes just to save money. Our public is aware of our test scores and they recognize the importance of student learning and performance. In Neenah, our public will not allow change if it means just saving money while sacrificing student success. In fact, some of our more recent ideas may increase spending.

In closing, I ask for your support of advancing this legislation. Let's make Wisconsin a frontrunner in innovative learning instead of waiting to fall behind. I will be happy to meet with you at your convenience should you have additional questions. Thank you for providing this forum to share our thoughts and for your work in service to our great state of Wisconsin. The kids of our state deserve the very best innovative practices in order to be prepared for today's world.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Pfeiffer". The signature is fluid and cursive, with a large loop at the top.

Dr. Mary Pfeiffer, Superintendent
Neenah Joint School District
410 S. Commercial Street
Neenah, WI 54956

920-751-6800 ext. 10100

I am here to speak in support of AB221 regarding seat time for Cesa 6 schools.

As an educational consultant working with adult learners in businesses, I have developed curriculum and instruction for a variety of topics and diverse populations—people of all ages, backgrounds and educational experiences.

I have designed and delivered training for everything from new software to welding, sales skills to manufacturing... All of these learning experiences have one common component--one key element to ensure that learners successfully master the educational goals and outcomes--they all contain hands-on learning experiences.

Think about the last time you learned something new...perhaps you got a new smart phone, or downloaded a new app? Maybe you learned to cook? Or maybe you are taking classes to play the banjo?

Now imagine trying to learn these new skills without real-time, hands-on experiences? Sounds almost ridiculous—right? How could you master that smart phone or banjo through lectures and reading alone? We all learn in different ways, but for most people the best learning occurs when they can roll up their sleeves and get their hands on something!

When I am working with a project team to prepare training, there are several steps that I integrate into the overall curriculum:

1. Tell me
2. Show me
3. Guide me
4. Let me try

Most of the time allocated in these phases is given to the “let me try” part. This is why we need to get students out of their seats—we want them to try new skills, apply trouble-shooting strategies, problem-solve, analyze and revise...And, we want them to ask questions and express curiosity—we want creative thinkers!

Essentially, my expectation for learners is *full immersion* in their course topics—whether that means a trip to a local business or manufacturing plant; or a school-to-work experience that exposes students to a variety of careers and professions.

I ask you to support AB221 because it will allow innovative instructional techniques that broaden learner experiences;

We often talk about *WORK FORCE readiness*...AB221 will expand curriculum capabilities to connect students to business and career options, and...finally,

...this strategy aligns with University and technical college learner engagement initiatives which allow learners the flexibility to choose instructional experiences that best resonate not only with their interests, but MORE IMPORTANTLY their individual learning styles—which ultimately leads to academic success.

Join me in support of innovation and AB221

September 7, 2017

Dear Chairman Thiesfeldt and Education Committee Members,

Thank you for taking the time to offer this venue for school districts administrators and board members to speak out on such an important topic.

My name is Lauri Asbury and I am a member of the Neenah Joint School District Board of Education. I am also a parent and part of a family with a long history of educators. Therefore, I understand the value of a great education.

I congratulate you on looking more deeply into what really works in education for our kids and having a commitment to implementing innovative, best practices in our classrooms. Assembly Bill 221 is an excellent opportunity for school districts to offer opportunities outside of the classroom including; work related experiences in real world situations, hands on experiences to best prepare our kids for careers, or further education by getting them out of the classroom and exposing them to businesses and jobs.

Eliminating the seat time requirement will also give school boards the ability to offer flexible learning opportunities through innovative

instruction that better fits student learning styles and ultimately better prepares our students for what the world is like today. We can pursue hands on learning, problem solving skills, project based learning opportunities, internships, flipped classrooms, better scheduling that mirrors college and work life, and better use technology outside the classroom just as a few examples.

By supporting AB221, eliminating seat time restrictions, you will allow our schools to perfectly fit together with your stated goals for career and workforce readiness as we will be able to deliver actual life experiences to our kids and better prepare them for what the world is like.

Ultimately passing AB221 will better enable our schools to educate our students to become well prepared, productive and successful members of our society.

Thank you for your kind consideration and your service to our great state of Wisconsin.

Respectfully,

Lauri Asbury
Board of Education Member
Neenah Joint School District
Lasbury2@gmail.com