

1999 DRAFTING REQUEST

Bill

Received: 03/3/99

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Richard Grobschmidt (608) 266-7505

By/Representing: Russ Whitesel

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - school boards

Extra Copies: MJL

Pre Topic:

No specific pre topic given

Topic:

Promotional and high school graduation examinations

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 03/3/99	wjackson 03/3/99		_____			S&L
/1			ismith 03/4/99	_____	lrb_docadmin 03/4/99		S&L
/2	grantpr 03/5/99	jgeller 03/5/99	ismith 03/8/99	_____	lrb_docadmin 03/8/99	lrb_docadmin 03/11/99	

FE Sent For: , 03/11/99.

↳ ("12")

<END>

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			IS 3/8/99	IS/3/8/99 JF			

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/?	grantpr	1 WJ 3/3	IS 3/4/99	IS/RH 3/4/99			

FE Sent For:

<END>

3/3/99

Russ Whitman

LEGISLATIVE COUNCIL

start w/ AB 94 (WSTA)

✓ ^{use} ① make his grade test a factor (not like
4th & 8th gr. exam) for diploma

② use same criteria as on p. 3
(the scores on the grade test
etc.)

✓ ③ allow parental opt-out from all
tests

✓ ④ allow district opt-out (current law)

⑤ can't base promotion decision exclusively

✓ ~~on test score~~. can't req. kid pass test in order
to be promoted / graduated

✓ ⑥ gov. lang. re shifting test to 11th & 12th
grade

⑦

By 3/10

WEB-23911
PG:WJ

1999 ASSEMBLY BILL 94

WPO: Inserts are out of order.

February 4, 1999 - Introduced by Representatives OLSEN, KESTELL, LA FAVE, HAHN, M. LEHMAN, MUSSER, OTT, PLOUFFE, SPILLNER, STASKUNAS, STONE, SYKORA, VRAKAS, WARD, GUNDERSON and HUTCHISON, cosponsored by Senators RUDE, CLAUSING, DARLING and ROESSLER. Referred to Committee on Education.

Emergency

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. and to granting a high school diploma

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 pupil must be given at least two opportunities to take the examination. 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 has been excused from taking the examination.

INS. ✓
A →

ASSEMBLY BILL 94

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 ~~the examination administered under this subdivision that is sufficient for promotion~~
9 ~~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 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~~

ASSEMBLY BILL 94

1 the examination administered under this subdivision that is sufficient for promotion
2 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 the examination administered under this subdivision.~~

INS.
3-4

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.**

INS.
3-14

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 Unless the pupil has been
excused from taking the
examination under
s. 118.30 (2) (b), ✓

(END)

A school board may not require
that a pupil pass the
examination administered under
s. 118.30 (1m) (a) or (am) in order to
be promoted

3-7

Section #. 118.30 (1m) (d) of the statutes is amended to read:

118.30 (1m) (d) If the school board operates high school grades, beginning in the 2000-01 school year administer the high school graduation examination adopted by the school board under sub. (1g) (b). The school board shall administer the examination at least twice each school year. ~~The school board shall determine the high school grades in which the examination will be administered each school year.~~

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

and may administer the examination only to pupils enrolled in the 11th and 12th grades.

BILL

3-14

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:

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SECTION 1. 118.33 (1) (cm) of the statutes is repealed.

SECTION 2. 118.33 (1) (e) of the statutes is repealed.

SECTION 3. 118.33 (1m) of the statutes is created to read:

118.33 (1m) (a) Each school board shall adopt a written policy specifying the criteria for granting a high school diploma to a pupil that are in addition to the requirements under sub. (1). The criteria shall include the pupil's score on the examination administered under s. 118.30 (1m) (d), unless the pupil has been excused from taking the examination under s. 118.30 (2) (b), and ~~may include~~ the pupil's academic performance, the recommendations of teachers and any other criteria specified by the school board. A school board shall provide a pupil with at least 4 opportunities in the high school grades to take the examination under s. 118.30 (1m) (d).

(b) Beginning on September 1, 2002, a school board may not grant a high school diploma to a pupil unless the pupil satisfies the criteria ~~for promotion~~ specified in the school board's policy under par. (a).

(END)

A school board may not require that a pupil pass the examination administered under s. 118.30 (1m) (d) in order to be granted a high school diploma.

(A)

with certain exceptions,
¶ Under current law, beginning in the
2002-03 school year, a ~~pupil~~ ^{school} school
^{board} board may not grant a high school
diploma to a pupil unless the pupil
passes a high school graduation examination. ◊

¶ This bill directs each ^{school} school ^{board} board
to ^{adapt} adapt a written policy specifying the criteria
for granting a high school diploma. ◊ The
criteria must include the pupil's score on the
high school graduation examination (unless the
pupil ^{has been} ^{excused} excused from ^{taking} the examination), the
pupil's academic performance, the recommendations
of teachers ^{and} ^{any} ^{other} and any other criteria specified
by the ^{school} school board. Beginning in the
2002-03 school year, the bill provides that,

with certain exceptions,
a school board may not grant a
high school diploma to a pupil unless
the pupil satisfies the criteria ^{specified}
in the ^{school} board's policies

The bill also prohibits a school
board from requiring that a pupil
pass the fourth ^{or} eighth grade examination,
or the high school graduation examination,
in order to be promoted or to ~~be~~
receive a high school diploma.

