

CR 90-129

CERTIFICATE

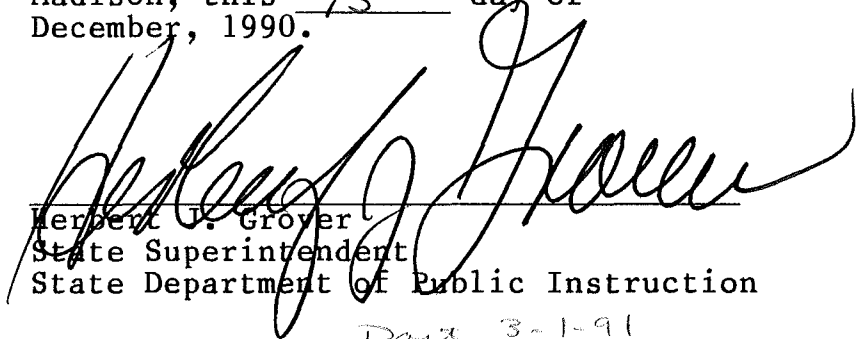
STATE OF WISCONSIN)
) SS
DEPARTMENT OF PUBLIC INSTRUCTION)

I, State Superintendent of the Department of Public Instruction and custodian of the official records of said department, do hereby certify that the annexed rule relating to school district standards was duly approved and adopted by this Department on the first day of the month following publication in the Wisconsin Administrative Register.

I further certify that said copy has been compared by me with the original on file in this Department and the same is a true copy thereof, and of the whole of such original.

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IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the official seal of the Department at General Executive Facility (GEF) 3, 125 South Webster Street, P.O. Box 7841, in the city of Madison, this 13th day of December, 1990.


Herbert J. Grover
State Superintendent
State Department of Public Instruction

Part 3-1-91
9-1-91
9-1-94

DEC 14 1990

Revisor of Statutes
Bureau**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
AMENDING RULES**

The state superintendent of public instruction hereby renumbers PI 8.01 (2) (L) 2, 3 and 4; amends PI 8.01 (2) (c), (d), (h) 3, (i), (k) 3 and 4, (r) 1, (s) and (t);
1 repeals and recreates PI 8.01 (2) (e) and (g); and creates PI 8.01 (2) (L) 2 and 4,
2 relating to school district standards.

3

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

4

Statutory authority: ss. 121.02 (5) and 227.11 (2) (a), Stats.

Statute interpreted: s. 121.02 (1), Stats.

In 1986, the legislature created 10 new school district standards in addition to the standards created in 1973. The department promulgated rules to implement the new standards and in 1987, made some amendments to address concerns raised during implementation workshops. Since 1987, several other needed changes have been identified for several reasons including statutory changes, problems identified during school district audits and further review of the original 10 standards for current applicability.

The following school district standards under s. PI 8.01 (2) have been amended and have various effective dates which are indicated in parenthesis at the end of each summary or within the summary itself.

1. Standard (c), relating to remedial reading, requires the following:

a. School districts shall identify, diagnose, serve and monitor any K-4 pupil in reading if the pupil fails to meet district grade level objectives in reading as identified in curriculum plans developed under s. 121.02 (1) (k), Stats.; or if the pupil fails to score above the state minimum performance standard on the third grade reading test administered under s. 121.02 (1) (r), Stats., if it is determined that the score accurately reflects the pupil's reading ability. These amendments are based on 1989 Wisconsin Act 285.

b. School districts or individual schools must assess their reading programs and must develop a plan to improve reading performance if fewer than 80% of the pupils score above the state minimum performance standard on the third grade reading test.

(Effective September 1, 1991)

2. Standard (d), relating to kindergarten, adds "health" to the list of basic concepts and skills instruction to be provided to all 5 year old kindergarten children of each school district. (Effective September 1, 1991)

3. Standard (e), relating to guidance and counseling services, requires that licensed school counselors in collaboration with other licensed pupil services staff, teachers, parents and community health and human service professionals shall provide a program of guidance and counseling services to pupils in every grade level, including elementary school. (Effective September 1, 1991)

4. Standard (g), relating to emergency nursing services, requires that the emergency nursing policies shall be developed on a cooperative basis by a nurse(s) registered in Wisconsin and other school district personnel and representatives from community health agencies and services, if designated by the board. The emergency nursing policies shall also include protocol for dealing with and documenting of accidental injury, illness and administration of medication at all school sponsored activities. Medical advice shall be received from a licensed physician, pupil emergency information cards and adequate space shall be appropriate and readily accessible, and the emergency nursing services program shall be reviewed and evaluated at least annually. (Effective September 1, 1991)

5. Standard (h), relating to library media services, requires school districts to provide library facilities within the school building. (Effective September 1, 1991)

6. Standard (i), relating to safe and healthful facilities, changes the long-range plan to maintain the district operated facilities at a level established for safe and healthful facilities. (Effective September 1, 1991)

7. Standard (L), relating to instruction, includes 2 new subdivisions created as a result of 1989 Wisconsin Act 31 which requires instruction in the history, culture and tribal sovereignty of American Indian tribes and bands in this state at least twice in the elementary grades and at least once in the high school grades beginning September 1, 1991, as part of the social studies curriculum as well as including regular instruction in foreign language in grades 7 and 8 beginning September 1, 1994.

