

1999 DRAFTING REQUEST

Bill

Received: **12/16/98**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Alherta Darling (608) 266-5830**

By/Representing: **Jessica Tormey**

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

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - school boards**

Extra Copies: **MJL**

Topic:

Pupil promotion notwithstanding failure on exam

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 12/23/98	gilfokm 12/23/98		_____			
/1			hhagen 12/29/98	_____	lrb_docadmin 12/29/98		S&L
/2	grantpr 01/15/99	gilfokm 01/18/99	lpaasch 01/19/99	_____	lrb_docadmin 01/19/99	lrb_docadmin 02/8/99	

FE Sent For:

02-10-99

<END>

1999 DRAFTING REQUEST

Bill

Received: **12/16/98**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Alberta Darling (608) 266-5830**

By/Representing: **Jessica Tormey**

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

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - school boards**

Extra Copies: **MJL**

Topic:

Pupil promotion notwithstanding failure on exam

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 12/23/98	gilfokm 12/23/98		_____			
/1			hhagen 12/29/98	_____	lrb_docadmin 12/29/98		S&L
/2	grantpr 01/15/99	gilfokm 01/18/99	lpaasch 01/19/99	_____	lrb_docadmin 01/19/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 12/16/98

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Alberta Darling (608) 266-5830

By/Representing: Jessica Tormey

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - school boards

Extra Copies: MJL

Topic:

Pupil promotion notwithstanding failure on exam

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 12/23/98	gilfokm 12/23/98		_____			
/1		1/2 Wlj 1/15 12-1-13-99 kmj	hhagen 12/29/98 LP1/19	_____	lrb_docadmin 12/29/98		
FE Sent For:				LP1/19 cmh			

<END>

1999 DRAFTING REQUEST

Bill

Received: 12/16/98

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Alberta Darling (608) 266-5830

By/Representing: Jessica Tormey

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - school boards

Extra Copies: MJL

Topic:

Pupil promotion notwithstanding failure on exam

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>
1?	grantpr	11-12/23 King	12/29	12/29			

FE Sent For:

<END>

Grant, Peter

From: Tormey, Jessica
Sent: Monday, December 14, 1998 4:00 PM
To: Grant, Peter; Lief, Madelon

Lonnie and Peter, I am trying to organize some old draft from 96, 97 and 98 for reintroduction. Thankfully, the majority will need to be redrafted exactly the same. Please e-mail back any questions or concerns.

- JTK 1. MPS Board of directors elections - Peter. Drafted in SSB 3 several times. Please draft to municipal elections and also to November elections.
- PG ② Habitual truancy. There was a last minute amendment added by Shibilski and Huelsman which gave unconditional absences for ten days. Please draft a bill to remove the language. It may be s0578/2.
- PG ③ Social promotion - Peter. Please make draft language which makes the test ONE of the key factors in determining promotion, but which leaves the ultimate decision to School Boards. Peter, you drafted this for the Budget Adjustment Bill - I think it's b2838/2. 1155?
- RA 4. MPS - Open labor negotiations. Redraft the language in SSB3, which made MPS negotiations public if either side requests.
- PG ⑤ Administrators contract length. Terms are currently two years, but we'd like to open the decision locally, where they can decide contract length, with a four year maximum. Please use 1191/1 language from 1996-1997.
- MIL 6. Testing vendors for the WSAS. Require the legislature to examine any decisions about changes in testing service for administration of the WSAS (we're trying to keep the vendor the same, so that essentially, the test doesn't keep changing).
- MIL 7. MPS - Closing failing schools. Redraft language from SSB 3. Language may also be found as 1252/1 (96).
- NSL ⑧ Please send back copies of LRB's: a2378/1, a2381/1, a2508/1, 1187/2, 1251/2 (96)

Please e-mail if these many requests are confusing. I took the majority of the requests from the drafting status report issued by your office.

Thank you for your help!!

