



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4650/1
KRP:wlj/ekg/cdc

2021 ASSEMBLY BILL 971

February 8, 2022 - Introduced by Representative WITKE. Referred to Committee on Education.

1 **AN ACT** *to repeal* 118.016 (1) (a) and 118.44 (6) (a); *to renumber* 118.016 (1) (b);
2 *to renumber and amend* 118.016 (1) (c) and 118.016 (1r); *to amend* 20.255
3 (2) (cu), 118.016 (2), 118.44 (3), 118.44 (5) (a), 118.44 (6) (bm) (intro.), 118.44 (6)
4 (bm) 3., 118.60 (7) (e) and 119.23 (7) (e); and *to create* 118.015 (4) (e), 118.016
5 (1b), 118.016 (1e) (title), 118.016 (1e) (d), 118.016 (1g) (title), 118.016 (1r) (title),
6 118.016 (1r) (b) and (c), 118.016 (3) and (4), 118.33 (7), 118.40 (2r) (b) 2. m.,
7 118.40 (2r) (d) 3., 118.40 (2x) (b) 2. m., 118.40 (2x) (d) 3., 118.44 (5) (c), 118.44
8 (6) (br) and (bw), 118.60 (2) (a) 10., 119.23 (2) (a) 10. and 121.02 (1t) of the
9 statutes; **relating to:** promotion of pupils from the third grade to the fourth
10 grade based on passage of the standardized reading test; reading readiness
11 assessments in public schools; grants to increase licensure of reading teachers;
12 sunsetting the Achievement Gap Reduction program; programs to identify and

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- 1 address pupils with dyslexia; parental opt-out of pupils in grades kindergarten
2 to three from statewide examinations; and making an appropriation.
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Analysis by the Legislative Reference Bureau

This bill 1) limits the authority of certain schools to promote a pupil from the third grade to the fourth grade based on passage of the standardized reading assessment; 2) makes various changes to the current reading readiness assessment program for public school pupils enrolled in four-year-old kindergarten to second grade; 3) creates a grant program for the 2023-24 school year to increase licensure of reading teachers; 4) sunsets the Achievement Gap Reduction program; 5) requires certain schools to develop or adopt programs to identify and address pupils with dyslexia; and 6) prohibits parents of pupils in grades kindergarten to three from excusing their pupils from taking standardized tests.

Promotion of pupils from the third grade to the fourth grade

Under current law, school districts, independent charter schools, and private schools participating in parental choice programs must administer a standardized reading test to certain third grade pupils. Under the bill, 1) a school board may not promote a third grade pupil enrolled in the school district, including a pupil enrolled in a charter school located in the school district, to the fourth grade unless the pupil scores proficient or higher on the test; 2) the operator of an independent charter school may not promote a third grade pupil attending the charter school to the fourth grade unless the pupil scores proficient or higher on the test; and 3) the governing body of a private school participating in a parental choice program may not promote a third grade pupil who is attending the private school under the parental choice program to the fourth grade unless the pupil scores proficient or higher on the test.

The bill also provides an exception to the third grade promotion prerequisite created in the bill. Under the exception, the school board, operator, or governing body may promote a pupil if the pupil meets any of the good cause reasons specified in the bill and all of the following conditions are met:

1. The pupil's teacher submits documentation of the pupil's good cause reason to the principal or administrator of the pupil's school.
2. The principal or administrator of the pupil's school discusses the documentation with the teacher and the pupil's parent, determines that promoting the pupil is appropriate, and submits that recommendation to the school board, operator, or governing body.
3. The pupil's parent agrees with the recommendation.
4. The school board, operator, or governing body reviews the recommendation and agrees that promoting the pupil is appropriate.

Assessments of reading readiness

Under current law, school boards and operators of independent charter schools must annually assess pupils enrolled in four-year-old kindergarten to second grade for reading readiness using an assessment of literacy fundamentals selected by the school board or operator. Under current law, if a reading readiness assessment

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indicates that a pupil is at risk of reading difficulty, the school board or operator must provide interventions or remedial reading services to the pupil.

