



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1880/3

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DOA:.....Fath - Board on education evaluation and accountability

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

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GEN. CAT.*

1 AN ACT ..., relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

This bill creates a five-member board on education evaluation and accountability (BEEA) attached to DOA and headed by an executive director. On July 1, 2002, the bill transfers the pupil assessment program, the school performance report program, and the responsibility for arranging an evaluation of the student achievement guarantee program from DPI to BEEA. The bill also authorizes BEEA to conduct a study of the Milwaukee parental choice program if BEEA receives sufficient funds from private sources.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 15.105 (8) of the statutes is created to read:

3 15.105 (8) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. There is  
4 created a board on education evaluation and accountability, attached to the

1 department of administration under s. 15.03, consisting of 5 members appointed for  
2 4-year terms. At least one member shall be experienced in education evaluation and  
3 assessment.

4 **SECTION 2.** 16.963 of the statutes is created to read:

5 **16.963 Education evaluation and accountability. (1) DEFINITION.** In this  
6 section, "board" means the board on education evaluation and accountability.

7 **(2) DUTIES.** The board shall do all of the following:

8 (a) Appoint an executive director outside the classified service to serve at its  
9 pleasure.

10 (b) Administer the pupil assessment program under s. 118.30 and develop a  
11 standardized reading test for use under s. 121.02 (1) (r).

12 (c) Arrange for an evaluation of the student achievement guarantee program  
13 under s. 118.43 (7).

14 (d) Administer the school performance and educational program review  
15 program under s. 115.38.

16 **(3) POWERS.** The board may conduct a longitudinal study of the Milwaukee  
17 parental choice program under s. 119.23 if the board receives sufficient funds from  
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\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
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1           20.255 (2) (cu) *Achievement guarantee contracts.* The amounts in the schedule  
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4           **SECTION 5.** 20.505 (4) (cw) of the statutes is created to read:

5           20.505 (4) (cw) *Board on education evaluation and accountability; general*  
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9           20.923 (4) (c) 2. Education evaluation and accountability, board on: executive  
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11           **SECTION 7.** 115.38 (1) of the statutes is renumbered 115.38 (1r), and 115.38 (1r)  
12 (intro.), (b) 2. and (c), as renumbered, are amended to read:

13           115.38 (1r) (intro.) The ~~state superintendent~~ board shall develop a school and  
14 school district performance report for use by school districts under sub. (2). The  
15 report shall include all of the following by school and by school district:

16           (b) 2. The numbers of suspensions and expulsions; the reasons for which pupils  
17 are suspended or expelled, reported according to categories specified by the ~~state~~  
18 ~~superintendent~~ board; the length of time for which pupils are expelled, reported  
19 according to categories specified by the ~~state superintendent~~ board; whether pupils  
20 return to school after their expulsion; the educational programs and services, if any,  
21 provided to pupils during their expulsions, reported according to categories specified  
22 by the ~~state superintendent~~ board; the schools attended by pupils who are suspended

1 or expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled  
2 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).

3 (c) Staffing and financial data information, as determined by the state  
4 superintendent board, not to exceed 10 items. The ~~state superintendent board~~ may  
5 not request a school board to provide information solely for the purpose of including  
6 the information in the report under this paragraph.

7 SECTION 8. 115.38 (1g) of the statutes is created to read:

8 115.38 (1g) In this section, "board" means the board on education evaluation  
9 and accountability.

10 SECTION 9. 115.38 (2) of the statutes is amended to read:

11 115.38 (2) ~~By January 1, 1993, and annually thereafter~~ Annually by January  
12 1, each school board shall distribute to the parent or guardian of each pupil enrolled  
13 in the school district, including pupils enrolled in charter schools located in the school  
14 district, or give to each pupil to bring home to his or her parent or guardian, a school  
15 and school district performance report that includes the information specified by the  
16 ~~state superintendent board~~ under sub. (1) (1r).

