

2013 DRAFTING REQUEST

Bill

Received: 1/12/2013 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Administration-Budget 266-1037 By/Representing: Hynek
May Contact: Drafter: tkuczens
Subject: Education - state superintendent Addl. Drafters:
Extra Copies: pg, ffk

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

Pre Topic:

DOA:.....Hynek, BB0369 -

Topic:

Requiring classroom presence of teachers

Instructions:

See attached

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 1/14/2013			_____			
/P1	tkuczens 1/22/2013	jdyer 1/22/2013	phenry 1/22/2013	_____	lparisi 1/14/2013		
/P2				_____	lparisi 1/22/2013		

FE Sent For:

<END>

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/?	tkuczens	P1 1/4 jld	1/14 ph	jm ph			

FE Sent For:

<END>

Kuczenski, Tracy

From: Hanaman, Cathlene
Sent: Saturday, January 12, 2013 9:45 AM
To: Kuczenski, Tracy; Grant, Peter; Knepp, Fern
Subject: FW: [Possible SPAM] Statutory Language Drafting Request - BB0369
Importance: Low

From: Sara.Hynek@Wisconsin.gov [<mailto:Sara.Hynek@Wisconsin.gov>]
Sent: Friday, January 11, 2013 3:46 PM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Hynek, Sara - DOA; Thornton, Scott - DOA
Subject: [Possible SPAM] Statutory Language Drafting Request - BB0369
Importance: Low

Biennial Budget: 2013-15

DOA Tracking Code: BB0369

Topic: Teacher Classroom Presence

SBO Team: EWD

SBO Analyst: Hynek, Sara - DOA
Phone: (608) 266-1037
E-mail: Sara.Hynek@Wisconsin.gov

Agency Acronym: DPI

Agency Number: 255

Priority: Medium

Intent:

Prohibit DPI from promulgating any classroom presence requirement that prevents a teacher from delivering instructional content between or among schools or school districts, or participating in collaborative teaching.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-113377 P1

TKK:.....

Handwritten initials: "PMP" and "JLD"

DOA:.....Hynek, BB0369 - Requiring classroom presence of teachers

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

in 1/14/13

4
1 AN ACT ...; relating to: the budget. ✓
Handwritten: "don't gen"

Analysis by the Legislative Reference Bureau
EDUCATION ✓

PRIMARY AND SECONDARY EDUCATION ✓

* This bill prohibits DPI from requiring by rule or policy that a licensed teacher or instructional staff member be physically present in the classroom when the delivery of content or collaborative instruction in the classroom is being provided through an online ~~course~~ *course*

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

2 SECTION 1. 115.28 (54) ⁴ of the statutes is created to read:

3 115.28 (54) COLLABORATIVE CONTENT DELIVERY AND ONLINE [✓] INSTRUCTION. Promote
4 the delivery of content and collaborative instruction among schools within a school
5 district and between ² two or more school districts, including through online courses. ✓

6 To accomplish the objectives of this subsection, the [✓] ~~department~~ *department* may not promulgate

1 a rule or establish a policy[✓] that requires a licensed teacher or[✓] instructional staff
2 person, defined as required under s. 121.02 (1) (a) 2.,[✓] to be physically present in a
3 classroom in which the delivery of content or collaborative instruction is being
4 provided in that classroom through an online course.[✓]

****NOTE: Does this accomplish your objectives?

5

(END)

Kuczenski, Tracy

From: Hynek, Sara - DOA <Sara.Hynek@Wisconsin.gov>
Sent: Monday, January 21, 2013 11:05 AM
To: Kuczenski, Tracy
Subject: RE: LRB 1133 - classroom presence

If we could include something about digital content in addition to the online learning, that would be great. I think the Governor's generally looking at "digital learning" initiatives, so using the buzzword may help tie things together.