The bill provides that, beginning in the 2023–24 school year, a school board or operator must, in addition to the assessment required under current law, annually assess, using a diagnostic assessment, a pupil enrolled in four-year-old kindergarten to second grade to whom any of the following applies: 1) the pupil's parent requests the diagnostic assessment; 2) an assessment administered under current law indicates that the pupil is at risk of reading difficulty; or 3) the pupil has been identified as having characteristics of dyslexia. The bill defines “diagnostic assessment” as a tool that includes 1) an assessment that evaluates a pupil's skill in the areas of phonemic awareness, decoding skills, rapid naming, alphabet knowledge, letter sound knowledge, oral vocabulary, phonological awareness, word recognition, spelling, vocabulary, listening comprehension, and, when developmentally appropriate for the pupil, oral reading fluency and reading comprehension; and 2) an opportunity for a pupil's parent to complete a family history survey to provide additional information about learning difficulties in the pupil's family.

Under current law, school boards and operators must report the results of reading readiness assessments to pupils' parents. The bill provides that, beginning in the 2023–24 school year, the pupil's teacher or the principal or administrator of the pupil's school must provide the parental notification. In addition, if a pupil's assessment indicates that the pupil is at risk of reading difficulty, the teacher, principal, or administrator also must provide all of the following to the pupil's parent:

1. A list of the interventions or remedial reading services that will be provided to the pupil.
2. A form on which the parent may acknowledge receipt of the information and may indicate that the parent understands the information.
3. A request that the parent sign the form and return the signed form to the sender.

The bill requires a school board or operator annually to report to the Department of Public Instruction the results of pupil assessments and the interventions and remedial reading services the school board or operator provided to pupils in the previous school year. The bill also requires DPI annually to compile and submit that information to the appropriate standing committees of the legislature.

Grants to increase licensure of reading teachers

The bill allows DPI to award grants in the 2023–24 school year, in amounts determined by DPI, to school boards to provide support and financial assistance to their licensed teachers for the purpose of obtaining additional licensure as reading teachers. In awarding grants under the bill, DPI must give priority to school districts with high numbers of pupils whose scores on the most recent standardized third grade reading test were lower than proficient, as determined by DPI. A school board that receives a grant under the bill must use the grant moneys to pay costs associated with its teachers obtaining licensure as reading teachers and must pay to a teacher who successfully obtains a reading teacher license a bonus payment of \$1,000.

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The bill provides for the grants to be paid from moneys that become available as a result of the sunseting of the Achievement Gap Reduction program (described below).

Sunset of Achievement Gap Reduction program

The bill sunsets the Achievement Gap Reduction program by prohibiting DPI from entering into any new contracts, or renewing any existing contracts, with school boards on or after the effective date of the bill. Under current law, the program is a categorical aid program that provides funding to a participating school for low-income pupils enrolled in certain grades if the school complies with a five-year contract entered into between DPI and the school board of the school district in which the school is located. Currently, a contract may be renewed for one or more terms of five school years.

Under current law, DPI annually must pay to a school board under contract with DPI a per pupil amount determined by 1) subtracting \$125,000 from the total amount appropriated for the program for the school year; 2) adding the total number of low-income pupils enrolled in grades kindergarten to three in all schools participating in the program; and 3) dividing the difference calculated under item 1 by the sum calculated under item 2. That calculation results in the entire amount appropriated for the program being paid in each school year.

The bill changes the per pupil payment amount by fixing that amount at the per pupil amount calculated for the 2022-23 school year. In other words, beginning in the 2023-24 school year, DPI pays a school board under contract with DPI a per pupil amount that is equal to the per pupil amount DPI paid in the 2022-23 school year. The bill provides that, if the amount appropriated to DPI is insufficient to pay the full per pupil amount, DPI must prorate the payments among the school boards eligible for payment.

The bill provides that any grants DPI awards in the 2023-24 school year to increase licensure of reading teachers (described above) will be paid from the Achievement Gap Reduction program appropriation account.

