

1999 DRAFTING REQUEST

Bill

Received: **02/16/99**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Christine Sinicki (608) 266-8588**

By/Representing: **Jan**

This file may be shown to any legislator: **NO**

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - MPS
Education - miscellaneous**

Extra Copies: **MJL**

Pre Topic:

No specific pre topic given

Topic:

Assessment of charter and MPS choice pupils

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>
/?	grantpr 02/18/99	chanaman 02/19/99		_____			S&L
/1			lpaasch 02/23/99	_____	lrb-docadmin 02/23/99		S&L
/2	grantpr 03/12/99	chanaman 03/12/99	hhagen 03/12/99	_____	lrb-docadmin 03/12/99	lrb-docadmin 04/28/99	

FE Sent For:

<END>

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/1		CAH 3/12	lpaasch 02/23/99	_____	lrb_docadmin 02/23/99		

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CAH
3/12
12
1/2 CAH/3/12 CAH/CH3/12

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/?	grantpr	cmr 2/19 1	2-19 L.P.	2-ALP JF			

FE Sent For:

<END>

2/16/99

Chris Simick

Jan

6-8588

testing

~~attendance~~

4, 8, 10th & h.s. grad

→ choice schools

→ charter schools

LRB - 2235 / 1
PG: cont

DOA:.....Pahnke - Charter schools and assessments

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

pupil assessments,
charter schools and
private schools
participating in the
Milwaukee parental
choice program

gen. CAT.

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

Analysis by the Legislative Reference Bureau

~~EDUCATION~~

~~PRIMARY AND SECONDARY EDUCATION~~

Under current law, a charter school is exempt from most laws governing public schools. A charter school may be established by petitioning a school board to enter into a contract with a person to establish and operate a charter school or by a school-board initiated contract. In addition, the city of Milwaukee, the University of Wisconsin-Milwaukee ~~UWM~~ and ~~the~~ Milwaukee Area Technical College may establish and operate a charter school or contract with person to operate a charter school (Milwaukee charter schools).

Current law requires each school board to adopt either its own academic standards or the academic standards contained in the governor's executive order issued January 13, 1998, and to administer fourth and eighth grade promotional examinations to fourth and eighth grade pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district. Beginning in the 2000-01 school year, each school board must also administer a high school graduation examination that is designed to measure whether pupils have met the academic standards adopted by the school board. A school board may either adopt examinations developed by the department of public instruction (DPI) or develop its own examinations. ~~A school board must notify DPI if it adopts its own high school graduation examination instead of the high school graduation examination~~

INS.
A

(including Milwaukee charter schools)

or private school

and the governing body of a private school participating in the MPCP

INS. B

~~developed by DPI, and it must determine the high school grades in which the examination is administered each school year.~~

This bill provides that a school board must administer the high school graduation examination to all pupils enrolled in a charter school located in the school district other than a Milwaukee charter school. The bill ~~also~~ provides that the operator of a Milwaukee charter school must adopt academic standards and administer fourth, eighth and high school graduation examinations to pupils enrolled in the charter school. The operator may either adopt DPI's examinations or develop its own. In addition, the bill requires a school board or the operator of a Milwaukee charter school to notify DPI annually by October 1 if it intends to administer its own high school graduation examination in the following school year and provides that, beginning in the 2001-02 school year, the high school graduation examination must be administered only to 11th and 12th graders.

their

and governing body

Current law requires each school board and operator of a Milwaukee charter school to administer the tenth grade examination developed by DPI to all tenth graders enrolled in the school district or the charter school. This requirement does not apply after the 2000-01 school year. This bill eliminates the expiration of the tenth grade examination requirement.

Under current law, beginning September 1, 2002, a school board may not grant a high school diploma to a pupil unless he or she passes the high school graduation examination. Beginning July 1, 2002, a pupil may not be promoted from the fourth to the fifth grade or from the eighth to the ninth grade unless the pupil passes the fourth and eighth grade promotional examinations. A pupil's parent or guardian, however, may excuse a pupil from taking these examinations. A pupil who is excused must satisfy alternative criteria for promotion or graduation.

no A

This bill imposes upon operators of Milwaukee charter schools the same prohibitions against promotion that are imposed upon school boards. ~~Finally, the bill eliminates the authority of a pupil's parent or guardian to excuse the pupil from taking the high school graduation examination.~~

C

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) (b) of the statutes is amended to read:

2 118.30 (1) (b) ~~If the governor has issued pupil academic standards as an~~
3 ~~executive order under s. 1.22,~~ the The department shall develop a high school
4 graduation examination that is designed to measure whether pupils meet the pupil

and upon private schools participating in the MPCP

W.P.O. please fix components

and amended to read:

INS. 3-3

3-10

add scored comma

high school grades

1 academic standards issued by the governor as executive order no. 326, dated January
2 13, 1998.

3 SECTION 2. 118.30 (lg) (a) of the statutes is renumbered 118.30 (lg) (a) 1.

4 SECTION 3. 118.30 (lg) (a) 2. of the statutes is created to read:

5 118.30 (lg) (a) 2. By January 1, 2000, or by January 1 of the 1st school year of
6 operation, whichever is later, each operator of a charter school under s. 118.40 (2r)
7 shall adopt pupil academic standards in mathematics, science, reading and writing,
8 geography and history. The operator of the charter school may adopt the pupil
9 academic standards issued by the governor as executive order no. 326, dated January
10 13, 1998.

11 SECTION 4. 118.30 (lg) (b) of the statutes is amended to read:

12 118.30 (lg) (b) Each school board operating high school grades ~~and~~ each
13 operator of a charter school under s. 118.40 (2r) that operates high school grades shall
14 adopt a high school graduation examination that is designed to measure whether
15 pupils meet the pupil academic standards adopted by the school board or operator
16 of the charter school under par. (a). If the school board ~~or~~ operator of the charter
17 school has adopted the pupil academic standards issued as an executive order under
18 s. 14.23 no. 326, dated January 13, 1998, the school, board *operator of the charter
19 school may adopt the high school graduation examination developed by the
20 department under sub. (1) (b). If a school board ~~or~~ operator of a charter school
21 develops and adopts its own high school graduation examination, it shall notify the
22 department annually by October 1 that it intends to administer the examination in
23 the following school year

24 SECTION 5. 118.30 (lg) (c) of the statutes is amended to read:

and the governing body of each private school participating in the program under s. 118.23 that operates high school grades

plain period

and the governing body of each private school participating in the program under s. 119-23 that operates elementary grades