8. Standards (r) and (s), relating to the third grade reading and achievement tests, respectively, require a school district to adopt a process for excluding students from taking the third grade reading and achievement tests. (Effective upon promulgation of this rule)

9. Standard (t), relating to gifted and talented pupils, requires a school board to designate a person to coordinate the gifted and talented program and establish a plan. (Effective September 1, 1991)

The proposed rules also include other technical and minor substantive changes.

1 **SECTION 1.** PI 8.01 (2) (c) is amended to read:

2 PI 8.01 (2) (c) Remedial reading. 1. In this paragraph "state minimum
3 performance standard" means the state minimum performance standard on the
4 test administered under s. 121.02 (1) (r), Stats.

5 2. Each school district shall identify, and diagnose, serve and monitor
6 underachieving ~~each pupils~~ pupil in reading in grades kindergarten through third-
7 fourth if either of the following apply:

8 a. The pupil fails to meet district grade level objectives in reading as
9 identified in curriculum plans developed under s. 121.02 (1) (k), Stats.

10 b. The pupil fails to score above the state minimum performance standard
11 and a teacher in the school district and the pupil's parent or guardian agree that
12 the pupil's test performance accurately reflects the pupil's reading ability; or a
13 teacher in the school district determines, based on other objective evidence of
14 the pupil's reading comprehension, that the pupil's test performance accurately
15 reflects the pupil's reading ability.

16 3. ~~Such identification~~ Identification and diagnosis of reading deficiencies
17 shall be directed or performed by the district reading specialist required under
18 s. 118.015, Stats., or by licensed personnel who have earned at least 6 semester
19 credits in courses dealing with the measurement of reading skills and achieve-
20 ment and/or or the diagnosis of reading difficulties. Children with such iden-
21 tified and diagnosed reading deficiencies shall receive instruction and services
22 directed toward the removal of the deficiencies. ~~Such~~ The instruction and ser-
23 vices shall be coordinated with all other reading instruction. Monitoring of
24 pupil progress shall occur on a regular basis and include parental involvement.

1 4. If fewer than 80% of the pupils score above the state minimum perfor-
2 mance standards, either in the district or in any individual school in the district,
3 the district shall develop a written plan which includes the following:

4 a. A description of how the district will provide remedial reading services.

5 b. A description of how the district intends to evaluate the effectiveness of
6 efforts to remove reading deficiencies.

7 c. An assessment of the school district or individual school's reading
8 program.

9 5. The department shall provide upon request technical assistance to
10 districts required to develop a plan to provide remedial reading services.

11 **SECTION 2.** PI 8.01 (2) (d) is amended to read:

12 PI 8.01 (2) (d) Kindergarten. Each school district shall operate a kinder-
13 garten program in which all 5 year old children of the district may be enrolled.
14 The teachers shall be licensed by the department to teach kindergarten.
15 Physical facilities, equipment and materials shall be provided for a program
16 which includes opportunities for learning basic concepts and skills in language
17 arts, fine arts, social studies, science, mathematics, health and physical edu-
18 cation.

19 **SECTION 3.** PI 8.01 (2) (e) and (g) are repealed and recreated to read:

20 PI 8.01 (2) (e) Guidance and counseling services. Each school district board
21 shall provide a program of guidance and counseling services for all pupils, which
22 meets all of the following requirements:

23 1. The school district shall maintain a school board approved plan for the
24 provision of a program of guidance and counseling services.

1 2. The program shall be developmentally based and available to every pupil
2 in every grade of the school district.

3 3. The program shall be:

4 a. Systematically planned by licensed school counselors in collaboration
5 with other licensed pupil services staff, teachers, parents and community health
6 and human service professionals.

7 b. Provided by licensed school counselors in collaboration with other
8 licensed pupil services staff, teachers, parents and community health and human
9 service professionals.

10 4. The program shall provide developmentally appropriate educational,
11 vocational, career, personal and social information to assist pupils in problem
12 solving and in making decisions.