Programs to identify and address pupils with dyslexia

The bill requires a school board, the operator of an independent charter school, or the governing body of a private school participating in a parental choice program to develop or adopt a program to identify and address pupils with dyslexia.

Parental opt-out of pupils from statewide examinations

The bill prohibits a school board, the operator of an independent charter school, or the governing body of a private school participating in a parental choice program from allowing the parent of a pupil in any grade from kindergarten to three to excuse the pupil from taking a standardized test.

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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:

1 **SECTION 1.** 20.255 (2) (cu) of the statutes is amended to read:

2 20.255 (2) (cu) *Achievement gap reduction contracts and grants to increase*
3 *licensure of reading teachers.* The amounts in the schedule for aid to school districts
4 and the program evaluation under ss. 118.43 and 118.44 and for grants under 2021
5 Wisconsin Act (this act), section 33.

6 **SECTION 2.** 20.255 (2) (cu) of the statutes, as affected by 2021 Wisconsin Act
7 (this act), is amended to read:

8 20.255 (2) (cu) *Achievement gap reduction contracts ~~and grants to increase~~*
9 *licensure of reading teachers.* The amounts in the schedule for aid to school districts
10 and the program evaluation under ss. 118.43 and 118.44 ~~and for grants under 2021~~
11 ~~Wisconsin Act (this act), section 33.~~

12 **SECTION 3.** 118.015 (4) (e) of the statutes is created to read:

13 118.015 (4) (e) No later than one year after the effective date of this paragraph
14 [LRB inserts date], develop or adopt a program to identify and address pupils with
15 dyslexia, as defined in s. 118.016 (1b) (b).

16 **SECTION 4.** 118.016 (1) (a) of the statutes is repealed.

17 **SECTION 5.** 118.016 (1) (b) of the statutes is renumbered 118.016 (1e) (b).

18 **SECTION 6.** 118.016 (1) (c) of the statutes is renumbered 118.016 (5) and
19 amended to read:

20 118.016 (5) STATE AID. The department shall pay to ~~the~~ a school board ~~or~~ and
21 the operator of a charter school under s. 118.40 (2r) or (2x), from the appropriation

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1 under s. 20.255 (1) (f), the per pupil cost of the ~~selected assessment~~ the school board
2 or operator selects under sub. (1e) (b) and the per pupil cost of a diagnostic
3 assessment administered under sub. (1e) (d). If the appropriation under s. 20.255
4 (1) (f) in any fiscal year is insufficient to pay the full amount of aid under this
5 ~~paragraph subsection~~, the ~~state superintendent~~ department shall prorate state aid
6 payments among the school boards and operators of ~~charter schools~~ entitled to the
7 aid.

8 **SECTION 7.** 118.016 (1b) of the statutes is created to read:

9 118.016 **(1b)** DEFINITIONS. In this section:

10 (a) “Diagnostic assessment” means a tool that includes all of the following:

11 1. An assessment that evaluates a pupil’s skill in the areas of phonemic
12 awareness, decoding skills, rapid naming, alphabet knowledge, letter sound
13 knowledge, oral vocabulary, phonological awareness, word recognition, spelling,
14 vocabulary, listening comprehension, and, when developmentally appropriate for
15 the pupil, oral reading fluency and reading comprehension.

16 2. An opportunity for a pupil’s parent or guardian to complete a family history
17 survey to provide additional information about learning difficulties in the pupil’s
18 family.

19 (b) “Dyslexia” means a specific learning disability that is all of the following:

20 1. Neurobiological in origin.

21 2. Characterized by difficulties with accurate and fluent word recognition and
22 poor spelling and decoding abilities that typically result from a deficit in the
23 phonological component of language. Consequences of these difficulties may include
24 problems in reading comprehension and reduced reading experience that may
25 impede vocabulary growth and background knowledge.

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1 3. Often unexpected in relation to other cognitive abilities.

2 **SECTION 8.** 118.016 (1e) (title) of the statutes is created to read:

3 118.016 **(1e)** (title) PUPIL ASSESSMENTS.