17 SECTION 10. 115.38 (3) of the statutes is amended to read:

18 115.38 (3) ~~Annually, the state superintendent board~~ shall publish and  
19 distribute to the legislature under s. 13.172 (2) a summary of the reports under sub.  
20 (2).

21 SECTION 11. 115.38 (4) of the statutes is amended to read:

22 115.38 (4) ~~Beginning in the 1993-94 school year and annually thereafter, the~~  
23 ~~state superintendent~~ Annually, the board shall identify those school districts that  
24 are low in performance and those schools in which there are pupils enrolled who do  
25 not meet the state minimum performance standards on the examinations

1 administered under s. 118.30. The ~~state superintendent~~ board shall make  
2 recommendations regarding how the programs and operations of the identified  
3 school districts and schools may be improved and periodically assess school district  
4 implementation of the recommendations.

5 **SECTION 12.** 118.30 (1) of the statutes is renumbered 118.30 (1d) and amended  
6 to read:

7 **118.30 (1d) (a)** The ~~state superintendent~~ board shall adopt or approve  
8 examinations designed to measure pupil attainment of knowledge and concepts in  
9 the 4th, 8th and 10th grades.

10 (b) The ~~department~~ board shall develop a high school graduation examination  
11 that is designed to measure whether pupils meet the pupil academic standards  
12 issued by the governor as executive order no. 326, dated January 13, 1998.

13 **SECTION 13.** 118.30 (1b) of the statutes is created to read:

14 **118.30 (1b)** In this section, "board" means the board on education evaluation  
15 and accountability.

16 **SECTION 14.** 118.30 (1g) (b) of the statutes is amended to read:

17 **118.30 (1g) (b)** Each school board operating high school grades and each  
18 operator of a charter school under s. 118.40 (2r) that operates high school grades shall  
19 adopt a high school graduation examination that is designed to measure whether  
20 pupils meet the pupil academic standards adopted by the school board or operator  
21 of the charter school under par. (a). If the school board or operator of the charter  
22 school has adopted the pupil academic standards issued as executive order no. 326,  
23 dated January 13, 1998, the school board or operator of the charter school may adopt  
24 the high school graduation examination developed by the ~~department~~ board under  
25 sub. ~~(1)~~ (1d) (b). If a school board or operator of a charter school develops and adopts

1 its own high school graduation examination, it shall notify the department board  
2 annually by October 1 that it intends to administer the examination in the following  
3 school year.

4 **SECTION 15.** 118.30 (1g) (c) of the statutes is amended to read:

5 118.30 (1g) (c) Each school board operating elementary grades and each  
6 operator of a charter school under s. 118.40 (2r) that operates elementary grades may  
7 develop or adopt its own examination designed to measure pupil attainment of  
8 knowledge and concepts in the 4th grade and may develop or adopt its own  
9 examination designed to measure pupil attainment of knowledge and concepts in the  
10 8th grade. If the school board or operator of the charter school develops or adopts an  
11 examination under this paragraph, it shall notify the department board.

12 **SECTION 16.** 118.30 (1m) (a) 1. of the statutes is amended to read:

13 118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade  
14 examination adopted or approved by the state-superintendent board under sub. (1)  
15 (1d) to all pupils enrolled in the school district, including pupils enrolled in charter  
16 schools located in the school district, in the 4th grade. Beginning on July 1, 2002, if  
17 the school board has not developed and adopted its own 4th grade examination, the  
18 school board shall provide a pupil with at least 2 opportunities to take the  
19 examination administered under this subdivision.

20 **SECTION 17.** 118.30 (1m) (am) 1. of the statutes is amended to read:

21 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade  
22 examination adopted or approved by the state-superintendent board under sub. (1)  
23 (1d) to all pupils enrolled in the school district, including pupils enrolled in charter  
24 schools located in the school district, in the 8th grade. Beginning on July 1, 2002, if  
25 the school board has not developed and adopted its own 8th grade examination, the

1 school board shall provide a pupil with at least 2 opportunities to take the  
2 examination administered under this subdivision.