13 5. The program shall include pupil appraisal, post-secondary planning, refer-
14 ral, research and pupil follow-up activities.

15 (g) Emergency nursing services. Each school district board shall provide
16 emergency nursing services under a written policy adopted and implemented by
17 the school district board which meets all of the following requirements.

18 1. The emergency nursing policies shall be developed by a professional nurse
19 or nurses registered in Wisconsin in cooperation with other school district
20 personnel and representatives from community health agencies and services as
21 may be designated by the board.

22 2. Policies for emergency nursing services shall include protocols for deal-
23 ing with pupil accidental injury, illness and administration of medication at all
24 school sponsored activities including but not limited to curricular, co-curricular
25 and extra-curricular activities and a method to record each incident of service
26 provided.

1 3. Arrangements shall be made with a licensed physician to serve as
2 medical advisor for the emergency nursing service.

3 4. The emergency nursing services shall be available during the regular
4 school day and during all school sponsored activities of pupils.

5 5. Pupil emergency information cards, equipment, supplies and space for
6 the emergency nursing services shall be appropriate and readily accessible.

7 6. A review and evaluation by the school board shall be made of the
8 emergency nursing services program at least annually.

9 **SECTION 4.** PI 8.01 (2) (h) 3, (i) and (k) 3 and 4 are amended to read:

10 PI 8.01 (2) (h) 3. ~~Make~~ Provide library facilities within the school building
11 and make available to all pupils a current, balanced collection of books, basic
12 reference materials, texts, periodicals, and audiovisual materials which depicts
13 in an accurate and unbiased way the cultural diversity and pluralistic nature of
14 American society.

15 (i) Safe and healthful facilities. A long-range plan shall be developed,
16 adopted, and recorded by the school board which defines the patterns and sched-
17 ule for ~~bringing~~ maintaining the district operated facilities ~~to~~ at the level of the
18 standards established for safe and healthful facilities. The school board shall
19 comply with all regulations, state codes, and orders of the department of in-
20 dustry, labor and human relations and the department of health and social ser-
21 vices and all applicable local safety and health codes and regulations. The
22 facilities shall be inspected at least annually for potential or demonstrated
23 hazards to safety and health, and hazardous conditions shall be corrected, com-
24 pensating devices installed or special arrangements made to provide for safe
25 and healthful facilities. Maintenance procedures and custodial services shall be
26 conducted in such a manner that the safety and health of persons using the

1 facilities are protected. Responsibility for coordinating all activities related to
2 the safety and health considerations of the facilities for the entire district shall
3 be assigned to one individual.

4 (k) 3. Each sequential curriculum plan shall specify objectives, course
5 sequence, course content, resources, an objective process of determining
6 whether pupils attain the specified objectives, and an allocation of instructional
7 time by week, semester and school term. The school district board shall estab-
8 lish in the school district curriculum plan the allocation of instructional time,
9 by week, semester and school term, among all subject areas.

10 4. Each sequential curriculum plan shall include a program evaluation
11 method which provides ~~a systematic, continuous and objective process of deter-~~
12 ~~mining whether pupils attain the specified objectives.~~ that Components com-
13 ponents of the sequential curriculum plan shall be monitored continuously, and
14 the The overall program evaluation method shall be reviewed at least once
15 every 5 years and revised as appropriate to ensure that pupils meet the curric-
16 ulum objectives.

17 **SECTION 5.** PI 8.01 (2) (L) 2, 3 and 4 are renumbered PI 8.01 (2) (L) 3, 5 and
18 6 respectively.

19 **SECTION 6.** PI 8.01 (2) (L) 2 and 4 are created to read:

20 PI 8.01 (2) (L) 2. In grades kindergarten through 8, include instruction in the
21 social studies curriculum in the history, culture and tribal sovereignty of the
22 federally recognized American Indian tribes and bands located in the state in at
23 least two grade levels and in at least one grade level in grades 9 through 12
24 beginning September 1, 1991.

25

1 4. In grades 7 and 8, provide regular instruction in foreign language begin-
2 ning in the 1994-95 school year. In this subdivision regular instruction in foreign
3 language means access to instruction in sufficient frequency and length to
4 achieve the objectives and time allocations of a written, sequential curriculum
5 plan in foreign language. The foreign language curriculum shall follow the
6 requirements of other curriculum documents required under par. (k).