4 **SECTION 9.** 118.016 (1e) (d) of the statutes is created to read:

5 118.016 **(1e)** (d) Beginning in the 2023-24 school year, each school board and
6 the operator of each charter school under s. 118.40 (2r) or (2x) shall, using a
7 diagnostic assessment, annually assess each pupil enrolled in 4-year-old
8 kindergarten to 2nd grade to whom any of the following applies:

9 1. The pupil's parent or guardian requests the diagnostic assessment.

10 2. An assessment administered under par. (b) indicates that the pupil is at risk
11 of reading difficulty.

12 3. The pupil has been identified as having characteristics of dyslexia.

13 **SECTION 10.** 118.016 (1g) (title) of the statutes is created to read:

14 118.016 **(1g)** (title) ASSESSMENTS FOR CHILDREN WITH DISABILITIES.

15 **SECTION 11.** 118.016 (1r) (title) of the statutes is created to read:

16 118.016 **(1r)** (title) PARENTAL NOTIFICATIONS.

17 **SECTION 12.** 118.016 (1r) of the statutes is renumbered 118.016 (1r) (a) and
18 amended to read:

19 118.016 **(1r)** (a) ~~The school board or operator of the charter school~~ Beginning
20 in the 2023-24 school year, for each pupil assessed under sub. (1e), the pupil's teacher
21 or the principal or administrator of the pupil's school shall report the results of ~~a-~~
22 the pupil's assessment ~~under sub. (1)~~ to the pupil's parent or guardian.

23 **SECTION 13.** 118.016 (1r) (b) and (c) of the statutes are created to read:

24 118.016 **(1r)** (b) Beginning in the 2023-24 school year, if a pupil's assessment
25 under sub. (1e) indicates that the pupil is at risk of reading difficulty, the pupil's

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1 teacher or the principal or administrator of the pupil's school shall provide, together
2 with the report under par. (a), all of the following to the pupil's parent or guardian:

3 1. A list of the interventions or remedial reading services that will be provided
4 to the pupil under sub. (2) and s. 121.02 (1) (c).

5 2. A form on which the parent or guardian may acknowledge receipt of the
6 information provided under subd. 1. and may indicate that the parent or guardian
7 understands the information.

8 3. A request that the parent or guardian sign the form provided under subd.
9 2. and return the signed form to the sender.

10 (c) A school board or the operator of a charter school under s. 118.40 (2r) or (2x)
11 shall retain any signed forms returned under par. (b) 3.

12 **SECTION 14.** 118.016 (2) of the statutes is amended to read:

13 118.016 (2) INTERVENTIONS AND REMEDIAL READING SERVICES. The school board
14 of the school district or operator of the charter school under s. 118.40 (2r) or (2x) in
15 which the a pupil is enrolled shall provide a pupil whose assessment under sub. (1)
16 (1e) indicates that ~~he or she~~ the pupil is at risk of reading difficulty with
17 interventions or remedial reading services, as described under s. 121.02 (1) (c).

18 **SECTION 15.** 118.016 (3) and (4) of the statutes are created to read:

19 118.016 (3) **REPORTING; SCHOOL BOARDS AND OPERATORS.** No later than July 15,
20 2024, and each July 15 thereafter, each school board and the operator of each charter
21 school under s. 118.40 (2r) or (2x) shall report to the department the results of pupil
22 assessments administered under sub. (1e) in the previous school year, the
23 interventions and remedial reading services the school board or operator provided
24 to pupils under sub. (2) and s. 121.02 (1) (c) in the previous school year, and any other
25 information required by the department for purposes of reporting under sub. (4).

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1 **(4) REPORTS TO THE LEGISLATURE.** (a) No later than August 15, 2024, and each
2 August 15 thereafter, the department shall compile the information the department
3 receives under sub. (3) and shall submit that information to the appropriate standing
4 committees of the legislature under s. 13.172 (3).

5 (b) No later than the August 15 after the end of each school year from 2023-24
6 to 2026-27, the department shall submit a report to the appropriate standing
7 committees of the legislature under s. 13.172 (3) that includes all of the following
8 information:

9 1. Pupil literacy proficiency rates.