3 SECTION 18. 118.30 (1r) (a) 1. of the statutes is amended to read:

4 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade  
5 examination adopted or approved by the state superintendent board under sub. (1)  
6 (1d) (a) to all pupils enrolled in the charter school in the 4th grade. Beginning on  
7 July 1, 2002, if the operator of the charter school has not developed or adopted its  
8 own 4th grade examination, the operator of the charter school shall provide a pupil  
9 with at least 2 opportunities to take the examination administered under this  
10 subdivision.

11 SECTION 19. 118.30 (1r) (am) 1. of the statutes is amended to read:

12 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade  
13 examination adopted or approved by the state superintendent board under sub. (1)  
14 (1d) (a) to all pupils enrolled in the charter school in the 8th grade. Beginning on  
15 July 1, 2002, if the operator of the charter school has not developed and adopted its  
16 own 8th grade examination, the operator of the charter school shall provide a pupil  
17 with at least 2 opportunities to take the examination administered under this  
18 subdivision.

19 SECTION 20. 118.30 (2) (b) 2. of the statutes is amended to read:

20 118.30 (2) (b) 2. According to criteria established by the state superintendent  
21 board by rule, the school board or operator of the charter school under s. 118.40 (2r)  
22 may determine not to administer an examination under this section to a  
23 limited-English proficient pupil, as defined under s. 115.955 (7), may permit the  
24 pupil to be examined in his or her native language or may modify the format and  
25 administration of an examination for such pupils.

1           **SECTION 21.** 118.30 (3) of the statutes is amended to read:

2           118.30 (3) The ~~state superintendent~~ board shall make available upon request,  
3 within 90 days after the date of administration, any examination required to be  
4 administered under this section. This subsection does not apply while the  
5 examination is being developed or validated.

6           **SECTION 22.** 118.30 (4) of the statutes is amended to read:

7           118.30 (4) The ~~department~~ board shall study the utility of administering  
8 technology-based performance assessments to pupils.

9           **SECTION 23.** 118.30 (6) of the statutes is amended to read:

10           118.30 (6) A school board and an operator of a charter school under s. 118.40  
11 (2r) is not required to administer the 4th and 8th grade examinations adopted or  
12 approved by the ~~state superintendent~~ board under sub. (1) (1d) if the school board  
13 or the operator of the charter school administers its own 4th and 8th grade  
14 examinations, the school board or operator of the charter school provides the ~~state~~  
15 ~~superintendent~~ board with statistical correlations of those examinations with the  
16 examinations adopted or approved by the ~~state superintendent~~ board under sub. (1)  
17 (1d), and the federal department of education approves.

18           **SECTION 24.** 118.38 (1) (a) 8. of the statutes is created to read:

19           118.38 (1) (a) 8. The school performance report under s. 115.38.

20           **SECTION 25.** 118.43 (7) of the statutes is amended to read:

21           118.43 (7) EVALUATION. ~~Beginning in the 1996-97 school year, the department~~  
22 The board on education evaluation and accountability shall arrange for an  
23 evaluation of the program under this section and shall allocate from the  
24 appropriation under s. ~~20.255 (2) (cu) \$250,000~~ 20.505 (4) (cw) \$125,000 for that  
25 purpose.

1           **SECTION 26.** 121.02 (1) (r) of the statutes is amended to read:

2           121.02 (1) (r) Except as provided in s. 118.40 (2r) (d) 2., annually administer  
3 a standardized reading test developed by the department board on education  
4 evaluation and accountability to all pupils enrolled in the school district in grade 3,  
5 including pupils enrolled in charter schools located in the school district.

6           **SECTION 27.** 230.08 (2) (vm) of the statutes is created to read:

7           230.08 (2) (vm) The executive director of the board on education evaluation and  
8 accountability.