Jessica

LRB-1315/1
PG:

DOA:.....Pahnke - Pupil promotion notwithstanding failure on examination
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1

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

Ken Cat.

promoting a pupil who does not pass the promotional examination

Analysis by the Legislative Reference Bureau

~~EDUCATION~~

~~PRIMARY AND SECONDARY EDUCATION~~

Under current law, a pupil who fails the fourth or eighth grade promotional exam may not be promoted to the next grade. This bill allows a school board to promote such a pupil if the school board determines that the pupil should be promoted.

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

2

SECTION 1. 118.30 (5) (c) of the statutes is renumbered 118.30 (5) (c) 1.

3

SECTION 2. 118.30 (5) (c) 2. of the statutes is created to read:

4

118.30 (5) (c) 2. a. If a school board does not administer its own 4th or 8th grade

5

examination, and a pupil's score in each subject area on the examination

6

administered under sub. (1m)(a) 1. or (am) 1. is below the basic level, the school board

Jessie / Darling
- 1315

and eds be must have a ^{written} policy on promotion
i.e. criteria for

6-3230

January 13, 1999

Honorable Governor Tommy G. Thompson
State Capitol
Madison, WI 53702

Dear Governor Thompson,

In the 1997 session, you and the Legislature made a significant commitment to Wisconsin's parents and school children. We guaranteed that by the year 2002-03 school year, students would not be promoted into higher grades until they have mastered the skills and knowledge they need to be successful in our society.

We support this initiative to end the practice of social promotion in Wisconsin. Using effective state assessments, we must hold students accountable for learning and educators accountable for teaching.

While we agree with your position on this issue, we recommend further review of the specific provisions of the current law that would prevent schools from promoting students who do not score at a basic level or above in each subject area of the state's 4th and 8th grade knowledge and concepts examinations. In our view, a single exam may not offer a complete picture of a student's achievement in meeting the educational standards.

The tests provide important information about a child's academic performance and may be used as the primary factor in determining whether or not students are promoted. However, the current law does not offer any flexibility to local educators and school officials in developing promotion and retention policies. Likewise, the input of parents is limited to their ability to opt out of the test on behalf of their children. In those cases, parents are denied valuable data about their child's academic achievement.

We propose that the law be modified to require locally elected school boards to establish "no social promotion" policies that allow additional criteria to be considered along with the test scores when making this very important educational decision. Such criteria may include a student's academic performance in the classroom, grade point average, learning disability and parental input.

By emphasizing the test as the primary criterion for determining student promotion, our proposal preserves the integrity of your original initiative. In addition, this proposal would require local school boards to establish clear promotion and retention policies that are based on objective measures of student achievement.

Thank you for considering this recommendation that supports both your strong education agenda as well as your long-held belief in local control.

Sincerely,

ALBERTA DARLING
State Senator

JOANNE HUELSMAN
State Senator

JOHN LAFAVE
State Representative

MICHAEL HUEBSCH
State Representative

CAROL ROESSLER
State Senator

TOM SYKORA
State Representative

SUZANNE JESKEWITZ
State Representative

EUGENE HAHN
State Representative

JEFFREY PLALE
State Representative

PEGGY ROSENZWEIG
State Senator

ALVIN OTT
State Representative

STEVE KESTELL
State Representative

500M

LRB-1315 / 2

PG:wlj

kg

1999 BILL

REGEN

1 AN ACT *to repeal* 118.30 (5); *to amend* 118.30 (1m) (a), 118.30 (1m) (am), 118.30
 2 (2) (b) 3. and 118.33 (title); and *to create* 118.33 (6) of the statutes; **relating**
 3 **to:** promoting a pupil from the 4th grade to the 5th grade and from the 8th grade
 4 to the 9th grade.

Analysis by the Legislative Reference Bureau

Under current law, beginning in the 2002-03 school year a school board may not promote a fourth grade pupil to the fifth grade, or an eighth grade pupil to the ninth grade, unless the pupil passes a statewide examination or an examination developed or approved by the school board. A school board must excuse the pupil from the examination if the pupil's parent or guardian so requests. The school board must develop alternative criteria for promoting a pupil who does not take the examination.