1 118.30 (1g) (c) Each school board operating elementary grades ~~and~~ each
2 operator of a charter school under s. 118.40 (2r) that operates elementary grades may
3 develop or adopt its own examination designed to measure pupil attainment of
4 knowledge and concepts in the 4th grade and may develop or adopt its own
5 examination designed to measure pupil attainment of knowledge and concepts in the
6 8th grade. If the school board ~~or~~ operator of the charter school ~~develops or adopts an~~
7 examination under this paragraph, it shall notify the department. *or governing body of the private school*

8 SECTION 6. 118.30 (1m) (intro.) of the statutes is amended to read:

9 118.30 (1m) (intro.) Except as otherwise provided in this section and in s.
10 118.40 (2r) (d), annually each school board shall do all of the following:

11 SECTION 7. 118.30 (1m) (b) of the statutes is amended to read:
12 118.30 (1m) (b) Administer the 10th grade examination to all pupils enrolled
13 in the school district, including pupils enrolled in charter schools located in the school
14 district, in the 10th grade. ~~This paragraph does not apply after the 2000-01 school~~
15 year.

*wp. 0. 16
for
component*

16 SECTION 8. 118.30 (1m) (d) of the statutes is ~~amended~~ ~~118.30 (1m) (d) 1 and~~
17 amended to read:

18 118.30 (1m) (d) ~~R~~ If the school board operates high school grades, beginning
19 in the 2000-01 school year administer the high school graduation examination
20 adopted by the school board under sub. (1g) (b) to pupils enrolled in the school
21 district, including pupils enrolled in charter schools located in the school district. *plain*

22 The school board shall administer the examination at least twice each school year. *plain*

23 The school board shall determine the high school grades in which the examination
24 will be administered each school year. *plain*

25 ~~SECTION 9. 118.30 (1m) (d) 2. of the statutes is created to read:~~

1 118.30 (1m) (d) 2. If the school board operates high school grades, beginning
 2 in the 2001-02 school year a&minister the high school graduation examination
 3 adopted by the school board under sub. (lg) (b) to all pupils enrolled in the school
 4 district, including pupils enrolled in charter schools located in the school district, in
 5 the 11th and 12th grades. The school board shall administer the examination at least
 6 twice each school year and may administer the examination only to pupils enrolled
 7 in the 11th and 12th grades.

8 SECTION 10. 118.30 (lr) of the statutes is created to read:

9 118.30 (1r) Annually each operator of a charter school under s. 118.40 (2r) shall
10 do all of the following:

11 (a) 1. Except as provided in sub. (6), administer the 4th grade examination
 12 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
 13 enrolled in the charter school in the 4th grade. Beginning on July 1, 2002, if the
 14 operator of the charter school has not developed or adopted its own 4th grade
 15 examination, the operator of the charter school shall provide a pupil with at least 2
 16 opportunities to achieve a score on the examination administered under this
 17 subdivision that is suffkient for promotion under sub. ~~(5m)~~ (5r) (a) 1.

18 2. Beginning on July 1, 2002, if the operator of the charter school has developed
 19 or adopted its own 4th grade examination, administer that examination to all pupils
 20 enrolled in the charter school in the 4th grade. The operator of the charter school
 21 shall provide a pupil with at least 2 oppotunities to pass the examination
 22 administered under this subdivision.

23 (am) 1. Except as provided in sub. (6), administer the 8th grade examination
 24 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
 25 enrolled in the charter school in the 8th grade. Beginning on July 1, 2002, if the

1 operator of the charter school has not developed and adopted its own 8th grade
 2 examination, the operator of the charter school shall provide a pupil with at least 2
 3 opportunities to achieve a score on the examination administered under this
 4 subdivision that is sufficient for promotion under sub. ~~(5m)~~ ^(5r) (b) 1.

5 2. Beginning on July 1, 2002, if the operator of the charter school has developed
 6 or adopted its own 8th grade examination, administer that examination to all pupils
 7 enrolled in the charter school in the 8th grade.' The operator of the charter school
 8 shall provide a pupil with at least 2 opportunities to pass the examination
 9 administered under this subdivision.

10 ~~(b) Administer the 10th grade examination to all pupils enrolled in the charter~~
 11 ~~school in the 10th grade.~~

12 (d) ~~E~~ If the charter school operates high school grades, ^{beginning} in the 2000-01 school
 13 year administer the high school graduation examination adopted by the operator of
 14 the charter school under sub. (lg) (b) at least twice ^{each school year}. The operator of the charter school
 15 shall determine the high school grades in which the examination will be
 16 administered.

17 2. If the charter school operates high school grades, beginning in the 2001-02
 18 school year, administer the high school graduation examination adopted by the
 19 operator of the charter school under sub. (lg) (b) to all pupils enrolled in the 11th and
 20 12th grades in the charter school. The operator of the charter school shall administer
 21 the examination at least twice each school year and may administer the examination
 22 only to pupils enrolled in the 11th and 12th grades.

23 SECTION 11 . 118.30 (2) (b) 1. and 2. of the statutes are amended to read:

JNS.
6-
22

add scored comma

1 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
2 subch. V of ch. 115, the school board ~~an~~ operator of the charter school under s. 118.40
3 or governing body of the private school (2r) shall comply with s. 115.77 (1) (lm) (bg).

of governing body of the private school

4 2. According to criteria established by the state superintendent by rule, the
5 school board ~~an~~ operator of the charter school under s. 118.40 (2r) may determine not
6 to administer an examination under this section to a limited-English speaking
7 pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or
8 her native language or may modify the format and administration of an examination
9 for such pupils.

comma
the operator of the charter school under s. 118.40 (2r) or the governing body of the private school

10 SECTION 12. 118.30 (2) (b) 3. of the statutes is amended to read:

11 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
12 board shall excuse the pupil from taking an examination administered under this

section 118.30 (1)(a) (am) or (b) - plain period

13 section 118.30 (1)(a) (am) or (b) - plain period
14 plain SECTION 13. 118.30 ~~(am)~~ of the statutes is created to read:

15 118.30 ~~(am)~~ (a) Except as provided in par. (c), beginning on July 1, 2002, the
16 operator of a charter school under s. 118.40 (2r) may not promote a 4th grade pupil
17 to the 5th grade unless one of the following applies:

18 1. If the operator of the charter school does not administer its own 4th grade
19 examination under sub. (1r) (a) 2., the pupil's score in each subject area on the
20 examination administered under sub. (1r) (a) 1. is at the basic level or above, as
21 determined by the state superintendent.