9           **SECTION 9101. Nonstatutory provisions; administration.**

10           (1) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. Notwithstanding  
11 section 15.105 (8) of the statutes, as created by this act, 2 of the initial members of  
12 the board on education evaluation and accountability shall serve for terms expiring  
13 ~~on May 1, 2002; 2 of the initial members shall serve for terms expiring on May 1,~~  
14 2004; and ~~2~~<sup>3</sup> of the initial members shall serve for a term expiring on May 1, 2006.

15           **SECTION 9140. Nonstatutory provisions; public instruction.**

16           (1) TRANSFER OF FUNCTIONS TO BOARD ON EDUCATION EVALUATION AND  
17 ACCOUNTABILITY.

18           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
19 liabilities of the department of public instruction primarily related to the functions  
20 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as  
21 determined by the secretary of administration, become the assets and liabilities of  
22 the board on education evaluation and accountability.

23           (b) *Employee transfers.* All incumbent employees holding positions in the  
24 department of public instruction performing duties primarily related to the  
25 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as

1 determined by the secretary of administration, are transferred on the effective date  
2 of this paragraph to the board on education evaluation and accountability.

3 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
4 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
5 statutes in the board on education evaluation and accountability that they enjoyed  
6 in the department of public instruction immediately before the transfer.  
7 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
8 has attained permanent status in class is required to serve a probationary period.

9 (d) *Tangible personal property.* On the effective date of this paragraph, all  
10 tangible personal property, including records, of the department of public instruction  
11 that is primarily related to the functions under sections 115.38, 118.30, 118.43 (7),  
12 and 121.02 (1) (r), 1999 stats., as determined by the secretary of administration, is  
13 transferred to the board on education evaluation and accountability.

14 (e) *Contracts.* All contracts entered into by the department of public instruction  
15 in effect on the effective date of this paragraph that are primarily related to the  
16 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as  
17 determined by the secretary of administration, remain in effect and are transferred  
18 to the board on education evaluation and accountability. The board on education  
19 evaluation and accountability shall carry out any obligations under such a contract  
20 until the contract is modified or rescinded by the board on education evaluation and  
21 accountability to the extent allowed under the contract.

22 (f) *Rules and orders.* All rules promulgated by the department of public  
23 instruction that are in effect on the effective date of this paragraph and that relate  
24 to the functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999  
25 stats., as determined by the secretary of administration, are transferred to the board

1 on education evaluation and accountability and remain in effect until their specified  
2 expiration date or until amended or repealed by the board on education evaluation  
3 and accountability. All orders issued by the department of public instruction that are  
4 in effect on the effective date of this paragraph and that relate to the functions under  
5 sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as determined by  
6 the secretary of administration, are transferred to the board on education evaluation  
7 and accountability and remain in effect until their specified expiration date or until  
8 modified or rescinded by the board on education evaluation and accountability.

9 (g) *Pending matters.* Any matter pending with the department of public  
10 instruction on the effective date of this paragraph that is related to the functions  
11 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as  
12 determined by the secretary of administration, is transferred to the board on  
13 education evaluation and accountability and all materials submitted to or actions  
14 taken by the department of public instruction with respect to the pending matter are  
15 considered as having been submitted to or taken by the board on education  
16 evaluation and accountability.

17 **SECTION 9440. Effective dates; public instruction.**

18 (1) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. The treatment of  
19 sections 16.963, 20.255 (1) (dw) and (2) (cu), 20.923 (4) (c) 2., 115.38 (1), (1g), (2), (3),  
20 and (4), 118.30 (1), (1b), (1g) (b) and (c), (1m) (a) 1. and (am) 1., (1r) (a) 1. and (am)  
21 1., (2) (b) 2., (3), (4), and (6), 118.38 (1) (a) 8., 118.43 (7), and 121.02 (1) (r) of the  
22 statutes and SECTION 9140 (1) of this act take effect on July 1, 2002.

