

**2013 DRAFTING REQUEST**

**Bill**

Received: **2/12/2014** Received By: **tkuczens**  
Wanted: **Today** Same as LRB:  
For: **Leah Vukmir (608) 266-2512** By/Representing: **Jason Rostan**  
May Contact: Drafter: **tkuczens**  
Subject: **Education - state superintendent** Addl. Drafters:  
Extra Copies: **pg, ffk**

Submit via email: **YES**  
Requester's email: **Sen.Vukmir@legis.wisconsin.gov**  
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Model Academic Standards

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**Instructions:**

LRB-4080 plus select modifications

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 2/12/2014	wjackson 2/12/2014		_____			
/P1	tkuczens 2/13/2014	kfollett 2/13/2014	jfrantze 2/12/2014	_____	mbarman 2/12/2014		
/P2	tkuczens 2/15/2014		jfrantze 2/13/2014	_____	sbasford 2/13/2014		

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/1	tkuczens 2/18/2014	wjackson 2/18/2014	rschluet 2/17/2014	_____	sbasford 2/17/2014	srose 2/17/2014	
/2			rschluet 2/18/2014	_____	mbarman 2/18/2014	mbarman 2/18/2014	

FE Sent For:

↳ Not Needed

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*tkuczens  
2/18/14*

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FE Sent For: *gmc* 2/13

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/?	tkuczens	1/11/12	JF 3/12	Km JF	2/12		

FE Sent For:

<END>

February 11, 2014

Vukovar (Joan Rosten) Model Academic Standards

Prepare modified version of LRB-4080 with the following changes:

1. Require three public hearings:
  - a. Board must hold hearing before submitting the subcommittee's bill to DPI
  - b. DPI must hold hearing before submitting its version to legislative council staff
  - c. JCRAR must hold hearing before determining whether to approve or object to DPI's proposed standards subject-specific
2. Clarify that, although the subcommittees prepare the proposed standards, the Board must review them and may revise or amend the standards before forwarding them to DPI
3. Require DPI to place the Board's proposed standards on its web page
4. Require the person selected by the Governor as co-chair of the Board to call the first meeting.
5. Modify that portion of the JCRAR process involving the objection bill: require the bill to incorporate by reference the standards submitted to DPI by the board
6. Eliminate references to advanced math
7. Prohibit legislative appointees from being legislators

# "RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...

 DRAFTING ATTORNEYS: PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: TKK) (Date: 02 / 12 / 2014)

## Note:

**BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR"**

*(exception: companion bills)*



 Please transfer the drafting file for  
**2011 LRB** \_\_\_\_\_ (For: Rep. / Sen. \_\_\_\_\_)

to the drafting file for  
**2013 LRB** \_\_\_\_\_ (For: Rep. / Sen. \_\_\_\_\_)

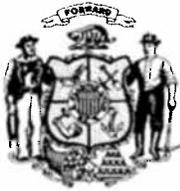
-----OR-----

 Please copy the drafting file for  
**2013 LRB** 4080 / 1 (include the version) (For: Rep. / Sen. Governor)

and place it in the drafting file for  
**2013 LRB** 4257 (For: Rep.  Sen.  Vukmir)

 Are These "Companion Bills" ?? ... Yes  No

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: \_\_\_\_\_



State of Wisconsin  
2013 - 2014 LEGISLATURE

4257/P1



LRB-408671

TKK:kjtjm

RMMR  
insert

stays  
+ WLJ

2013 BILL

2/12/14  
Today ASAP

Regen

1 AN ACT *to amend* 118.30 (1); and *to create* 15.07 (2) (fm), 15.375 (1) and 118.301  
2 of the statutes; **relating to:** creating a model academic standards board.

*Analysis by the Legislative Reference Bureau*

**MODEL ACADEMIC STANDARDS**

The 2013-15 biennial budget act (2013 Wisconsin Act 20) prohibits the Department of Public Instruction (DPI) from taking any further action to implement the common core standards (educational standards developed for kindergarten to grade 12 by the Common Core State Standards Initiative) and from directing school districts to implement further standards until certain conditions have been satisfied. Act 20 provides that any common core standard adopted and implemented by DPI before July 1, 2013, remains in effect and requires DPI to adopt additional college and career readiness standards no later than July 1, 2014.