22 2. If the operator of the charter school ~~does not~~ administers its own 4th grade
23 examination under sub. (1r) (a) 2., the pupil achieves a passing score on that
24 examination, as determined by the operator of the charter school.

(b) Except as provided in par. (c), beginning on July 1, 2002, the operator of a charter school under s. 118.40 (2r) may not promote an 8th grade pupil to the 9th grade unless one of the following applies:

1. If the operator of the charter school ~~board~~ does not administer its own 8th grade examination under sub. (1r) (am) 2., the pupil's score in each subject area on the examination administered under sub. (1r) (am) 1. is at the basic level or above, as determined by the state superintendent.

2. If the operator of the charter school administers its own 8th grade examination under sub. (1r) (am) 2., the pupil achieves a passing score on that examination, as determined by the operator of the charter school.

(c) The operator of a charter school under s. 118.40 (2r) shall develop alternative criteria for evaluating a pupil who did not take the 4th grade or the 8th grade examination that was required for promotion as a result of sub. (2) (b). The operator of the charter school may promote a pupil who did not take the examination that was required for promotion as a result of sub. (2) (b) if the pupil satisfies the alternative criteria.

SECTION 14. 118.30 (6) of the statutes is amended to read:

118.30 (6) A school board ~~and~~ an operator of a charter school under s. 118.40 (2r) is not required to administer the 4th and 8th grade examinations adopted or approved by the state superintendent under sub. (1) (a) if the school board ~~or~~ the operator of the charter school administers its own 4th and 8th grade examinations, the school board ~~or~~ operator of the charter school provides the state superintendent with statistical correlations of those examinations with the examinations adopted or approved by the state superintendent under sub. (1) (a), and the federal department of education approves.

or governing body of the private school

and the governing body of a private school participating in the program under s. 119.23

or the governing body of the private school

INS. 8-15

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(A)

¶ Under the current Milwaukee Parental
Choice Program (MPCP), ~~private~~ certain ^{low-income} pupils who

reside in the city of Milwaukee ~~may attend~~

~~and~~ may attend participating private
schools ^{in Milwaukee} at state expense -

Currently, the ~~test~~ ^{fourth and eighth grade} examinations
described above are not required to be
administered to pupils enrolled in Milwaukee
charter schools

(B)

~~Currently, the each school board must
administer the fourth and eighth grade
examinations to~~

~~Under current law,
the fourth and eighth grade promotional
examinations are not required to be administered
to pupils participating in the MPCP.~~

~~The high school graduation examination is
not required to be administered to pupils
enrolled in charter school or to pupils participating
in the MPCP.~~

3-3

Section #. 118.30 (1g) of the statutes is renumbered 118.30(1g)(a)1. and amended to read:

118.30 (1g) (a) 1. ~~Am~~ By August 1, 1998, each school board shall adopt pupil academic standards in mathematics, science, reading and writing, geography and history. ~~If the governor has issued~~

The school board may adopt the
~~pupil academic standards as an executive order under s. 14.23, the school board may adopt those~~
standards issued by the governor

(b) Each school board operating high school grades shall adopt a high school graduation examination that is designed to measure whether pupils meet the pupil academic standards adopted by the school board under par. (a). If the school board has adopted the pupil academic standards issued as an executive order under s. 14.23, the school board may adopt the high school graduation examination developed by the department under sub. (1) (b). If a school board develops and adopts its own high school graduation examination, it shall notify the department.

(c) Each school board operating elementary grades may develop or adopt its own examination designed to measure pupil attainment of knowledge and concepts in the 4th grade and may develop or adopt its own examination designed to measure pupil attainment of knowledge and concepts in the 8th grade. If the school board develops or adopts an examination under this paragraph, it shall notify the department.

History: 1991 a. 269; 1993 a. 16,367; 1995 a. 27 ss. 3971b to 3971yd, 9145 (1); 1997 a. 27, 164,237.

no. 326, dated January 13, 1998

3-10

SEC. ^(b) 118.30(1g)(a)3.

118.30(1g)(a)3. ^{B7} By January 1, 2000, or
by January 1 of the 1st school year in which the
private school participates in the program under S. 119.23,
whichever is later, each the
governing body of each private school
participating in the ^{program} program under S. 119.23
shall adopt ^{pupil academic} pupil academic standards in
mathematics, science, reading and writing,
geography ^{and} and history. The ~~private~~ governing
body of the private school may adopt the
pupil academic standards issued by the
governor ^{dated} as executive order no. 326, ^{dated} date
January 13, 1998.

6-22:1

1 118.30 (1m) (d) 2. If the school board operates high school grades, beginning
2 in the 2001-02 school year administer the high school graduation examination
3 adopted by the school board under sub. (lg) (b) to all pupils enrolled in the school
4 district, including pupils enrolled in charter schools located in the school district, in
5 the 11th and 12th grades. The school board shall administer the examination at least
6 twice each school year and may administer the examination only to pupils enrolled
7 in the 11th and 12th grades.

8 SECTION 10. 118.30 (1m) of the statutes is created to read:

9 118.30 (1m) Annually each ^(1s) ~~operator of a charter school~~ ^{the governing body of} ~~operator of a charter school~~ ^{private school participating in the program} under s. 118.40 (2r) shall
10 do all of the following: 119.23

11 (a) 1. Except as provided in sub. (6), administer the 4th grade examination
12 adopted or approved by the state superintendent under sub. (1) (a) to all pupils

13 ^{attending} ~~enrolled in~~ the ~~charter school in the~~ 4th grade. Beginning on July 1, 2002, if the
14 ^{governing body} ~~operator~~ of the ^{private} ~~charter~~ school has not developed or adopted its own 4th grade
15 examination, the ^{governing body} ~~operator~~ of the ^{private} ~~charter~~ school shall provide a pupil with at least 2
16 opportunities to achieve a score on the examination administered under this
17 subdivision that is sufficient for promotion under sub. (5) (a) 1.

18 2. Beginning on July 1, 2002, if the ^{governing body} ~~operator~~ of the ^{private} ~~charter~~ school has developed
19 or adopted its own 4th grade examination, administer that examination to all pupils
20 ^{attending} ~~enrolled in~~ the ~~charter school in the~~ 4th grade. The ^{governing body} ~~operator~~ of the ^{private} ~~charter~~ school
21 shall provide a pupil with at least 2 opportunities to pass the examination
22 administered under this subdivision.