23 (END)



DOA:.....Fath - Board on education evaluation and accountability

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23 (1d) to all pupils enrolled in the school district, including pupils enrolled in charter  
24 schools located in the school district, in the 8th grade. Beginning on July 1, 2002, if  
25 the school board has not developed and adopted its own 8th grade examination, the

1 school board shall provide a pupil with at least 2 opportunities to take the  
2 examination administered under this subdivision.

3 **SECTION 18.** 118.30 (1r) (a) 1. of the statutes is amended to read:

4 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade  
5 examination adopted or approved by the ~~state superintendent~~ board under sub. (1)  
6 (1d) (a) to all pupils enrolled in the charter school in the 4th grade. Beginning on  
7 July 1, 2002, if the operator of the charter school has not developed or adopted its  
8 own 4th grade examination, the operator of the charter school shall provide a pupil  
9 with at least 2 opportunities to take the examination administered under this  
10 subdivision.

11 **SECTION 19.** 118.30 (1r) (am) 1. of the statutes is amended to read:

12 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade  
13 examination adopted or approved by the ~~state superintendent~~ board under sub. (1)  
14 (1d) (a) to all pupils enrolled in the charter school in the 8th grade. Beginning on  
15 July 1, 2002, if the operator of the charter school has not developed and adopted its  
16 own 8th grade examination, the operator of the charter school shall provide a pupil  
17 with at least 2 opportunities to take the examination administered under this  
18 subdivision.

19 **SECTION 20.** 118.30 (2) (b) 2. of the statutes is amended to read:

20 118.30 (2) (b) 2. According to criteria established by the ~~state superintendent~~  
21 board by rule, the school board or operator of the charter school under s. 118.40 (2r)  
22 may determine not to administer an examination under this section to a  
23 limited-English proficient pupil, as defined under s. 115.955 (7), may permit the  
24 pupil to be examined in his or her native language or may modify the format and  
25 administration of an examination for such pupils.

1           **SECTION 21.** 118.30 (3) of the statutes is amended to read:

2           118.30 (3) The ~~state superintendent~~ board shall make available upon request,  
3 within 90 days after the date of administration, any examination required to be  
4 administered under this section. This subsection does not apply while the  
5 examination is being developed or validated.

6           **SECTION 22.** 118.30 (4) of the statutes is amended to read:

7           118.30 (4) The ~~department~~ board shall study the utility of administering  
8 technology-based performance assessments to pupils.

9           **SECTION 23.** 118.30 (6) of the statutes is amended to read:

10          118.30 (6) A school board and an operator of a charter school under s. 118.40  
11 (2r) is not required to administer the 4th and 8th grade examinations adopted or  
12 approved by the ~~state superintendent~~ board under sub. (1) (1d) if the school board  
13 or the operator of the charter school administers its own 4th and 8th grade  
14 examinations, the school board or operator of the charter school provides the ~~state~~  
15 ~~superintendent~~ board with statistical correlations of those examinations with the  
16 examinations adopted or approved by the ~~state superintendent~~ board under sub. (1)  
17 (1d), and the federal department of education approves.

18          **SECTION 24.** 118.38 (1) (a) 8. of the statutes is created to read:

19          118.38 (1) (a) 8. The school performance report under s. 115.38.

20          **SECTION 25.** 118.43 (7) of the statutes is amended to read:

21          118.43 (7) EVALUATION. ~~Beginning in the 1996-97 school year, the department~~  
22 The board on education evaluation and accountability shall arrange for an  
23 evaluation of the program under this section and shall allocate from the  
24 appropriation under s. ~~20.255 (2) (cu) \$250,000~~ 20.505 (4) (cw) \$125,000 for that  
25 purpose.

1           **SECTION 26.** 121.02 (1) (r) of the statutes is amended to read:

2           121.02 (1) (r) Except as provided in s. 118.40 (2r) (d) 2., annually administer  
3 a standardized reading test developed by the department board on education  
4 evaluation and accountability to all pupils enrolled in the school district in grade 3,  
5 including pupils enrolled in charter schools located in the school district.

