

Testimony of Kirsten Baesler
Superintendent of Public Instruction
Legislative Management's Education Committee
Sept. 15, 2016
Roughrider Room
State Capitol
10 a.m.

Chairman Schaible and members of the Legislative Interim Education Committee. My name is Kirsten Baesler. North Dakota's Superintendent of Public Instruction. I will continue my testimony to provide an update on the work of North Dakota's Every Student Succeeds Act Accountability Planning Committee. This committee is a team of educators, parents, and leaders who are writing the new accountability plan to meet the requirements of the new federal education law called Every Student Succeeds Act. (ESSA)

For the last 14 years we've been operating under the federal law we knew as No Child Left Behind (NCLB). NCLB measured the quality of our schools on two simple factors; test scores in three subject areas and high school graduation rates. While these things are important NCLB overemphasized the goal of having every student be proficient on standardized assessments.

December 2015 marked the beginning of a new era in the American system of education as the Elementary and Secondary Education Act (ESEA) of 1965 was renewed as the Every Student Succeeds Act (ESSA). This legislation replaced the ESEA renewal of 2002 which was No Child Left Behind (NCLB). ESSA offers an overhaul of policy and systems of oversight that recognizes the

serious issues caused by NCLB, ultimately resulting in a return to an increased role in the authority of states for their own education systems. The law will take effect on July 1st, 2017. In the interim, schools are still operating under NCLB during this 2016-2017 school year. The North Dakota Department of Public Instruction (NDDPI) has been monitoring ESSA since it was introduced on the Senate floor in April 2015, and immediately took steps to prepare to implement the law after it was signed in December. One of the most critical and influential changes of ESSA pertains to the accountability plans of states. While accountability plans under NCLB were inflexible and marked by rigid adherence to unrealistic improvement in standardized test scores, states now have an unprecedented amount of flexibility in drafting their accountability plans, and to determine their own criteria for identifying quality factors to measure.

ESSA is a complete overhaul of education policy. The success of this new law in North Dakota will ultimately rely on the coordination of all stakeholders in education to offer our students the greatest chance to succeed with the new flexibility the law offers. Accordingly, NDDPI has assembled a planning committee for ESSA that involves all these stakeholders. The ESSA Planning Committee contains 43 members with representatives from all of the following stakeholder groups: Career and Technical Education, Higher Education, NDCEL, NDSBA, North Dakota United, teachers of the year, Governor's Office of Indian Affairs, English language learners, parents, special education teachers, teachers of education

preparation programs, public schools, nonpublic schools, legislators, and businesses . A list of all the individuals on the Committee is attached to this document. The committee has been meeting monthly since May, and has made considerable headway in guiding the drafting of our accountability plan. The Planning Committee will continue to meet monthly, and we intend to submit our accountability plan to the U.S. Department of Education in March, 2017 to ensure its approval by July.

The primary document resulting from this process will be North Dakota's new Accountability Plan. This document will retain some provisions from the Accountability Plan under NCLB, but an overhaul of the primary reporting requirements, namely NCLB's strict adherence to standardized test scores, will result in a completely new outlook for the future of education in North Dakota. ESSA provides us a golden opportunity to find the right mix of measures to show the true quality of our schools. For example the ESSA committee can take into account whether a school has adequate science, technology or fine arts choices or ample opportunities to take CTE classes or advanced coursework. They might consider measuring whether students have access to robust library resources, career counselors or leadership opportunities. They might consider measuring student and teacher attendance or engagement.

ESSA eliminated some provisions and added others. There is no longer a provision for Highly Qualified teachers, and all

programs related to the 100% proficiency rate have been tossed out. The federal government has significantly less power to intrude in states' affairs, and accordingly money in the form of grants designed solely to advance a state toward the 100% proficiency goal have been eliminated. The law did however add a number of grants and provisions to increase local control of education, including new Early Learning and Literacy Programs.

Despite NCLB's flaws, there were some provisions that were beneficial to our education system, and many of these provisions remain the same, or remain with some modifications. Among the provisions remaining the same are the creation of school and district report cards, a 95% participation rate of students in state assessments, teacher and principal evaluations remaining optional, and the parents' Right to Know clause.