7 **SECTION 7.** PI 8.01 (2) (r) 1, (s) and (t) 2 are amended to read:

8 PI 8.01 (2) (r) 1. The department shall develop a standardized reading test
9 for pupils in grade 3. The department shall annually provide the test to all
10 school district boards and score and report the results. Each school district
11 board shall annually administer the test to all pupils in the school district en-
12 rolled in grade 3. Standardized refers to test objectives and items, test related
13 materials, test administration procedures, the testing schedule, and the scoring
14 and reporting procedures and formats. The department shall provide guidelines
15 to assist school districts in testing and excluding from testing pupils with
16 special needs, including pupils with exceptional educational needs under ch. 115,
17 subch. V., Stats., and pupils with limited English proficiency under ch. 115,
18 subch. VII, Stats. Each school district shall develop and adopt a district policy
19 related to the testing and exclusion from testing of pupils with exceptional
20 educational needs under ch. 115, subch. V., Stats., and pupils with limited
21 English proficiency under ch. 115, subch. VII., Stats.

22 (s) Achievement tests. Each school district board shall test all of the pupils
23 enrolled in the school district in reading, language arts and mathematics at
24 least twice in grades kindergarten through 5, at least once in grades 6 through
25 8, and at least once in grades 9 through 11. The school district board shall use
26 achievement tests that are aligned with the school district's curriculum and
27 which measure pupil achievement in relation to curriculum objectives identified

1 under par. (k). The department shall provide guidelines to assist school districts
2 in testing and excluding from testing pupils with special needs, including pupils
3 with exceptional educational needs under ch. 115, subch. V., Stats., and students
4 with limited English proficiency under ch. 115, subch. VII, Stats. Each school
5 district shall develop and adopt a district policy related to the testing and ex-
6 clusion from testing of pupils with exceptional educational needs under ch. 115,
7 subch. V., Stats., and pupils with limited English proficiency under ch. 115,
8 subch. VII., Stats. A school district's participation in the competency testing
9 program under s. 118.30, Stats., meets the requirement of this paragraph.

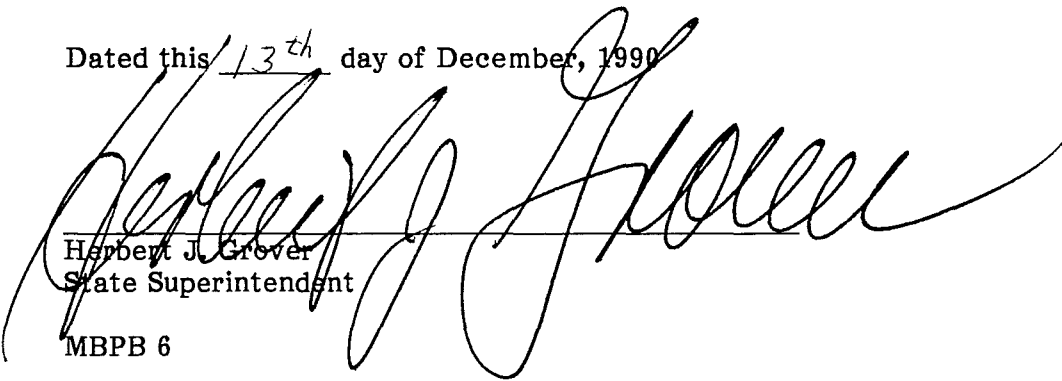
10 (t) 2. Each school district board shall establish a ~~means for identifying~~
11 ~~gifted and talented pupils in each of the categories identified in s. 118.35 (1),~~
12 ~~Stats. Multiple criteria for the identification of gifted or talented pupils shall~~
13 ~~be used~~ plan and designate a person to coordinate the gifted and talented pro-
14 gram. Gifted and talented students shall be identified as required in s. 118.35
15 (1). This identification shall include multiple criteria that are appropriate for
16 the category of gifted including intelligence, achievement, leadership, creat-
17 ivity, product evaluations, and nominations. A pupil may be identified as gifted
18 or talented in one or more of the categories under s. 118.35 (1), Stats. The
19 school district board shall provide access, without charge for tuition, to appro-
20 priate programs for pupils identified as gifted or talented as required under ss.
21 118.35 (3) and 121.02 (1) (t), Stats. The school district board shall provide an
22 opportunity for parental participation in the planning of the proposed program.

23 **SECTION 8. Effective dates:**

24 (1) Treatment of ss. PI 8.01 (2) (c), (d), (e), (g), (h), (i), (k), (L) 2, and (t) shall
25 take effect on September 1, 1991.

- 1 (2) Treatment of s. PI 8.01 (2) (L) 4 shall take effect on September 1, 1994.
2 (3) Treatment of ss. PI 8.01 (2) (r) and (s) shall take effect on the first day of
3 the month commencing after the date of publication in the Wisconsin
4 Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.
5

Dated this 13th day of December, 1990


Herbert J. Grover
State Superintendent

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