This bill requires DPI to adopt state standards only after those standards have been developed and approved by the Model Academic Standards Board.

**MODEL ACADEMIC STANDARDS BOARD**

The bill creates a Model Academic Standards Board (board) in DPI which comprises the following members: the state superintendent of public instruction, or his or her designee, who serves as cochairperson and who must appoint three members; five members appointed by the governor, one of whom is to serve as cochairperson; one member appointed by each of the senate majority and minority leaders; one member appointed by the speaker of the assembly; and one member appointed by the assembly minority leader. The members appointed by the state

majority and minority leaders

**BILL**

The members appointed by the senate and assembly (may not be members of the legislature)

superintendent must include a school principal, a member of a school board, and one professor employed at an institution of higher education in this state. The members appointed by the governor must include one teacher employed by a public school, one teacher employed by a private school participating in a parental choice program, one superintendent of a school district, and one individual who is a parent of a pupil enrolled in a public school.

x Under the bill, the board is charged with developing model academic standards in four discrete subject areas: 1) English, reading, and language arts; 2) mathematics and advanced mathematics; 3) science; and 4) social studies. To further this objective, the bill requires the board to appoint subject-specific subcommittees in the four subject areas.

x The bill requires the board to submit proposed model academic standards in English, reading, and language arts and in mathematics and advanced mathematics to the state superintendent within 12 months of the enactment of the bill. The bill requires the board to submit proposed model academic standards in science and social studies to the state superintendent within 36 months of the enactment of the bill. In addition, the bill permits, but does not require, the board to submit to the state superintendent proposed model academic standards in additional subject areas, including fine arts and career and technical education.

Under the bill, after the board has submitted its proposed model academic standards to the state superintendent, the state superintendent must, taking into consideration the academic standards submitted by the board, submit its own proposed model academic standards first to the legislative council staff for review and comment and then to the Joint Committee for Review of Administrative Rules (JCRAR). JCRAR must either approve the proposed model academic standards or object to the proposed standards. If JCRAR approves the model academic standards, the state superintendent must adopt the model academic standards. If JCRAR objects to the proposed model academic standards, JCRAR must prepare the proposed model academic standards submitted by the board for introduction in both the senate and assembly.

Insert Analysis

The bill also requires the board to review and update each model academic standard at least once every six years. Finally, the bill requires the board, together with legislative council staff, the state superintendent, and JCRAR to: 1) ensure that the model academic standards do not prescribe curricula to be adopted by school boards; and 2) ensure that the standards establish, in a manner that is clear to pupils, parents, and the general public, high expectations for the knowledge and skills pupils must attain and master at each of the 12 grades.

a bill that incorporates by reference

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

**BILL**

1           15.07 (2) (fm) The state superintendent of public instruction or his or her  
2 designated representative and one individual appointed under s. 15.375 (1) (a) 2.  
3 shall serve as cochairpersons of the model academic standards board.

4           **SECTION 2.** 15.375 (1) of the statutes is created to read:

5           15.375 (1) MODEL ACADEMIC STANDARDS BOARD. (a) There is created a model  
6 academic standards board, attached to the department of public instruction under  
7 s. 15.03, to make recommendations for and to review and revise or replace model  
8 academic standards. The board consists of the following members appointed for  
9 staggered 3-year terms:

10           1. The state superintendent of public instruction, or his or her designee, who  
11 shall serve as a cochairperson of the board and who shall appoint the following 3  
12 members:

13           a. One school principal.

14           b. One member of a school board.

15           c. One professor employed at an institution of higher education in this state.

16           2. The following 5 members appointed by the governor:

17           a. One individual who shall serve as a cochairperson of the board.

18           b. One teacher employed by a public school.