23 (am) 1. Except as provided in sub. (6), administer the 8th grade examination
24 adopted or approved by the state superintendent under sub. (1) (a) to all pupils

25 ^{attending} ~~enrolled in~~ the ~~charter school in the~~ 8th grade. Beginning on July 1, 2002, if the
^{private} ~~school~~ under s. 119.23

6
6-22:2

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^{governing body} operator of the ^{private} charter school has not developed and adopted its own 8th grade examination, the ^{governing body} operator of the ^{private} charter school shall provide a pupil with at least 2 opportunities to achieve a score on the examination administered under this subdivision that is sufficient for promotion under sub. ⁽⁵³⁾ (b) 1.

2. Beginning on July 1, 2002, if the ^{governing body} operator of a ^{private} charter school has developed or adopted its own 8th grade examination, administer that examination to all pupils ^{attending} enrolled in the ~~charter school~~ 8th grade. The ^{governing body} operator of the ^{private} charter school shall provide a pupil with at least 2 opportunities to pass the examination administered under this subdivision.

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11

~~(b) Administer the 10th grade examination to all pupils enrolled in the charter school in the 10th grade.~~

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13

(d) ~~If the~~ ^{private} charter school operates high school grades, ^{beginning} in the 2000-01 school year administer the high school graduation examination adopted by the ^{governing body} operator of

14
15

the ^{private} charter school under sub. (1g) (b) ~~at least twice~~. The ^{governing body} operator of the ^{private} charter school shall determine the high school grades in which the examination will be

16

administered. ^{each school year}

2. If the charter school operates high school grades, beginning in the 2001-02 school year, administer the high school graduation examination adopted by the operator of the charter school under sub. (1g) (b) to all pupils enrolled in the 11th and 12th grades in the charter school. The operator of the charter school shall administer the examination at least twice each school year and may administer the examination only to pupils enrolled in the 11th and 12th grades.

23

~~SECTION 11. 118.30 (2) (b) 1. and 2. of the statutes are amended to read:~~

to pupils attending the private school under s. 119.23. The governing body of the private school shall administer the examination at least twice each school year.

^{private} in the school under s. 119.23

(END OF INSERT)

- 7 -
8-16:1

1 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
2 subch. V of ch. 115, the school board or operator of the charter school under s. 118.40
3 (2r) shall comply with s. 115.77 (1) (1m) (bg).

4 2. According to criteria established by the state superintendent by rule, the
5 school board or operator of the charter school under s. 118.40 (2r) may determine not
6 to administer an examination under this section to a limited-English speaking
7 pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or
8 her native language or may modify the format and administration of an examination
9 for such pupils.

10 SECTION 12. 118.30 (2) (b) 3. of the statutes is amended to read:

11 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
12 board shall excuse the pupil from taking an examination administered under this
13 section sub. (1m) (a), (am) or (b).

14 SECTION 13. 118.30 ⁽⁵⁵⁾ ~~(5M)~~ of the statutes is created to read:

15 118.30 ⁽⁵⁵⁾ ~~(5M)~~ (a) Except as provided in par. (c), beginning on July 1, 2002, the
16 ^{governing body} operator of a ^{private} charter school under s. ^{L 14.23} ~~118.40(2r)~~ may not promote a ~~4th~~ ^{participating in the program} grade pupil
17 to the 5th grade unless one of the following applies:

18 1. If the ^{governing body} operator of the ^{private} charter school does not administer its own 4th grade
19 examination under sub. ^(1s) ~~(1M)~~ (a) 2., the pupil's score in each subject area on the
20 examination administered under sub. ^(1s) ~~(1M)~~ (a) 1. is at the basic level or above, as
21 determined by the state superintendent..

22 2. If the ^{governing body} operator of the ^{private} charter school ~~board~~ administers its own 4th grade
23 examination under sub. ^(1s) ~~(1M)~~ (a) 2., the pupil achieves a passing score on that
24 examination, as determined by the ^{governing body} operator of the ^{private} charter school.

who is attending the 4th grade in the private school under s. 119.23

8-16:2

participating in the program

governing body

who is attending the 8th grade in the private school under s. 119.23

- 1
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(b) Except as provided in par. (c), beginning on July 1, 2002, the ^{governing body} operator of a ^{private} charter school under s. ~~119.23~~ (may not promote ^a ~~an~~ 8th grade pupil to the 9th grade unless one of the following applies:

1. If the ^{governing body} operator of the ^{private} charter school ~~does not~~ ^(1s) does not administer its own 8th grade examination under sub. ~~(1)(a)~~ ^(1s) (am) 2., the pupil's score in each subject area on the examination administered under sub. ~~(1)(a)~~ ^(1s) (am) 1. is at the basic level or above, as determined by the state superintendent.

2. If the ^{governing body} operator of the ^{private} charter school administers its own 8th grade examination under sub. ~~(1)(a)~~ ^(1s) (am) 2., the pupil achieves a passing score on that examination, as determined by the ^{governing body} operator of the ^{private} charter school.

(c) The ^{governing body} operator of a ^{private} charter school under s. ~~119.23~~ (shall develop alternative criteria for evaluating a pupil who did not take the 4th grade or the 8th grade examination that was required for promotion as a result of sub. (2) (b). The ^{governing body} operator of the ^{private} charter school may promote a pupil who did not take the examination that was required for promotion as a result of sub. (2) (b) if the pupil satisfies the alternative criteria.

(END OF INSERT)

SECTION 14. 118.30 (6) of the statutes is amended to read:

118.30 (6) A school board and an operator of a charter school under s. 118.40 (2r) is not required to administer the 4th and 8th grade examinations adopted or approved by the state superintendent under sub. (1) (a) if the school board or the operator of the charter school administers its own 4th and 8th grade examinations. the school board or operator of the charter school provides the state superintendent with statistical correlations of those examinations with the examinations adopted or approved by the state superintendent under sub. (1) (a), and the federal department of education approves.

W.P.O. change components

renumbered 118.33 (1) (cm) 1.

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2

SECTION 15. 118.33 (1) (cm) of the statutes is amended to read:

and

118.33 (1) (cm) Except as provided in par. (e), beginning on September 1, 2002, neither a school board nor an owerator of a charter school under s. 118.40 (2r) may not grant a high school diploma to any pupil unless the pupil has passed the high school graduation examination administered under s. 118.30 (1m) (d) or (1r) (d). A school board and an owerator of a charter school under s. 118.40 (2r) shall provide a pupil with at least 4 opportunities to take the examination in the high school grades.