From: Kuczenski, Tracy [<mailto:Tracy.Kuczenski@legis.wisconsin.gov>]
Sent: Monday, January 21, 2013 11:02 AM
To: Hynek, Sara - DOA
Subject: RE: LRB 1133 - classroom presence

Hi Sara –

Not sure about the digital content/online course difference. Currently, outside of a school setting, I believe it is possible for you or I to enroll in and attend lectures offered in California, for example, at any time. That sounds like an "online course" but it is not in real time... I can certainly tweak the language to reference digital content, either instead of or in addition to online learning, if you like that consistency of language across drafts?

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Hynek, Sara - DOA [<mailto:Sara.Hynek@Wisconsin.gov>]
Sent: Monday, January 21, 2013 10:26 AM
To: Kuczenski, Tracy
Subject: RE: LRB 1133 - classroom presence

I see what you're saying – the only case in which the physical presence exception would apply is for an online course as drafted, which is really the intent anyway. Let's leave the additional language and see if we get any additional feedback.

Do you think there's a difference between an "online course" and "digital content"? I'm thinking of the new digital portal that we are funding in this biennium – a particular lesson may be stored on the portal cloud for use in any district at any time (so a teacher may be delivering content through a screen, but not in real time).

From: Kuczenski, Tracy [<mailto:Tracy.Kuczenski@legis.wisconsin.gov>]
Sent: Monday, January 21, 2013 10:19 AM
To: Hynek, Sara - DOA
Subject: RE: LRB 1133 - classroom presence

Hi Sara –

I can certainly remove the remainder of the sentence, but I think that gives schools a lot of discretion; as modified, a school would be able to just put kids in a classroom unsupervised, hand out worksheets or reading materials from some other school in the district or school district, call it collaborative learning, and be able to say it "accomplishes the objectives of the subsection". I can picture a detention room or a room full of problem kids with no one there.

Could we, instead, modify the last two lines in some way to address whatever concerns there are on your end and the concerns on my end?

Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Hynek, Sara - DOA [<mailto:Sara.Hynek@Wisconsin.gov>]
Sent: Sunday, January 20, 2013 5:11 PM
To: Kuczenski, Tracy
Subject: LRB 1133 - classroom presence

Hi Tracy - on page 2 of this draft, is it possible to just end the text after "to be physically present in a classroom"?



DOA:.....Hynek, BB0369 - Requiring classroom presence of teachers

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

in 1/22/13

PLWFW

X

don't gen

1

AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill prohibits DPI from requiring by rule or policy that a licensed teacher or instructional staff member be physically present in the classroom when the delivery of content or collaborative instruction in the classroom is being provided through an online course. ✓

digitally or ✓

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

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SECTION 1. 115.28 (54) of the statutes is created to read: ✓

3

115.28 (54) COLLABORATIVE CONTENT DELIVERY AND ONLINE INSTRUCTION. Promote

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the delivery of ✓ content and collaborative instruction among schools within a school

5

district and between 2 or more school districts, including through ✓ online courses. To

6

accomplish the objectives of this subsection, the department may not promulgate a

1 rule or establish a policy that requires a licensed teacher or instructional staff
2 person, defined as required under s. 121.02 (1) (a) 2., to be physically present in a
3 classroom in which the delivery of content or collaborative instruction is being
4 provided in that classroom ^{digitally or} through an online course. ✓

5 ******NOTE: Does this accomplish your objectives?**

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1133/P2

TKK:jld:ph

DOA:.....Hynek, BB0369 – Requiring classroom presence of teachers

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill prohibits DPI from requiring by rule or policy that a licensed teacher or instructional staff member be physically present in the classroom when the delivery of content or collaborative instruction in the classroom is being provided digitally or through an online course.

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4 the delivery of digital content and collaborative instruction among schools within a
5 school district and between 2 or more school districts, including through online
6 courses. To accomplish the objectives of this subsection, the department may not

1 promulgate a rule or establish a policy that requires a licensed teacher or
2 instructional staff person, defined as required under s. 121.02 (1) (a) 2., to be
3 physically present in a classroom in which the delivery of content or collaborative
4 instruction is being provided in that classroom digitally or through an online course.

5

(END)