10 2. The names of assessments administered under sub. (1e).

11 3. The number of pupils who were identified as having characteristics of
12 dyslexia as the result of an assessment administered under sub. (1e).

13 4. A description of the interventions and remedial reading services school
14 boards and operators of charter schools under s. 118.40 (2r) and (2x) provided to
15 pupils under sub. (2) and s. 121.02 (1) (c) to improve pupil literacy proficiency.

16 **SECTION 16.** 118.33 (7) of the statutes is created to read:

17 118.33 **(7)** (a) In this subsection, “good cause” means that any of the following
18 applies to a pupil:

19 1. The pupil is a limited-English proficient pupil, as defined in s. 115.955 (7),
20 who has had less than 2 school years of instruction in a program established under
21 s. 115.96.

22 2. The pupil is a child with a disability, as defined in s. 115.76 (5), whose
23 individualized education program under s. 115.787 or services plan, as defined in 34
24 CFR 300.37, includes a statement that it is not appropriate to administer the
25 standardized 3rd grade reading test to the pupil.

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1 3. The pupil is a child with a disability, as defined in s. 115.76 (5), who takes
2 the standardized 3rd grade reading test and to whom any of the following applies:

3 a. The pupil has received at least 2 years of intensive reading intervention or
4 remedial services and the pupil continues to demonstrate a deficiency in reading.

5 b. On at least one occasion, the pupil was not promoted from kindergarten to
6 1st grade, from 1st grade to 2nd grade, from 2nd grade to 3rd grade, or from 3rd grade
7 to 4th grade.

8 4. The pupil demonstrates an acceptable level of reading proficiency on an
9 alternative standardized assessment adopted or approved by the department.

10 5. All of the following apply to the pupil:

11 a. The pupil has received at least 2 years of intensive reading intervention or
12 remedial services and the pupil continues to demonstrate a deficiency in reading.

13 b. On at least 2 occasions, the pupil was not promoted from kindergarten to 1st
14 grade, from 1st grade to 2nd grade, from 2nd grade to 3rd grade, or from 3rd grade
15 to 4th grade.

16 6. The pupil's parent or guardian enrolls the pupil in an accredited or licensed
17 reading program outside regular school hours.

18 (b) 1. Except as provided in par. (c), a school board may not promote a 3rd grade
19 pupil enrolled in the school district, including a pupil enrolled in a charter school
20 located in the school district, to the 4th grade unless the pupil scores proficient or
21 higher on the standardized 3rd grade reading test administered under s. 121.02 (1)
22 (r).

23 2. Notwithstanding subd. 1., a school board may promote a 3rd grade pupil who
24 does not meet the requirement under subd. 1. to the 4th grade if the school board

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1 determines that good cause exists to exempt the pupil from the requirement and all
2 of the following conditions are met:

3 a. The pupil's teacher submits to the principal of the pupil's school
4 documentation of the good cause reason that applies to the pupil, along with any
5 other evidence that promoting the pupil is appropriate based on the pupil's academic
6 performance.

7 b. The principal of the pupil's school discusses the documentation submitted
8 under subd. 2. a. with the pupil's teacher and the pupil's parent or guardian,
9 determines that promoting the pupil is appropriate, and submits to the school board
10 a written recommendation that the pupil be promoted.

11 c. The pupil's parent or guardian agrees with the recommendation submitted
12 under subd. 2. b.

13 d. The school board reviews the recommendation submitted under subd. 2. b.
14 and agrees that promoting the pupil is appropriate.

15 (c) 1. The operator of a charter school under s. 118.40 (2r) or (2x) may not
16 promote a 3rd grade pupil to the 4th grade unless the pupil scores proficient or higher
17 on the standardized 3rd grade reading test administered under s. 118.40 (2r) (d) 2.
18 or (2x) (d) 2.