INS. 9-7

7

SECTION 16. 118.33 (1) (e) of the statutes is amended to read:

plain

118.33 (1) (e) Each school board ~~and~~ owerator of a charter school under s. 118.40 (2r) shall develop alternative criteria for evaluating a pupil who has been excused from the high school graduation examination under s. 118.30 (2) (b) ~~3.~~ A school board may grant a high school diploma to a pupil who has been excused from the high school graduation examination under s. 118.30 (2) (b) ~~3.~~ ~~May 21~~ if the pupil satisfies all of the other requirements under this subsection and satisfies the other alternative criteria. The owerator of a charter school under s. 118.40 (2r) may grant a high school diwloma to a wuwil who has been excused from the high school graduation examination under s. 118.30 (2) (b) ~~3.~~ ^{3.} if the wuwil satisfies the alternative criteria.

plain

and the governing body of a private school participating in the program under s. 119.23

SECTION 17. 118.40 (2r) (d) 2. of the statutes is amended to read:

118.40 (2r) (d) 2. Administer the examinations under ss. 118.30 (1m) (1r) and 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

SECTION 18. 121.02 (1) (r) of the statutes is amended to read:

121.02 (1) (r) ~~Annually~~ Except as provided in s. 118.40 (2r) (d) 2., annually administer a standardized reading test developed by the department to all pupils

INS. 9-21

and governing body of a private school participating in the program under s. 119.23

1 enrolled in the school district in grade 3, including pupils enrolled in charter schools
2 located in the school district.

3 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 2/23/99

To: Representative Sinicki

Relating to LRB drafting number: LRB-2235

Topic

Assessment of charter and MPS choice pupils

Subject(s)

Education - MPS, Education - miscellaneous

1. **JACKET** the draft for introduction _____

in the Senate ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached *Add Choice & charter schools to open meetings/open records laws.*
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-22351" ²
PG:cmh:lp
cmm

1999 BILL

PP-2 & 12

1 **AN ACT to renumber and amend** 118.30 (lg) (a) and 118.33 (1) (cm); **to amend**
 2 118.30 (1) (b), 118.30 (lg) ~~118.30~~ (lg) (b), 118.30 (lg) (c), 118.30 (lm) (intro.),
 3 118.30 (lm) (d), 118.30 (2) (b) (b) 1. and 2., 118.30 (2) (b) 3., 118.30 (6), 118.33 (1)
 4 (e), 118.40 (2r) (d) 2. ~~and~~ and 121.02 (1) (r); and **to create** 118.30 (lg) (a) 2., 118.30
 5 (lr), 118.30 (1s), ~~and~~ 118.30 (5r), 118.30 (5s), 118.33 (1) (cm) 2. and 119.23 (10) of the
 6 statutes; **relating to:** pupil assessments, charter schools and private schools
 7 participating in the Milwaukee parental choice program.

Analysis by the Legislative Reference Bureau

Under current law, a charter school is exempt from most laws governing public schools. A charter school may be established by petitioning a school board to enter into a contract with a person to establish and operate a charter school or by a school-board initiated contract. In addition, the city of Milwaukee, the University of Wisconsin-Milwaukee and Milwaukee Area Technical College may establish and operate a charter school or contract with person, to operate a charter school (Milwaukee charter schools).

Under the current Milwaukee parental choice program (MPCP), certain low-income pupils who reside in the city of Milwaukee may attend participating private schools in Milwaukee at state expense.

Current law requires each school board to adopt either its own academic standards or the academic standards contained in the governor's executive order

BILL

issued January 13, 1998, and to administer fourth and eighth grade promotional examinations to fourth and eighth grade pupils enrolled in the school district, including pupils enrolled in charter schools (including Milwaukee charter schools) located in the school district. Beginning in the 2000-01 school year, each school board must also administer a high school graduation examination that is designed to measure whether pupils have met the academic standards adopted by the school board. A school board may either adopt examinations developed by the department of public instruction (DPI) or develop its own examinations.

Under current law, the fourth and eighth grade promotional examinations are not required to be administered to pupils participating in the MPCP. The high school graduation examination is not required to be administered to pupils enrolled in any charter school or to pupils participating the MPCP.

This bill provides that a school board must administer the high school graduation examination to all pupils enrolled in a charter school located in the school district other than a Milwaukee charter school. The bill provides that the operator of a Milwaukee charter school and the governing body of a private school participating in the MPCP must adopt academic standards and administer fourth, eighth and high school graduation examinations to pupils enrolled in the charter school or private school. The operator and governing body may either adopt DPI's examinations or develop their own.

Under current law, beginning September 1, 2002, a school board may not grant a high school diploma to a pupil unless he or she passes the high school graduation examination. Beginning July 1, 2002, a pupil may not be promoted from the fourth to the fifth grade or from the eighth to the ninth grade unless the pupil passes the fourth and eighth grade promotional examinations. A pupil's parent or guardian, however, may excuse a pupil from taking these examinations. A pupil who is excused must satisfy alternative criteria for promotion or graduation. This bill imposes upon operators of Milwaukee charter schools and upon private schools participating in the MPCP the same prohibitions against promotion that are imposed upon school boards.

Under current law, each school board must administer to all pupils enrolled in the school district in the third grade, including pupils enrolled in charter schools (other than Milwaukee charter schools) located in the school district, a standardized reading test developed by DPI. The Milwaukee charter schools are required to administer this test to their third grade pupils. Private schools participating in the MPCP are not required to administer this test. This bill imposes this requirement on these private schools.

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:

BILL

1 118.30 (1) (b) ~~If the governor has issued pupil academic standards as an~~
2 ~~executive order under s. 14.23, the~~ The department shall develop a high school
3 graduation examination that is designed to measure whether pupils meet the pupil
4 academic standards ~~issued by the governor as executive order no. 326, dated January~~
5 13 9 8.

6 **SECTION 2.** 118.30 (lg) (a) of the statutes is renumbered 118.30 (1g) (a) 1. and
7 amended to read:

8 118.30 (1g) (a) 1. By August 1, 1998, each school board shall adopt pupil
9 academic standards in mathematics, science, reading and writing, geography and
10 history. ~~If the governor has issued~~ The school board may adopt the pupil academic
11 standards issued by the governor as an executive order under s 14 23, the school
12 board may adopt those standards no. 326, dated January 13, 1998.

13 **SECTION 3.** 118.30 (lg) (a) 2. of the statutes is created to read:

14 118.30 (1g) (a) 2. By January 1, 2000, or by January 1 of the 1st school year of
15 operation, whichever is later, each operator of a charter school under s. 118.40 (2r)
16 shall adopt pupil academic standards in mathematics, science, reading and writing,
17 geography and history. The operator of the charter school may adopt the pupil
18 academic standards issued by the governor as executive order no. 326, dated January
19 13, 1998.

