

From: Tony Bennett <tb@doe.in.gov>
Sent time: Sunday, February 26, 2012 10:36:29 AM
To: Cerf, Chris <chris.cerf@doe.state.nj.us>
Cc: patricia@excelined.org; drericjsmith@gmail.com; Chris Cerf <cdcerf@gmail.com>; Pastorek, Paul <paul.pastorek@eads-na.com>; Huffman, Kevin <kevin.s.huffman@tn.gov>; Skandera, Hanna <hanna.skandera@state.nm.us>; Robinson, Gerard
Subject: Re: Ed Trust Waiver Accountability Summary for Your Review

Hey Guys,

I could not be as eloquent as Chris, but I had to respond in my own way. I sent the the e-mail below to Kati regarding our waiver analysis.

TB

Kati,

In response to your request for factual problems. The first factual problem is the fact that the correspondence that was sent to me (below) spells my name "Bennet."

While I cannot remember any time in my life that I have ever corrected anyone for an error like that, this seems like the right time. I say that because the carelessness with which my name was spelled is also characteristic of the draft analysis of our ESEA waiver request.

First, I e-mailed you earlier this week and asked if you knew the achievement gap closure rates for Indiana students under NCLB and our previous state accountability metrics, which are also based on NCLB. You indicated that you have such familiarity, and asked me why I was inquiring. I am providing the following factual data as a barometer for your consideration as you criticize our new measurements for not closing the achievement gaps. Please understand that this data is calculated using actual data in Indiana from 2002 - 2011.

STUDENT COMPARISON	LENGTH OF TIME TO CLOSE GAPS
Special Education to General Education	23 years
Free/Reduce to Non Free/Reduced Lunch	43 years
Minority to White	47
English Language Learners to Non-English Language Learners	245 Years

You may not consider the analysis regarding our new system as not addressing the achievement gap as a factual problem, but in light of this data and your knowledge of it, I think anyone would agree that continuing along a path that produced the above-cited results as seems to be promoted in the analysis is shortsighted at best.

Another issue is what is the lack of knowledge or attention by the analysis to the vast reforms Indiana has made since 2009. Last year's legislative session brought about the exact changes to teacher quality that were specifically criticized in the analysis. For instance, there was no citation (other than our voucher program) of reforms like the statutory requirement that schools notify parents of ANY child who is placed in a classroom that exposes a child to two consecutive ineffective teachers. Furthermore, the analysis completely ignores the fact that our public school choice program, our 60+ charter schools, and the nation's most successful and expansive voucher program combined with our continued enforcement of intra-district choice for poor-performing Title I schools goes far beyond any NCLB requirement. While these initiatives may not have been in our ESEA waiver, I would think any reputable organization that seems to be asked by multiple entities to analyze waivers would do this homework and provide such state contexts to the analyses.

Finally, I would like to echo Chris Cerf's thoughts, and will publicly state such when your analysis is made public. There is a huge difference between being on the front lines driving true education reform in states and simply sitting in Washington, DC and analyzing/criticizing the efforts of others. It frankly brings to mind President Theodore Roosevelt's famous quote about critics (below).

"It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes up short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions, who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."

In conclusion, the naysaying analysis of Indiana's waiver seems to advocate falling back to antiquated system that yielded no real results over the past 10 years. I maintain that our armchair quarterbacks allow those of us who "are actually in the arena" a similar amount of time to see if we can improve the system.

Best regards,
Tony Bennett

PS - My team will be forwarding their feedback as you requested below.

From: Kati Haycock [mailto:KHaycock@edtrust.org]
Sent: Thursday, February 23, 2012 3:00 PM
To: Dr. Tony Bennett; Superintendent
Cc: Heather Neal

Subject: Ed Trust Waiver Accountability Summary for Your Review

Dear Superintendent Bennet:

As you know, there is a lot of interest in the content of the waiver plans recently approved by the Secretary of Education. Not surprisingly, we've been asked by a variety of parties—from advocacy organizations to journalists to members of Congress—for brief, third-party analysis.

Accordingly, we've drafted summaries of each state's accountability system. Before making these publicly available, though, we want to give you a chance to correct any factual errors that might have crept in. As always, our staff has worked very hard to be clear and accurate. But the sheer volume of materials, not to mention the format required by the Education Department, made that a challenge.

We plan to make these summaries available to the public beginning [on Wednesday, Feb. 29, 2012](#). If you spot any errors before **9:00 a.m. Eastern Time on Monday, Feb. 27**, please call or e-mail Daria Hall, director of K-12 policy at [202-293-1217, ext. 349](tel:202-293-1217) or ordhall@edtrust.org. If we don't hear from you by that time, we will assume that there are no factual errors and will release the summary as is. In the meantime, please do not share this draft.

Also, we will send similar summaries of the standards implementation and educator evaluation plans for your review soon. Our apologies in advance for the multiple e-mails, and thanks for your attention to this matter.

Cordially,

Kati Haycock
President
Enclosure

Sent from my iPad

On Feb 24, 2012, at 12:55 PM, "Cerf, Chris" <chris.cerf@doe.state.nj.us> wrote:

Thought you might be interested in how I am responding to the EdTrust inquiry.

From: Cerf, Chris
Sent: Friday, February 24, 2012 12:32 PM
To: 'Kati Haycock'
Subject: RE: Ed Trust Waiver Accountability Summary for Your Review

Kati,

Always good to hear from you. You know how much I respect you and your work.

As for this request, unfortunately there are many factual errors. In many respects, moreover, this summary completely misses the overall thrust of the work. You are more than free to publish this email, but I am very reluctant to devote senior staff time to addressing your letter in any greater detail on the tight timeline you demand. For whatever reason, this waiver process has generated a cottage industry of second guessers and Monday morning quarterbacks, many of whom haven't the first clue about running a reform oriented State Department or the immense complexities of the negotiation process with USDOE. We are engaged in a truly radical reform agenda on virtually every imaginable front and deeply believe that the substitute accountability system we built to replace NCLB will be instrumental in achieving it. New Jersey has among the largest achievement gaps in the nation –yet is one of the top performers on the NAEP when viewed in the aggregate. We have quite consciously devised a differentiated intervention strategy that reflects these distinctive circumstances. I am more than happy to have others express their views on our work, but have limited appetite for engaging the process.

Best regards,

Chris

From: Kati Haycock [<mailto:KHaycock@edtrust.org>]
Sent: Thursday, February 23, 2012 2:53 PM
To: Cerf, Chris
Subject: Ed Trust Waiver Accountability Summary for Your Review

Dear Acting Commissioner Cerf:

As you know, there is a lot of interest in the content of the waiver plans recently approved by the Secretary of Education. Not surprisingly, we've been asked by a variety of parties—from advocacy organizations to journalists to members of Congress—for brief, third-party analysis.

Accordingly, we've drafted summaries of each state's accountability system. Before making these publicly available, though, we want to give you a chance to correct any factual errors that might have crept in. As always, our staff has worked very hard to be clear and accurate. But the sheer volume of materials, not to mention the format required by the Education Department, made that a challenge.

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Cordially,

Kati Haycock

President

Enclosure