19           c. One teacher employed by a private school participating in a program under  
20 s. 118.60 or 119.23.

21           d. One superintendent of a school district.

22           e. One individual who is a parent of a pupil enrolled in a public school.

23           3. One individual appointed by the senate majority leader, who <sup>may</sup> need not be a  
24 member of the senate. <sup>or assembly</sup>

BILL

1 4. One individual appointed by the senate minority leader, who ~~need~~<sup>may</sup> not be a  
2 member of the senate <sup>or assembly</sup>

3 5. One individual appointed by the speaker of the assembly, who ~~need~~<sup>may</sup> not be  
4 a member of the assembly <sup>or senate</sup>

5 6. One individual appointed by the assembly minority leader, who ~~need~~<sup>may</sup> not be  
6 a member of the assembly <sup>or senate</sup>

InscA  
4-7

7 (c) & (b) The board shall appoint subject-specific subcommittees to ~~review~~<sup>research</sup> make  
8 recommendations for, ~~and~~<sup>review</sup> propose revisions to the model academic standards  
9 required under s. 118.301 (2) and (3). Each subcommittee shall consist of the  
10 following members:  
<sup>and submit to the board</sup>  
(3) (4)

11 1. One individual appointed by the state superintendent who shall serve as a  
12 cochairperson of the subcommittee with the individual appointed under subd. 2. The  
13 individual appointed under this subdivision shall prepare a list containing the  
14 names of not more than 5 persons for consideration by the board as provided under  
15 subd. 3. a.

16 2. One individual appointed by the governor who shall serve as a cochairperson  
17 of the subcommittee with the person appointed under subd. 1. The individual  
18 appointed under this subdivision shall prepare a list containing the names of not  
19 more than 5 persons for consideration by the board as provided under subd. 3. b.

20 3. The following ~~five~~<sup>5</sup> individuals:

- 21 a. Two individuals selected from the list under subd. 1.
- 22 b. Three individuals selected from the list under subd. 2.

23 (d) & (c) The board may appoint up to 4 additional nonvoting members to each  
24 subject-specific subcommittee established under par. (b). The members appointed  
25 under this paragraph shall have professional training and expertise in the particular

**BILL**

Insert  
5-3

1 subject matter of the model academic standards subcommittee on which the  
2 individual serves.

3 **SECTION 3.** 118.30 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is  
4 amended to read:

5 118.30 (1) The state superintendent shall adopt or approve examinations  
6 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,  
7 10th, and 11th grades. The examinations adopted or approved to measure pupil  
8 attainment of knowledge and concepts in English, reading, and language arts;  
9 mathematics and advanced mathematics; science; and social studies shall be aligned  
10 with the standards adopted under s. 118.301 (2) and (3). (4)

11 **SECTION 4.** 118.301 of the statutes is created to read:

12 **118.301 Model academic standards.** (1) The legislature finds that the state  
13 of Wisconsin has the sole authority to adopt model academic standards. The  
14 legislature shall oppose any efforts by the federal government to coerce this state and  
15 the school boards of the school districts of this state into adopting any specific set of  
16 academic standards.

Insert  
5-17

17 (3) (2) (a) No later than 12 months after the effective date of this paragraph ....  
18 [LRB inserts date], the model academic standards board, through a subcommittee  
19 established under s. 15.375 (1) (b), shall submit to the state superintendent and to  
20 the legislative council staff recommended model academic standards in the following  
21 subject areas:

- 22 1. English, reading, and language arts.
- 23 2. Mathematics and advanced mathematics.