20 **SECTION 4.** 118.30 (1g) (a) 3. of the statutes is created to read:

21 118.30 (1g) (a) 3. By January 1, 2000, or by January 1 of the 1st school year in
22 which the private school participates in the program under s. 119.23, whichever is
23 later, the governing body of each private school participating in the program under
24 s. 119.23 shall adopt pupil academic standards in mathematics, science, reading and
25 writing, geography and history. The governing body of the private school may adopt

BILL

1 the pupil academic standards issued by the governor as executive order no. 326,
2 dated January 13, 1998.

3 **SECTION 5.** 118.30 (lg) (b) of the statutes is amended to read:

4 118.30 **(1g)** (b) Each school board operating high school grades, each operator
5 of a charter school under s. 118.40 (2r) that operates high school grades and the
6 governina body of each private school participating in the program under s. 119.23
7 that operates high school grades shall adopt a high school graduation examination
8 that is designed to measure whether pupils meet the pupil academic standards
9 adopted by the school board ~~operator of the charter school or governing body of the~~
10 private school under par. (a). If the school board, operator of the charter school or
11 governing body of the private school has adopted the pupil academic standards
12 issued as ~~an~~ executive order ~~under s. 14.23~~ no. 326, dated January 13 1998, the
13 school board, operator of the charter school or governing body of the private school
14 may adopt the high school graduation examination developed by the department
15 under sub. (1) (b). If a school board, ~~operat~~ operator of a charter school or governing body
16 of a private school develops and adopts its own high school graduation examination,
17 it shall notify the department.

18 **SECTION 6.** 118.30 **(1g)** (c) of the statutes is amended to read:

19 118.30 **(1g)** (c) Each school board operating elementary grad& each operator
20 of a charter school under s. 118.40 (2r) that operates elementary grades and the
21 governing body of each private school participating in the program under s. 119.23
22 that operates elementary grades may develop or adopt its own examination designed
23 to measure pupil attainment of knowledge and concepts in the 4th grade and may
24 develop or adopt its own examination designed to measure pupil attainment of
25 knowledge and concepts in the 8th grade. If the school board, operator of the charter

BILL

1 School or governing body of the private school develops or adopts an examination
2 under this paragraph, it shall notify the department.

3 **SECTION 7.** 118.30 (1m) (intro.) of the statutes is amended to read:

4 118.30 (1m) (intro.) Except as otherwise provided in this section ~~and in s.~~
5 ~~118.40 (2r) (d)~~, annually each school board shall do all of the following:

6 **SECTION 8.** 118.30 (1m) (d) of the statutes is amended to read:

7 118.30 (1m) (d) If the school board operates high school grades, beginning in
8 the 2000-01 school year administer the high school graduation examination adopted
9 by the school board under sub. (1g) (b) to pupils enrolled in the school district.

10 ~~Including pupils enrolled in charter schools located in the school district.~~ o 1

11 board shall administer the examination at least twice each school year. The school
12 board shall determine the high school grades in which the examination will be
13 administered each school year.

14 **SECTION 9.** 118.30 (1r) of the statutes is created to read:

15 118.30 (1r) Annually each operator of a charter school under s. 118.40 (2r) shall
16 do all of the following:

17 (a) 1. Except as provided in sub. (6), administer the 4th grade examination
18 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
19 enrolled in the charter school in the 4th grade. Beginning on July 1, 2002, if the
20 operator of the charter school has not developed or adopted its own 4th grade
21 examination, the operator of the charter school shall provide a pupil with at least 2
22 opportunities to achieve a score on the examination administered under this
23 subdivision that is sufficient for promotion under sub. (5r) (a) 1.

24 2. Beginning on July 1, 2002, if the operator of the charter school has developed
25 or adopted its own 4th grade examination, administer that examination to all pupils

BILL

1 enrolled in the charter school in the 4th grade. The operator of the charter school
2 shall provide a pupil with at least 2 opportunities to pass the examination
3 administered under this subdivision.

4 (am) 1. Except as provided in sub. (6), administer the 8th grade examination
5 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
6 enrolled in the charter school in the 8th grade. Beginning on July 1, 2002, if the
7 operator of the charter school has not developed and adopted its own 8th grade
8 examination, the operator of the charter school shall provide a pupil with at least 2
9 opportunities to achieve a score on the examination administered under this
10 subdivision that is sufficient for promotion under sub. (5r) (b) 1.

11 2. Beginning on July 1, 2002, if the operator of the charter school has developed
12 or adopted its own 8th grade examination, administer that examination to all pupils
13 enrolled in the charter school in the 8th grade. The operator of the charter school
14 shall provide a pupil with at least 2 opportunities to pass the examination
15 administered under this subdivision.

16 (d) If the charter school operates high school grades, beginning in the 2000-01
17 school year administer the high school graduation examination adopted by the
18 operator of the charter school under sub. (lg) (b) at least twice each school year. The
19 operator of the charter school shall determine the high school grades in which the
20 examination will be administered.

21 **SECTION 10.** 118.30 (1s) of the statutes is created to read:

22 118.30 (1s) Annually the governing body of each private school participating
23 in the program under s. 119.23 shall do all of the following:

24 (a) 1. Except as provided in sub. (6), administer the 4th grade examination
25 adopted or approved by the state superintendent under sub. (1) (a) to all pupils

BILL

1 attending the 4th grade in the private school under s. 119.23. Beginning on July 1,
2 2002, if the governing body of the private school has not developed or adopted its own
3 4th grade examination, the governing body of the private school shall provide a pupil
4 with at least 2 opportunities to achieve a score on the examination administered
5 under this subdivision that is sufficient for promotion under sub. (5s) (a) 1.

6 2. Beginning on July 1, 2002, if the governing body of the private school has
7 developed or adopted its own 4th grade examination, administer that examination
8 to all pupils attending the 4th grade in the private school under s. 119.23. The
9 governing body of the private school shall provide a pupil with at least 2
10 opportunities to pass the examination administered under this subdivision.

11 (am) 1. Except as provided in sub. (6), administer the 8th grade examination
12 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
13 attending the 8th grade in the private school under s. 119.23. Beginning on
14 July 1, 2002, if the governing body of the private school has not developed and
15 adopted its own 8th grade examination, the governing body of the private school shall
16 provide a pupil with at least 2 opportunities to achieve a score on the examination
17 administered under this subdivision that is sufficient for promotion under sub. (5s)
18 (b) 1.