6           **SECTION 27.** 230.08 (2) (vm) of the statutes is created to read:

7           230.08 (2) (vm) The executive director of the board on education evaluation and  
8 accountability.

9           **SECTION 9101. Nonstatutory provisions; administration.**

10          (1) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. Notwithstanding  
11 section 15.105 (8) of the statutes, as created by this act, 2 of the initial members of  
12 the board on education evaluation and accountability shall serve for terms expiring  
13 on May 1, 2004; and 3 of the initial members shall serve for a term expiring on May  
14 1, 2006.

15          **SECTION 9140. Nonstatutory provisions; public instruction.**

16          (1) TRANSFER OF FUNCTIONS TO BOARD ON EDUCATION EVALUATION AND  
17 ACCOUNTABILITY.

18          (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
19 liabilities of the department of public instruction primarily related to the functions  
20 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as  
21 determined by the secretary of administration, become the assets and liabilities of  
22 the board on education evaluation and accountability.

23          (b) *Employee transfers.* All incumbent employees holding positions in the  
24 department of public instruction performing duties primarily related to the  
25 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as

1 determined by the secretary of administration, are transferred on the effective date  
2 of this paragraph to the board on education evaluation and accountability.

3 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
4 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
5 statutes in the board on education evaluation and accountability that they enjoyed  
6 in the department of public instruction immediately before the transfer.  
7 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
8 has attained permanent status in class is required to serve a probationary period.

9 (d) *Tangible personal property.* On the effective date of this paragraph, all  
10 tangible personal property, including records, of the department of public instruction  
11 that is primarily related to the functions under sections 115.38, 118.30, 118.43 (7),  
12 and 121.02 (1) (r), 1999 stats., as determined by the secretary of administration, is  
13 transferred to the board on education evaluation and accountability.

14 (e) *Contracts.* All contracts entered into by the department of public instruction  
15 in effect on the effective date of this paragraph that are primarily related to the  
16 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as  
17 determined by the secretary of administration, remain in effect and are transferred  
18 to the board on education evaluation and accountability. The board on education  
19 evaluation and accountability shall carry out any obligations under such a contract  
20 until the contract is modified or rescinded by the board on education evaluation and  
21 accountability to the extent allowed under the contract.

22 (f) *Rules and orders.* All rules promulgated by the department of public  
23 instruction that are in effect on the effective date of this paragraph and that relate  
24 to the functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999  
25 stats., as determined by the secretary of administration, are transferred to the board

1 on education evaluation and accountability and remain in effect until their specified  
2 expiration date or until amended or repealed by the board on education evaluation  
3 and accountability. All orders issued by the department of public instruction that are  
4 in effect on the effective date of this paragraph and that relate to the functions under  
5 sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as determined by  
6 the secretary of administration, are transferred to the board on education evaluation  
7 and accountability and remain in effect until their specified expiration date or until  
8 modified or rescinded by the board on education evaluation and accountability.

9 (g) *Pending matters.* Any matter pending with the department of public  
10 instruction on the effective date of this paragraph that is related to the functions  
11 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as  
12 determined by the secretary of administration, is transferred to the board on  
13 education evaluation and accountability and all materials submitted to or actions  
14 taken by the department of public instruction with respect to the pending matter are  
15 considered as having been submitted to or taken by the board on education  
16 evaluation and accountability.

17 **SECTION 9440. Effective dates; public instruction.**

18 (1) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. The treatment of  
19 sections 16.963, 20.255 (1) (dw) and (2) (cu), 20.923 (4) (c) 2., 115.38 (1), (1g), (2), (3),  
20 and (4), 118.30 (1), (1b), (1g) (b) and (c), (1m) (a) 1. and (am) 1., (1r) (a) 1. and (am)  
21 1., (2) (b) 2., (3), (4), and (6), 118.38 (1) (a) 8., 118.43 (7), and 121.02 (1) (r) of the  
22 statutes and SECTION 9140 (1) of this act take effect on July 1, 2002.

23 (END)