24 (b) 1. Within 30 days after receiving the recommended model academic  
25 standards under par. (a), the state superintendent shall, taking into consideration

Model academic standards  
post the standards submitted by the board on the department's Interact  
site and shall

**BILL**

1 the recommendations of the model academic standards board, <sup>or prepare</sup> submit <sup>for submission</sup> proposed  
 2 model academic standards in the subject areas identified under par. (a) 1. and 2/ to  
 3 <sup>the</sup> legislative council staff for review and comment. The state superintendent may

4 request from the legislative council staff one 30-day extension to complete his or her  
 5 review of the model academic standards <sup>and to prepare and submit the proposed standards</sup> submitted by the board under par. (a) If, <sup>required</sup>  
 6 within 60 days after the date on which <sup>Use this</sup> the board submitted the standards under par. <sup>Model academic standards</sup> <sup>under</sup>  
 7 (a), the legislative council staff has not received the proposed model academic <sup>this</sup>  
 8 standards required under this subdivision, the legislative council staff shall forward <sup>subdivision</sup>  
 9 the model academic standards <sup>model academic standards</sup> submitted by the board directly to the joint committee  
 10 for review of administrative rules. If the joint committee for review of administrative  
 11 rules receives the standards under this subdivision, the joint committee shall  
 12 proceed as directed under subd. 4.

13 2. Within 20 days after receiving the proposed model academic standards under  
 14 subd. 1., legislative council staff shall review the proposed model academic  
 15 standards in the manner established under s. 227.15 (2), and shall submit, in  
 16 writing, comments concerning the standards to the state superintendent. The  
 17 legislative council staff shall include a link to the proposed model academic  
 18 standards on the Internet site maintained as required under s. 227.15 (1m), together  
 19 with the information required under that subsection.

20 3. Within 10 days after receiving comments from <sup>the</sup> legislative council staff under  
 21 subd. 2., the state superintendent shall submit any response to the comments,  
 22 together with the proposed model academic standards, to the joint committee for  
 23 review of administrative rules.

Prior to submitting the proposed model academic standards to <sup>the</sup> legislative council staff, the state superintendent shall hold at least one public hearing.

BILL

hold a public hearing on the proposed standards and

1 4. Within 30 days after receiving the proposed model academic standards under  
2 subd. 3., the joint committee for review of administrative rules shall either approve  
3 the proposed model academic standards or object to the proposed standards.

4 5. a. If the joint committee for review of administrative rules approves the  
5 model academic standards submitted under subd. 3., the state superintendent shall  
6 proceed under subd. 6.

7 b. If the joint committee for review of administrative rules objects to the  
8 proposed model academic standards submitted under subd. 3., the joint committee  
9 for review of administrative rules shall prepare <sup>a bill that incorporates by reference</sup> the model academic standards  
10 submitted by the model academic standards board under par. (a) as a bill and  
11 introduce the bill in each house as provided under s. 227.19 (5) (e) to (g) and (6) (b),  
12 except that upon the introduction of the bills under s. 227.19 (5) (e), the presiding  
13 officer of each house of the legislature shall not refer the bills to the appropriate  
14 committee in that house as directed under s. 227.19 (6) (b), but shall place the bill  
15 introduced in that house on the calendar of that house according to its rule governing  
16 the placement of proposals on the calendar.

17 6. The state superintendent shall adopt as final the model academic standards  
18 approved under subd. 5. a. or enacted under subd. 5. b., except the state  
19 superintendent may not adopt the proposed model academic standards submitted  
20 STE under subd. 3. and not approved under subd. 5. a. until a bill introduced under subd.  
21 5. b. and s. 227.19 (5) (e) fails to be enacted within the timeframes specified in s.  
22 227.19 (5) (e) and (f).

23 (4) (3) (a) No later than 36 months after the effective date of this paragraph ....  
24 [LRB inserts date], the model academic standards board, through a subcommittee  
25 established under s. 15.375 (1) (b), shall submit to the state superintendent and to

**BILL**

1 the legislative council staff recommended model academic standards in the following  
2 subject areas:

- 3 1. Science.
- 4 2. Social studies.

5 (b) The state superintendent shall initiate the procedure under sub. (2)(b) for  
6 the review, consideration, and adoption of the model academic standards submitted  
7 under par. (a). (3)

8 (5) (4) (a) The model academic standards board may submit to the state  
9 superintendent recommended model academic standards in the following subject  
10 areas:

- 11 1. Fine arts.
- 12 2. Health.
- 13 3. World languages.
- 14 4. Career and technical education.
- 15 5. Other subject areas identified by the board as warranting standardization.