19 2. Beginning on July 1, 2002, if the governing body of the private school has
20 developed or adopted its own 8th grade examination, administer that examination
21 to all pupils attending the 8th grade in the private school under s. 119.23. The
22 governing body of the private school shall provide a pupil with at least 2
23 opportunities to pass the examination administered under this subdivision.

24 (d) If the private school operates high school grades, beginning in the 2000-01
25 school year administer the high school graduation examination adopted by the

BILL

1 governing body of the private school under sub. (1g) (b) to pupils attending the
2 private school under s. 119.23. The governing body of the private school shall
3 administer the examination at least twice each school year. The governing body of
4 the private school shall determine the high school grades in which the examination
5 will be administered each school year.

6 SECTION 11. 118.30 (2) (b) 1. and 2. of the statutes are amended to read:

7 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
8 subch. V of ch. 115, the school board, operator of the charter school under s. 118.40
9 (2r) or governing body of the private school shall comply with s. 115.77 ~~(1)~~ (1m) (bg).

10 2. According to criteria established by the state superintendent by rule, the
11 school board, ~~operator of the charter school under s. 118.40 (2r) or governing body of~~
12 the private school may determine not to administer an examination under this
13 section to a limited-English speaking pupil, as defined under s. 115.955 (7), may
14 permit the pupil to be examined in his or her native language or may modify the
15 format and administration of an examination for such pupils.

16 SECTION 12. 118.30 (2) (b) 3. of the statutes is amended to read:

17 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
18 board ~~the operator of the charter school under s. 118.40 (2r) or the governing body~~
19 of the private school shall excuse the pupil from taking an examination administered
20 under this section.

21 SECTION 13. 118.30 (5r) of the statutes is created to read:

22 118.30 (5r) (a) Except as provided in par. (c), beginning on July 1, 2002, the
23 operator of a charter school under s. 118.40 (2r) may not promote a 4th grade pupil
24 to the 5th grade unless one of the following applies:

BILL

1 1. If the operator of the charter school does not administer its own 4th grade
2 examination under sub. (lr) (a) 2., the pupil's score in each subject area on the
3 examination administered under sub. (1r) (a) 1. is at the basic level or above, as
4 determined by the state superintendent.

5 2. If the operator of the charter school administers its own 4th grade
6 examination under sub. (lr) (a) 2., the pupil achieves a passing score on that
7 examination, as determined by the operator of the charter school.

8 (b) Except as provided in par. (c), beginning on July 1, 2002, the operator of a
9 charter school under s. 118.40 (2r) may not promote an 8th grade pupil to the 9th
10 grade unless one of the following applies:

11 1. If the operator of the charter school does not administer its own 8th grade
12 examination under sub. (lr) (am) 2., the pupil's score in each subject area on the
13 examination administered under sub. (lr) (am) 1. is at the basic level or above, as
14 determined by the state superintendent.

15 2. If the operator of the charter school administers its own 8th grade
16 examination under sub. (lr) (am) 2., the pupil achieves a passing score on that
17 examination, as determined by the operator of the charter school.

18 (c) The operator of a charter school under s. 118.40 (2r) shall develop
19 alternative criteria for evaluating a pupil who did not take the 4th grade or the 8th
20 grade examination that was required for promotion as a result of sub. (2) (b). The
21 operator of the charter school may promote a pupil who did not take the examination
22 that was required for promotion as a result of sub. (2) (b) if the pupil satisfies the
23 alternative criteria.

24 **SECTION 14.** 118.30 (5s) of the statutes is created to read:

BILL

a

1 118.30 (5s) (a) Except as provided in par. (c), beginning on July 1, 2002, the
2 governing body of a private school participating in the program under s. 119.23 may
3 not promote a pupil who is attending the 4th grade in the private school under s.
4 119.23 to the 5th grade unless one of the following applies:

5 1. If the governing body of the private school does not administer its own 4th
6 grade examination under sub. (1s) (a) 2., the pupil's score in each subject area on the
7 examination administered under sub. (1s) (a) 1. is at the basic level or above, as
8 determined by the state superintendent.

9 2. If the governing body of the private school administers its own 4th grade
10 examination under sub. (1s) (a) 2., the pupil achieves a passing score on that
11 examination, as determined by the governing body of the private school.

12 (b) Except as provided in par. (c), beginning on July 1, 2002, the governing body
13 of a private school participating in the program under s. 119.23 may not promote a
14 pupil who is attending the 8th grade in the private school under s. 119.23 to the 9th
15 grade unless one of the following applies:

16 1. If the governing body of the private school does not administer its own 8th
17 grade examination under sub. (1s) (am) 2., the pupil's score in each subject area on
18 the examination administered under sub. (1s) (am) 1. is at the basic level or above,
19 as determined by the state superintendent.

20 2. If the governing body of the private school administers its own 8th grade
21 examination under sub. (1s) (am) 2., the pupil achieves a passing score on that
22 examination, as determined by the governing body of the private school.

23 (c) The governing body of a private school participating in the program under
24 s. 119.23 shall develop alternative criteria for evaluating a pupil who did not take the
25 4th grade or the 8th grade examination that was required for promotion as a result

BILL

1 of sub. (2) (b). The governing body of the private school may promote a pupil who did
2 not take the examination that was required for promotion as a result of sub. (2) (b)
3 if the pupil satisfies the alternative criteria.

4 **SECTION 15.** 118.30 (6) of the statutes is amended to read:

5 118.30 (6) A school board, an operator of a charter school under s. 118.40 (2r)
6 and the governing body of a private school participating in the program under s.
7 119.23 is not required to administer the 4th and 8th grade examinations adopted or
8 approved by the state superintendent under sub. (1) (a) if the school board, the
9 operator of the charter school or the governing body of the private school administers
10 its own 4th and 8th grade examinations, the school board, operator of the charter
11 school or governing body of the private school provides the state superintendent with
12 statistical correlations of those examinations with the examinations adopted or
13 approved by the state superintendent under sub. (1) (a), and the federal department
14 of education approves.

15 **SECTION 16.** 118.33 (1) (cm) of the statutes is renumbered 118.33 (1) (cm) 1. and
16 amended to read:

17 118.33 (1) (cm) 1. Except as provided in par. (e), beginning on September 1,
18 2002, neither a school board nor an operator of a charter school under s. 118.40 (2r)
19 may not grant a high school diploma to any pupil unless the pupil has passed the high
20 school graduation examination administered under s. 118.30 (1m) (d) or (1r)(d). A
21 school board and an operator of a charter school under s. 118.40 (2r) shall provide a
22 pupil with at least 4 opportunities to take the examination in the high school grades.