19 2. Notwithstanding subd. 1., the operator of a charter school under s. 118.40
20 (2r) or (2x) may promote a 3rd grade pupil who does not meet the requirement under
21 subd. 1. to the 4th grade if the operator determines that good cause exists to exempt
22 the pupil from the requirement and all of the following conditions are met:

23 a. The pupil's teacher submits to the principal of the pupil's school
24 documentation of the good cause reason that applies to the pupil, along with any

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1 other evidence that promoting the pupil is appropriate based on the pupil's academic
2 performance.

3 b. The principal of the pupil's school discusses the documentation submitted
4 under subd. 2. a. with the pupil's teacher and the pupil's parent or guardian,
5 determines that promoting the pupil is appropriate, and submits to the operator a
6 written recommendation that the pupil be promoted.

7 c. The pupil's parent or guardian agrees with the recommendation submitted
8 under subd. 2. b.

9 d. The operator reviews the recommendation submitted under subd. 2. b. and
10 agrees that promoting the pupil is appropriate.

11 (d) 1. The governing body of a private school participating in the program under
12 s. 119.23 may not promote a 3rd grade pupil who is attending the private school
13 under s. 119.23 to the 4th grade unless the pupil scores proficient or higher on the
14 standardized 3rd grade reading test administered under s. 119.23 (7) (b) 1.

15 2. Notwithstanding subd. 1., the governing body of a private school
16 participating in the program under s. 119.23 may promote a 3rd grade pupil who is
17 attending the private school under s. 119.23 and who does not meet the requirement
18 under subd. 1. to the 4th grade if the governing body determines that good cause
19 exists to exempt the pupil from the requirement and all of the following conditions
20 are met:

21 a. The pupil's teacher submits to the principal or administrator of the pupil's
22 school documentation of the good cause reason that applies to the pupil, along with
23 any other evidence that promoting the pupil is appropriate based on the pupil's
24 academic performance.

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1 b. The principal or administrator of the pupil's school discusses the
2 documentation submitted under subd. 2. a. with the pupil's teacher and the pupil's
3 parent or guardian, determines that promoting the pupil is appropriate, and submits
4 to the governing body a written recommendation that the pupil be promoted.

5 c. The pupil's parent or guardian agrees with the recommendation submitted
6 under subd. 2. b.

7 d. The governing body reviews the recommendation submitted under subd. 2.
8 b. and agrees that promoting the pupil is appropriate.

9 (e) 1. The governing body of a private school participating in the program under
10 s. 118.60 may not promote a 3rd grade pupil who is attending the private school
11 under s. 118.60 to the 4th grade unless the pupil scores proficient or higher on the
12 standardized 3rd grade reading test administered under s. 118.60 (7) (b) 1.

13 2. Notwithstanding subd. 1., the governing body of a private school
14 participating in the program under s. 118.60 may promote a 3rd grade pupil who is
15 attending the private school under s. 118.60 and who does not meet the requirement
16 under subd. 1. to the 4th grade if the governing body determines that good cause
17 exists to exempt the pupil from the requirement and all of the following conditions
18 are met:

19 a. The pupil's teacher submits to the principal or administrator of the pupil's
20 school documentation of the good cause reason that applies to the pupil, along with
21 any other evidence that promoting the pupil is appropriate based on the pupil's
22 academic performance.

23 b. The principal or administrator of the pupil's school discusses the
24 documentation submitted under subd. 2. a. with the pupil's teacher and the pupil's

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1 parent or guardian, determines that promoting the pupil is appropriate, and submits
2 to the governing body a written recommendation that the pupil be promoted.

3 c. The pupil's parent or guardian agrees with the recommendation submitted
4 under subd. 2. b.

5 d. The governing body reviews the recommendation submitted under subd. 2.
6 b. and agrees that promoting the pupil is appropriate.

7 **SECTION 17.** 118.40 (2r) (b) 2. m. of the statutes is created to read:

8 118.40 (2r) (b) 2. m. A requirement that the charter school governing board
9 develop or adopt a program to identify and address pupils with dyslexia, as defined
10 in s. 118.016 (1b) (b).