16 (b) 1. The state superintendent shall initiate the procedure under sub. (2)(b) for  
17 the review, consideration, and adoption of any model academic standards  
18 submitted under par. (a). (3)

19 2. If the model academic standards board does not submit any recommended  
20 model academic standards for the subject areas identified under par. (a), the state  
21 superintendent may develop, adopt as final, and revise model academic standards  
22 for those subject areas without following the procedure under sub. (2)(b). (3)

23 (6) (5) The model academic standards board, legislative council staff, state  
24 superintendent, and joint committee for review of administrative rules shall, in  
the the the  
^ ^ ^  
^

**BILL**

1 preparing, reviewing, modifying, and adopting the model academic standards  
2 required under this section, do all of the following:

3 (a) Ensure that the model academic standards do not prescribe curricula to be  
4 adopted by school boards.

5 (b) Ensure that the model academic standards establish, in a manner that is  
6 clear to pupils, parents, and the general public, high expectations for the knowledge  
7 and skills pupils must attain and master at each of the 12 grades.

8 (7) (6) (a) The model academic standards board, through the subcommittees  
9 established under s. 15.375 (1) (b), shall review and make recommendations for the  
10 updating of the model academic standards required to be adopted under subs. (2) and  
11 (3) and any model academic standards permitted to be recommended by the board,  
12 recommended by the board, and adopted under sub. (4) at least once every 6 years.

13 (b) The state superintendent may periodically review and revise any standards  
14 developed and adopted as final by the state superintendent under sub. (4) (b) 2.

15 (c) Each school board, operator of a charter school under s. 118.40 (2r), and  
16 governing body of a private school participating in a program under s. 118.60 or  
17 119.23 may adopt the pupil academic standards approved under this section to  
18 supplement or replace the standards adopted under s. 118.30 (1g) (a).

**SECTION 5. Nonstatutory provisions.**

19 (1) Notwithstanding section 15.375 (1) of the statutes, as created by this act,  
20 the initial members appointed to the model academic standards board under section  
21 15.375 (1) of the statutes, as created by this act, shall be appointed as follows:

22 (a) One member appointed under section 15.375 (1) (a) 1. of the statutes, as  
23 created by this act, shall be appointed for a term expiring on May 1, 2015, and 2  
24 members shall be appointed for a term expiring on May 1, 2016.  
25



2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-4257?ins  
TKK:.....

INSERT ANALYSIS

Under the bill, three public hearings must be held concerning the proposed model academic standards: the board must hold a hearing prior to submitting its proposed standards to the state superintendent; the state superintendent must hold a hearing prior to submitting its proposed standards for review by legislative council staff; and JCRAR must hold a public hearing prior to approving or objecting to the standards submitted by the state superintendent.

INSERT 4-7

1 (b) The individual appointed under par. (a) 2. a. shall call the first meeting of  
2 the board. At the board's first meeting, the board shall adopt rules, policies, and  
3 procedures for future meetings.

INSERT 5-3

4 (e) The board shall review and may modify and amend any model academic  
5 standards it receives from a subcommittee established under par. (c).

INSERT 5-17

6 (2) Prior to submitting any model academic standards to the state  
7 superintendent as required under subs. (3) and (4), the model academic standards  
8 board shall hold at least one public hearing on the proposed standards, take public  
9 testimony, and consider the testimony and all written comments submitted in  
10 connection with the hearing.

2/13/14

T. call w/ Jason re: 4257/P1

1. Prohibit legislators from serving on the board while serving in legislature
  2. ~~add~~ modify appointees to board as follows:
    - move parent of public school pupil from Gov to State Super
    - modify principal under state super appointees to be a <sup>new high school</sup> ~~high school~~ principal
    - Gov. appointee: parent of pupil participating in choice program
    - New Gov appointee: elementary school principal
- \* principals must be currently serving as principal

2/18/14

Per Jason: Chairpersons of subcommittees must be members of the board