This bill ~~eliminates all of the above provisions~~. The bill directs each school board to adopt a written policy specifying the criteria for promoting a pupil from the fourth to the fifth grade and from the eighth to the ninth grade. The criteria must include the pupil's score on the fourth or eighth grade examination ~~which are still required~~, the pupil's academic performance, the recommendations of teachers and any other criteria specified by the school board. Beginning in the 2002-03 school year, the bill provides that a school board may not promote a fourth grade pupil to the fifth grade, or an eighth grade pupil to the ninth grade, unless the pupil satisfies the criteria specified in the school board's policy.

(unless the pupil is excused from taking the examination), and may include

BILL

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 (1m) (a) of the statutes is amended to read:

2 118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade
3 examination adopted or approved by the state superintendent under sub. (1) (a) to
4 all pupils enrolled in the school district, including pupils enrolled in charter schools
5 located in the school district, in the 4th grade. Beginning on July 1, 2002, if the
6 school board has not developed and adopted its own 4th grade examination, the
7 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~
8 take the examination administered under this subdivision ~~that is sufficient for~~
9 ~~promotion under sub. (5) (a) 1.~~

10 2. Beginning on July 1, 2002, if the school board has developed or adopted its
11 own 4th grade examination, administer that examination to all pupils enrolled in the
12 school district, including pupils enrolled in charter schools located in the school
13 district, in the 4th grade. The school board shall provide a pupil with at least 2
14 opportunities to ~~pass~~ take the examination administered under this subdivision.

15 **SECTION 2.** 118.30 (1m) (am) of the statutes is amended to read:

16 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
17 examination adopted or approved by the state superintendent under sub. (1) (a) to
18 all pupils enrolled in the school district, including pupils enrolled in charter schools
19 located in the school district, in the 8th grade. Beginning on July 1, 2002, if the
20 school board has not developed and adopted its own 8th grade examination, the
21 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~

BILL

1 ~~take the examination administered under this subdivision that is sufficient for~~
2 ~~promotion under sub. (5) (b) 1.~~

3 2. Beginning on July 1, 2002, if the school board has developed or adopted its
4 own 8th grade examination, administer that examination to all pupils enrolled in the
5 school district, including pupils enrolled in charter schools located in the school
6 district, in the 8th grade. The school board shall provide a pupil with at least 2
7 opportunities to pass take the examination administered under this subdivision.

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

9 ~~118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school~~
10 ~~board shall excuse the pupil from taking an examination administered under this~~
11 ~~section sub. (1m) (b) or (d).~~

12 **SECTION 4.** 118.30 (5) of the statutes is repealed.

13 **SECTION 5.** 118.33 (title) of the statutes is amended to read:

14 **118.33 (title) High school graduation standards; criteria for promotion.**

15 **SECTION 6.** 118.33 (6) of the statutes is created to read:

16 118.33 (6) (a) Each school board shall adopt a written policy specifying the
17 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
18 grade to the 9th grade. The criteria shall include the pupil's score on the examination
19 administered under s. 118.30 (1m) (a) or (am), the pupil's academic performance, the
20 recommendations of teachers and any other criteria specified by the school board.

21 (b) Beginning on July 1, 2002, a school board may not promote a 4th grade pupil
22 to the 5th grade, and may not promote an 8th grade pupil to the 9th grade, unless
23 the pupil satisfies the criteria for promotion specified in the school board's policy
24 under par. (a).

25 (END)

3-19

3-19

unless the pupil has been excused
from taking the ~~the~~ examination
under s. 118.30(2)(b)^b, and
may include

**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: 1/19/99

To: Senator Darling

Relating to LRB drafting number: LRB-1315

Topic

Pupil promotion notwithstanding failure on exam

Subject(s)

Education - school boards

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 _____.

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