



2009 ASSEMBLY BILL 921

April 2, 2010 - Introduced by Representatives DAVIS, VOS, BROOKS, LEMAHIEU, NYGREN, SUDER and TOWNSEND. Referred to Committee on Education Reform.

1 **AN ACT** *to renumber and amend* 118.30 (1); *to amend* 118.30 (1m) (b), 118.30
2 (1r) (b), 118.30 (1s) (a) 3. and 118.30 (1s) (b); and *to create* 118.30 (1) (b), 118.30
3 (8), 118.30 (9), 118.30 (10) and 118.30 (11) of the statutes; **relating to:** pupil
4 assessments.

Analysis by the Legislative Reference Bureau

Under current law, school districts, independent charter schools, and the private schools that participate in the Milwaukee Parental Choice Program (MPCP) are required to administer statewide examinations to pupils enrolled in the fourth, eighth, and tenth grades. Beginning in the 2011-12 school year, this bill eliminates the tenth grade exam and substitutes an 11th grade exam. Under the bill, the 11th grade exam must consist of two parts, the standardized test for high school achievement and college admissions produced by ACT, Inc., and a supplement developed by the Department of Public Instruction (DPI), aligned to the state academic standards.

The bill provides that the private schools that participate in the MPCP are exempt from the requirement to administer the fourth, eighth, and tenth or eleventh grade exams until DPI adopts or approves substantially redesigned exams. Instead, these private schools must administer nationally normed standardized examinations to their pupils.

Beginning in the 2011-12 school year, this bill requires school districts, independent charter schools, and the MPCP schools to administer benchmark

ASSEMBLY BILL 921

examinations in language arts, mathematics, and science at least twice each school year to pupils enrolled in grades three to ten.

Beginning in the 2012–13 school year, the bill requires school districts to use value-added modeling to measure pupil academic progress. The bill directs DPI to define “value-added modeling” by rule. In general, the term is used to refer to a collection of statistical techniques that uses pupil test score data to estimate the effects of individual schools or teachers.

The bill directs DPI, by September 1, 2011, and decennially thereafter, to update the pupil academic standards and the performance levels for the statewide examinations. The bill directs DPI and the governor to jointly ensure that the performance levels are aligned with international performance levels.

Finally, the bill requires that the results of any standardized examination administered to a pupil under state law or under the federal No Child Left Behind Act be available to the pupil’s parent or guardian within six weeks of the exam’s administration.

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.** 118.30 (1) of the statutes is renumbered 118.30 (1) (a) and amended
2 to read:

3 118.30 (1) (a) The state superintendent shall adopt or approve examinations
4 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th and
5 10th 11th grades.

6 **SECTION 2.** 118.30 (1) (b) of the statutes is created to read:

7 118.30 (1) (b) The 11th grade examination shall consist of 2 parts, the
8 standardized test for high school achievement and college admissions produced by
9 ACT, Inc., and a supplement developed by the department, aligned to the state
10 standards.

11 **SECTION 3.** 118.30 (1m) (b) of the statutes, as affected by 2009 Wisconsin Act
12 28, is amended to read:

ASSEMBLY BILL 921

1 118.30 (1m) (b) Except as provided in sub. (7), beginning in the 2011-12 school
2 year, administer the ~~10th~~ 11th grade examination to all pupils enrolled in the school
3 district, including pupils enrolled in charter schools located in the school district, in
4 the ~~10th~~ 11th grade.

5 **SECTION 4.** 118.30 (1r) (b) of the statutes is amended to read:

6 118.30 (1r) (b) Administer Beginning in the 2011-12 school year, administer
7 the ~~10th~~ 11th grade examination to all pupils enrolled in the charter school in the
8 ~~10th~~ 11th grade.

9 **SECTION 5.** 118.30 (1s) (a) 3. of the statutes, as created by 2009 Wisconsin Act
10 28, is amended to read:

11 118.30 (1s) (a) 3. Administer Beginning in the 2011-12 school year, administer
12 the ~~10th~~ 11th grade examination adopted or approved by the state superintendent
13 under sub. (1) to all pupils attending the ~~10th~~ 11th grade in the private school under
14 s. 119.23.

15 **SECTION 6.** 118.30 (1s) (b) of the statutes, as created by 2009 Wisconsin Act 28,
16 is amended to read:

17 118.30 (1s) (b) ~~If, before January 1, 2010, the state superintendent notifies in~~
18 ~~writing the cochairpersons of the joint committee on finance and the chairpersons of~~
19 ~~the appropriate standing committees in each house of the legislature that Paragraph~~
20 ~~(a) does not apply until the department will adopt adopts or approve approves~~
21 ~~substantially redesigned examinations under sub. (1) to be initially administered to~~
22 ~~pupils in the 2011-12 school year, then, in the 2010-11 school year, as determined~~
23 ~~by the state superintendent. Instead,~~ the governing body of each private school
24 participating in the program under s. 119.23 shall administer nationally normed
25 standardized tests in reading, mathematics, and science to pupils attending the

ASSEMBLY BILL 921**SECTION 6**

1 school under s. 119.23 in the 4th, 8th, and 10th grades ~~instead of administering the~~
2 ~~examinations under par. (a) during the 2010–11 school year and in the 4th, 8th, and~~
3 ~~11th grades thereafter.~~

4 **SECTION 7.** 118.30 (8) of the statutes is created to read:

5 118.30 (8) Beginning in the 2011–12 school year, each of the following shall
6 administer benchmark examinations in language arts, mathematics, and science at
7 least twice each school year to the pupils specified who are enrolled in grades 3 to 10:

8 (a) Each school board, to pupils enrolled in the school district, including pupils
9 enrolled in charter schools located in the school district, except as provided in par.

10 (b).

11 (b) Each operator of a charter school under s. 118.40 (2r), to pupils enrolled in
12 the charter school.

13 (c) Each private school participating in the program under s. 119.23, to pupils
14 attending the private school under s. 119.23.

15 **SECTION 8.** 118.30 (9) of the statutes is created to read:

16 118.30 (9) By September 1, 2011, and decennially thereafter, the department
17 shall update the state pupil academic standards in English language arts,
18 mathematics, science, and reading and the performance levels for the examinations
19 administered under this section. The department and the governor jointly shall
20 ensure that the performance levels are aligned with international performance
21 levels.

22 **SECTION 9.** 118.30 (10) of the statutes is created to read:

23 118.30 (10) Beginning in the 2012–13 school year, each school board shall use
24 value-added modeling, as defined by the department, to measure pupil academic
25 progress.