There are also many provisions that have undergone considerable modifications. States have greater flexibility in determining what can qualify as their state assessment, they can also use state assessments to measure student growth, and states may limit the amount of time students spend taking assessments. Content Area Standards are still required, but are not subject to federal approval as they were under NCLB and homeless student requirements have been strengthened, requiring funds set aside for that subgroup.

The most influential provision is that states have received unprecedented control. The U.S. Secretary of Education and the

U.S. Department of Education have been explicitly restricted from interfering in how a state institutes indicators or measures, and may not add or modify any requirements to state plans; the plans are created solely by the states to be used by the states. Punitive actions by the federal government have been stripped, as the U.S. Department of Education cannot impose sanctions such as withholding grant monies or closing schools. All corrective action lies solely in the power of states.

North Dakota is serious about achieving lasting success for every learner. The lessons of NCLB have taught us that our accountability plan must not be so narrow-minded as to sacrifice school quality, teacher effectiveness, and student learning. Rather, the plan should guide, support, and ensure continuous improvement through measures that identify the needs in both academic skills and the human needs of our students and their communities. One of the keys to this vision is eliminating the idea that a single measure for growth is adequate for the whole state. Our accountability plan will point to multiple measures points of data that will not be confined to just test scores. This is a huge job.

We are focusing on ensuring our students are “choice ready.” Our mission statement reads: “All students will graduate choice ready with the knowledge, skills and disposition to be successful in whatever they choose to do, whether they pursue a post-secondary degree, enroll in a technical college, enter the workforce, or join the military.”

The committee has divided into three work groups that will meet in between each regularly scheduled monthly meeting of the whole committee. The first work group is focusing on teacher and leader effectiveness area of our state plan. The second work group will focus on the details for our assessment requirements, accountability and standards. The third work group will focus on the continuous improvement area of our plan. We want to make sure that everyone is improving - as much as they can, all the time. Even our smartest and most accomplished students deserve to be challenged in schools. And even our most successful and highest performing schools can be challenged to move from good to great.

We intend to have a first draft of our accountability plan available in December, and will provide a public comment period in January of 2017. The ESSA Committee will take that public comment and use it to improve the plan.

In conclusion, ESSA represents a clean slate for education in North Dakota. We have seen the problems with an over-reliance on data sets that are too limited and inflexible, and Congress has given us an opportunity to prove that school districts and states know what is best for their students. The need for success cannot be overstated. If we do not develop a plan that allows our students to better flourish than they would have been able to under NCLB, then there would be nothing stopping Congress from bringing this control back to the federal government. The key to success in North Dakota involves the meeting of all stakeholders from across the

education spectrum, and bringing them together to give our students the greatest chance of success. The unprecedented freedom given to states by ESSA will allow us to directly respond to the needs of our schools and communities, and will allow schools to meet their students at critical junctures in their lives where they need the most support for growth and academic development. As stated, the road forward involves a considerable amount of work. NDDPI is taking the steps to ensure that the work our state is putting into ESSA will be a success. With diligence and fidelity to our accountability plan, North Dakota has an opportunity to lead the way in education across the nation.

Mr. Chairman, that concludes my testimony and I would be pleased to answer any questions.



Every Student Succeeds Act Planning Committee

North Dakota Legislative Representative:

House

Mike Nathe
(701) 319-1500
mrnathe@nd.gov

Senate

Tim Flakoll
(701) 367-5954
tflakoll@nd.gov

Principal:

Elementary

David Steckler
(701) 751-6508
dave.steckler@msd1.org

Tanja Brown
(701) 965-6324
tanja.brown@k12.nd.us

Middle

Russ Riehl
(701) 323-4600
russ_riehl@bismarckschools.org

Marcus Lewton
(701) 456-0020
mlewton@dpsnd.org

High School

Jennifer Fremstad
(701) 356-2050
jfremstad@west-fargo.k12.nd.us

Jeffery Brandt
(701) 445-3331
jeff.brandt@k12.nd.us

Superintendent – Large District

Larry Nybladh
(701) 787-4880
Larry.nybladh@gfschools.org

Robert Lech
(701) 252-1950
robert.lech@k12.nd.us

Superintendent – Midsize District

Marc Bluestone
(701) 627-6350
marc.bluestone@k12.nd.us

Superintendent – Small District

Jill Louters
(701) 595-2880
jill.louters@k12.nd.us

Jeff Fastnacht
(701) 349-3232
jfastnacht@ellendale.k12.nd.us

Standards and Assessment

Robert Grosz
(701) 446-1073
groszr@fargo.k12.nd.us

North Dakota Association for Colleges of Teacher Education

Rod Jonas
(701) 355-8097
rjonas@umary.edu

Nonpublic School Representative

Tracy Friesen
(701)-751-4883
tfriesen@lightofchristschools.org

Curriculum Coordinator

Melanie Kathrein
(701) 456-0002
mkathrein@dpsnd.org

ND LEAD Center

Jim Stenehjem
(701) 258-3022
jim.stenehjem@ndlead.org

Tribal College

Teresa Delorme
(701) 447-7826
tdelorme@tm.edu

North Dakota Educational Technology Council (NDETC)

Jody French
(701) 451-7411
jody.french@k12.nd.us

NDDPI Ex Officio Members

Robert Marthaller – Assistant Superintendent
Laurie Matzke – Assistant Superintendent
Gerry Teevens – Special Education Director
Gail Schauer – Teacher & School Effectiveness Director
Greg Gallagher – Assessment Director
Valerie Fischer – Safe & Healthy Schools and Adult Ed Director
Ann Ellefson – Academic Support Director
Lucy Fredericks – Indian/Multicultural Director
Lodee Arnold – ELL/Bilingual Director
Stefanie Two Crow – Federal Title Programs Director
Kay Mayer – Information Communications & Research Director

Every Student Succeeds Act Planning Committee (43 Members)

State Superintendent

Kirsten Baesler
(701) 328-4570
kbaesler@nd.gov

Office of the Governor

Ashley Kelsch
(701) 328-2229
ashleykelsch@nd.gov

North Dakota Indian Affairs Commission

Scott Davis
(701) 328-2443
sjdavis@nd.gov

North Dakota Council of Educational Leaders

Aimee Copas
(701) 258-3022
aimee.copas@ndcel.org

North Dakota Department of Career and Technical Education (NDCTE)

Wayne Kutzer
(701) 328-2259
wkutzer@nd.gov

North Dakota Regional Education Association

David Richter
(701) 609-5681
david.richter@k12.nd.us

North Dakota University System (NDUS)

Richard Rothaus
(701) 328-4136
richard.rothaus@ndus.edu

North Dakota United

Nick Archuleta
(701) 223-0450
nick.archuleta@ndunited.org

North Dakota Education Standards and Practices Board

Rebecca Pitkin
(701) 328-9641
rpitkin@nd.gov

North Dakota Parent Teacher Association

Amy Arness
(701) 238-7023
amyarness@hotmail.com

Nikkie Gullickson
(701) 412-8141
nikgreg@cableone.net

Pathfinder Parent Group

Kirsten Dvorak
(701) 837-7501
kirsten.dvorak@pathfinder-nd.org

North Dakota English Language Learner Representative

Sonja Butenhoff
(701) 499-1066
sbutenhoff@west-fargo.k12.nd.us

North Dakota English Language Learner Teacher

Wendy Sanderson
(701) 323-4143
wendy_sanderson@bismarckschools.org

North Dakota Elementary School Teacher

Amy Neal
(701) 857-4665
amy.neal@minot.k12.nd.us

North Dakota Middle School Teacher

Andrea (Noonan) Fox
(701) 356-2090
anoonan@west-fargo.k12.nd.us

North Dakota High School Teacher

Mary Eldredge-Sandbo
(701) 725-4334
meldreae@minot.com

North Dakota Targeted Assistance Teacher

Cheryl Hagar
(701) 857-4400
cheryl.hagar@minot.k12.nd.us

North Dakota Schoolwide Teacher

Teresa Desai
(701) 662-7630
teresa.desai@dlschools.org

North Dakota School Boards Association

L. Anita Thomas
(701) 255-4127
anita.thomas@ndsba.org

Special Education Representative

Rosemary Hardie
(701) 642-5499
rosemary.hardie@k12.nd.us

North Dakota Association for Gifted Children

Julie Jaeger
(701) 240-5262
jjjaegerconsults@gmail.com

North Dakota Greater Chamber Committee Representative

Jon Godfread
(701) 222-0929
jon@ndchamber.com