11 **SECTION 18.** 118.40 (2r) (d) 3. of the statutes is created to read:

12 118.40 (2r) (d) 3. Ensure that the parents of pupils enrolled in charter schools
13 under this subsection who are in grades kindergarten to 3 are not allowed to excuse
14 those pupils from taking standardized tests.

15 **SECTION 19.** 118.40 (2x) (b) 2. m. of the statutes is created to read:

16 118.40 (2x) (b) 2. m. A requirement that the charter school governing board
17 develop or adopt a program to identify and address pupils with dyslexia, as defined
18 in s. 118.016 (1b) (b).

19 **SECTION 20.** 118.40 (2x) (d) 3. of the statutes is created to read:

20 118.40 (2x) (d) 3. Ensure that the parents of pupils enrolled in charter schools
21 under this subsection who are in grades kindergarten to 3 are not allowed to excuse
22 those pupils from taking standardized tests.

23 **SECTION 21.** 118.44 (3) of the statutes is amended to read:

24 118.44 (3) CONTRACT. The school board of an eligible school district may enter
25 into a 5-year contract with the department on behalf of one or more schools in the

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1 school district that are eligible under sub. (2) (b). No achievement gap reduction
2 contract entered into under this section may include a waiver of any requirement of
3 or rule promulgated under the authority of this section. Beginning on the effective
4 date of this subsection ... [LRB inserts date], the department may not enter into any
5 new contracts.

6 **SECTION 22.** 118.44 (5) (a) of the statutes is amended to read:

7 118.44 (5) (a) Except as provided in ~~par.~~ pars. (b) and (c), a contract under this
8 section may be renewed for one or more terms of 5 school years. No achievement gap
9 reduction contract renewed under this section may include a waiver of any
10 requirement of or rule promulgated under the authority of this section.

11 **SECTION 23.** 118.44 (5) (c) of the statutes is created to read:

12 118.44 (5) (c) Beginning on the effective date of this paragraph ... [LRB inserts
13 date], the department may not renew a contract under this section.

14 **SECTION 24.** 118.44 (6) (a) of the statutes is repealed.

15 **SECTION 25.** 118.44 (6) (bm) (intro.) of the statutes is amended to read:

16 118.44 (6) (bm) (intro.) ~~From~~ In the 2021-22 and 2022-23 school years, from
17 the appropriation under s. 20.255 (2) (cu), for each low-income pupil enrolled in a
18 participating grade, the department shall pay to a school district that has entered
19 into a contract with the department under this section an amount determined
20 annually by the department as follows:

21 **SECTION 26.** 118.44 (6) (bm) 3. of the statutes is amended to read:

22 118.44 (6) (bm) 3. Divide the amount appropriated, as defined in s. 118.44 (6)
23 (a), 2019 stats., by the sum of low-income pupils under subd. 2.

24 **SECTION 27.** 118.44 (6) (br) and (bw) of the statutes are created to read:

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1 118.44 (6) (br) Subject to par. (bw), beginning in the 2023-24 school year, from
2 the appropriation under s. 20.255 (2) (cu), the department shall pay to a school
3 district that has entered into a contract with the department under this section an
4 amount for each low-income pupil enrolled in a participating grade that is equal to
5 the per pupil amount the department paid in the 2022-23 school year.

6 (bw) If, after subtracting the amount allocated under sub. (7) (a), the
7 appropriation under s. 20.255 (2) (cu) in any fiscal year is insufficient to pay the full
8 amount under par. (br), the department shall prorate the payments among the school
9 districts entitled to receive the payments.

10 **SECTION 28.** 118.60 (2) (a) 10. of the statutes is created to read:

11 118.60 (2) (a) 10. The private school develops or adopts a program to identify
12 and address pupils with dyslexia, as defined in s. 118.016 (1b) (b).

13 **SECTION 29.** 118.60 (7) (e) of the statutes is amended to read:

14 118.60 (7) (e) Each private school participating in the program under this
15 section shall administer the examinations required under s. 118.30 (1t) or
16 examinations permitted under s. 118.301 (3) to pupils attending the school under the
17 program. The private school may administer additional standardized tests to such
18 pupils. The private school may not allow parents of such pupils in any grade from
19 kindergarten to 3 to excuse those pupils from taking a standardized test.