23 **SECTION 17.** 118.33 (1) (cm) 2. of the statutes is created to read:

24 118.33 (1) (cm) 2. Except as provided in par. (e), beginning on September 1,
25 2002, the governing body of a private school participating in the program under s.

BILL

1 119.23 may not grant a high school diploma to any pupil who is attending the private
2 school under s. 119.23 unless the pupil has passed the high school graduation
3 examination administered under s. 118.30 (1s) (d). The governing body of the private
4 school shall provide a pupil with at least 4 opportunities to take the examination in
5 the high school grades.

6 SECTION 18. 118.33 (1) (e) of the statutes is amended to read:

7 118.33 (1) (e) Each school board, operator of a charter school under s. 118.44
8 (2r) and governing body of a Private school participating in the program under s.
9 119.23 shall develop alternative criteria for evaluating a pupil who has been excused
10 from the high school graduation examination under s. 118.30 (2) (b) 3. A school board
11 may grant a high school diploma to a pupil who has been excused from the high school
12 graduation examination under s. 118.30 (2) (b) 3. if the pupil satisfies all of the other
13 requirements under this subsection and satisfies the ~~other alternative~~ criteria. The
14 operator of a charter school under s. 118.40 (2r) and the governing body of a privat
15 school participating in the program under s. 119.23 may grant a high school diploma
16 to a pupil who has been excused from the high school graduation examination under
17 s. 118.30 (2) (b) 3. if the pupil satisfies the ~~alternative criteria~~.

18 SECTION 19. 118.40 (2r) (d) 2. of the statutes is amended to read:

19 118.40 (2r) (d) 2. Administer the examinations under ss. 118.30 ~~(1m)~~ (1r) and
20 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

21 SECTION 20. 119.23 (10) of the statutes is created to read:

22 119.23 (10) Each private school participating in the program under this section
23 shall administer to the pupils attending the 3rd grade in the private school under this
24 section a standardized reading test developed by the department.

25 SECTION 21. 121.02 (1) (r) of the statutes is amended to read:

INS.
12
20

(A)

Finally,
This bill subjects the meetings of
the governing bodies of charter
schools and private schools that are

participating in the MPCP to the
state's open meetings law. The bill

also requires charter schools and
private schools that are participating in the
MPCP to comply with the state's

public records law. (A)

(END OF ANALYSIS INSERT)

4
12-25:1

1 ~~(c) The state historical society shall ensure that all grant recipients under par.~~
2 ~~(a) comply with the standards for rehabilitation in 36 CFR 67.7.~~

3 ~~(d) The state historical society may award up to \$1,000,000 in grants under par.~~
4 ~~(a) in the 1999-2000 fiscal year and up to \$1,500,000 in grants under par. (a) in each~~
5 ~~of the 9 succeeding fiscal years.~~

6 (4) GRANTS TO THE TRUST. (a) Subject to par. (b), the state historical society
7 annually shall award a grant to the trust from the appropriation under s. 20.866 (2)
8 (zfm). In the 1999-2000 fiscal year, the amount of the grant shall be \$1,000,000. In
9 each of the 9 succeeding fiscal years, the amount of the grant shall be \$500,000.

10 (b) The state historical society may award a grant under par. (a) only if the
11 following conditions are satisfied:

12 1. The bylaws of the trust state that the purpose of the trust is to develop and
13 support statewide initiatives promoting historic preservation and that, if the trust
14 dissolves, the trust shall in good faith take all reasonable measures to ensure that
15 all moneys paid to the trust under this subsection revert to the state

SEC. CR. 118.40 (4) (a) 3. and Y.

16 ~~118.40(4)(a)3. The trust~~ permits public inspection and copying of any record, as defined in
17 ~~ch. 19.32 (2), of the trust~~ to the same extent as required of, and subject to the same

18 terms and enforcement provisions that apply to, an authority under subch. II of ch.
19 19.

20 ~~4. The trust~~ provides public access to its meetings to the same extent as is
21 required of, and subject to the same terms and enforcement provisions that apply to,
22 a governmental body under subch. V of ch. 19.

23 ~~(e) The trust shall deposit all moneys received under par. (a) in an endowment~~
24 ~~fund. The trust shall use the earnings of the endowment fund for the following~~
25 ~~purposes:~~

of the governing body of the charter school



12-20:2

1 (c) The state historical society shall ensure that all grant recipients under par.
2 (a) comply with the standards for rehabilitation in 36 CFR 67.7.

3 (d) The state historical society may award up to \$1,000,000 in grants under par.
4 (a) in the 1999-2000 fiscal year and up to \$1500,000 in grants under par. (a) in each
5 of the 9 succeeding fiscal years.

6 (4) GRANTS TO THE TRUST. (a) Subject to par. (b), the state historical society
7 annually shall award a grant to the trust from the appropriation under s. 20.866 (2)
8 (zfm). In the 1999-2000 fiscal year, the amount of the grant shall be \$1,000,000. In
9 each of the 9 succeeding fiscal years, the amount of the grant shall be \$500,000.

10 (b) The state historical society may award a grant under par. (a) only if the
11 following conditions are satisfied:

12 1. The bylaws of the trust state that the purpose of the trust is to develop and
13 support statewide initiatives promoting historic preservation and that, if the trust
14 dissolves, the trust shall in good faith take all reasonable measures to ensure that
15 all moneys paid to the trust under this subsection revert to the state.

SEC. CR. 119.23 (2) (a) 6. and 7.

16 119.23(2)(a) 6. The trust permits public inspection and copying of any record, as defined in
17 §. 19.32 (2), of the governing body of the private school to the same extent as required of, and subject to the same
18 terms and enforcement provisions that apply to, an authority under subch. II of ch.

19 1 9 . governing body of the private school

20 7. 3 The trust provides public access to its meetings to the same extent as is
21 required of, and subject to the same terms and enforcement provisions that apply to,
22 a governmental body under subch. V of ch. 19.

23 (c) The trust shall deposit all moneys received under par. (a) in an endowment
24 fund. The trust shall use the earnings of the endowment fund for the following
25 purposes:

(END OF INSERT)

**'SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 3/12/99

To: Representative Sinicki

Relating to LRB drafting number: LRB-2235

Topic

Assessment of charter and MPS choice pupils

Subject(s)

Education - MPS, Education - miscellaneous

1. **JACKET** the draft for introduction

Chris Sinicki

in the **Senate** OR the **Assembly** X (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362