20 **SECTION 30.** 119.23 (2) (a) 10. of the statutes is created to read:

21 119.23 (2) (a) 10. The private school develops or adopts a program to identify
22 and address pupils with dyslexia, as defined in s. 118.016 (1b) (b).

23 **SECTION 31.** 119.23 (7) (e) of the statutes is amended to read:

24 119.23 (7) (e) Each private school participating in the program under this
25 section shall administer the examinations required under s. 118.30 (1s) or

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1 examinations permitted under s. 118.301 (3) to pupils attending the school under the
2 program. The private school may administer additional standardized tests to such
3 pupils. The private school may not allow parents of such pupils in any grade from
4 kindergarten to 3 to excuse those pupils from taking a standardized test.

5 **SECTION 32.** 121.02 (1t) of the statutes is created to read:

6 121.02 (1t) A school board may not allow the parent of a pupil who is in any
7 grade from kindergarten to 3 to excuse the pupil from taking a standardized test.

8 **SECTION 33. Nonstatutory provisions.**

9 (1) GRANTS TO INCREASE LICENSURE OF READING TEACHERS.

10 (a) In this subsection, “eligible teacher” means a school district employee who
11 holds a license, permit, or certificate to teach issued by the department of public
12 instruction and who does not hold a reading teacher license, permit, or certificate.

13 (b) A school board may apply to the department of public instruction for a grant
14 for the school district to provide support and financial assistance to its eligible
15 teachers for the purpose of obtaining a license, permit, or certificate as a reading
16 teacher.

17 (c) In the 2023-24 school year, from the appropriation under s. 20.255 (2) (cu),
18 the department of public instruction may award grants under this subsection to
19 school districts in amounts determined by the department.

20 (d) In awarding grants under this subsection, the department of public
21 instruction shall give priority to applications submitted by school districts that have
22 high numbers of pupils whose scores on the most recent standardized 3rd grade
23 reading test were lower than proficient, as determined by the department.

24 (e) A school board that receives a grant under this subsection shall use the
25 grant moneys to pay costs associated with eligible teachers obtaining licenses,

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1 permits, or certificates as reading teachers and shall pay to an eligible teacher who
2 successfully obtains a reading teacher license, permit, or certificate a bonus payment
3 of \$1,000. The school board shall, no later than September 1, 2024, report to the
4 department of public instruction the number of eligible teachers who obtained a
5 reading teacher license, permit, or certificate using grant moneys under this
6 subsection and an accounting of how grant moneys were spent.

7 (2) SUNSET OF ACHIEVEMENT GAP REDUCTION PROGRAM; REPORT. No later than 30
8 days after the effective date of this subsection, the department of public instruction
9 shall report to the appropriate standing committees of the legislature under s. 13.172
10 (3) an accounting of the moneys appropriated to the department under s. 20.255 (2)
11 (cu) in the 2021-22 and 2022-23 fiscal years, including the amounts currently
12 encumbered and unencumbered, an explanation of how the moneys have been and
13 will be spent, and an estimate of the amount that will remain unencumbered at the
14 end of the 2022-23 fiscal year.

SECTION 34. Initial applicability.

15 (1) INDEPENDENT CHARTER SCHOOLS. The treatment of s. 118.40 (2r) (b) 2. m. and
16 (2x) (b) 2. m. first applies to a contract that is entered into, renewed, or modified on
17 the effective date of this subsection.

18 (2) PRIVATE SCHOOLS PARTICIPATING IN A PARENTAL CHOICE PROGRAM. The treatment
19 of ss. 118.60 (2) (a) 10. and 119.23 (2) (a) 10. first applies to an application to attend
20 a private school under s. 118.60 or 119.23 in the 2023-24 school year.

21 **SECTION 35. Effective dates.** This act takes effect on the day after publication,
22 except as follows:
23