Finally, the bill requires that the
high school graduation examination ^{be}
administered only to pupils in the 11th
and 12th grades. Currently, the
school board determines the high school
grades in which to ^{administer} the
examination.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-2394/1 2

PG:wlj:ijs
Z
Jlg

1999 BILL

Regen

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

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 pupil must be given at least two opportunities to take the examination. 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 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 (unless the pupil has been excused from taking the examination), 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.

BILL

Under current law, with certain exceptions, beginning in the 2002-03 school year, a school board may not grant a high school diploma to a pupil unless the pupil passes a high school graduation examination.

This bill directs each school board to adopt a written policy specifying the criteria for granting a high school diploma. The criteria must include the pupil's score on the high school graduation examination (unless the pupil has been excused from taking the examination), 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, with certain exceptions, a school board may not grant a high school diploma to a pupil unless the pupil satisfies the criteria specified in the school board's policy.

~~The bill also prohibits a school board from requiring that a pupil pass the fourth or eighth grade examination, or the high school graduation examination, in order to be promoted or to receive a high school diploma.~~

Finally, the bill requires that the high school graduation examination be administered only to pupils in the 11th and 12th grades. Currently, the school board determines the high school grades in which to administer the examination.

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:

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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 ~~the examination administered under this subdivision that is sufficient for promotion~~
9 ~~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

BILL

1 district, in the 4th grade. ~~The school board shall provide a pupil with at least 2~~
2 ~~opportunities to pass the examination administered under this subdivision.~~

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

4 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
5 examination adopted or approved by the state superintendent under sub. (1) (a) to
6 all pupils enrolled in the school district, including pupils enrolled in charter schools
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9 ~~school board shall provide a pupil with at least 2 opportunities to achieve a score on~~
10 ~~the examination administered under this subdivision that is sufficient for promotion~~
11 ~~under sub. (5) (b) 1.~~

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

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

18 118.30 (1m) (d) If the school board operates high school grades, beginning in
19 the 2000-01 school year administer the high school graduation examination adopted
20 by the school board under sub. (1g) (b). The school board shall administer the
21 examination at least twice each school year. ~~The school board shall determine the~~
22 ~~high school grades in which the examination will be administered each school year~~
23 ~~and~~ ^{and} may administer the examination only to pupils enrolled in the 11th and 12th
24 grades.

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

BILL

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

2 **118.33 (title) High school graduation standards; criteria for promotion.**

3 **SECTION 6.** 118.33 (1) (cm) of the statutes is repealed.

4 **SECTION 7.** 118.33 (1) (e) of the statutes is repealed.

5 **SECTION 8.** 118.33 (1m) of the statutes is created to read:

6 **118.33 (1m) (a)** Each school board shall adopt a written policy specifying the
7 criteria for granting a high school diploma to a pupil that are in addition to the
8 requirements under sub. (1). The criteria shall include the pupil's score on the
9 examination administered under s. 118.30 (1m) (d), unless the pupil has been
10 excused from taking the examination under s. 118.30 (2) (b), the pupil's academic
11 performance, the recommendations of teachers and any other criteria specified by

12 the school board. ~~A school board may not require that a pupil pass the examination~~
13 ~~administered under s. 118.30 (1m) (d) in order to be granted a high school diploma.~~

14 A school board shall provide a pupil with at least 4 opportunities in the high school
15 grades to take the examination under s. 118.30 (1m) (d).

16 (b) Beginning on September 1, 2002, a school board may not grant a high school
17 diploma to a pupil unless the pupil satisfies the criteria specified in the school board's
18 policy under par. (a).

19 **SECTION 9.** 118.33 (6) of the statutes is created to read:

20 **118.33 (6) (a)** Each school board shall adopt a written policy specifying the
21 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
22 grade to the 9th grade. The criteria shall include the pupil's score on the examination
23 administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from
24 taking the examination under s. 118.30 (2) (b), the pupil's academic performance, the
25 recommendations of teachers and any other criteria specified by the school board.

BILL

1

~~A school board may not require that a pupil pass the examination administered~~

2

~~under s. 118.30 (1m) (a) or (am) in order to be promoted~~

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(b) Beginning on July 1, 2002, a school board may not promote a 4th grade pupil

4

to the 5th grade, and may not promote an 8th grade pupil to the 9th grade, unless

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the pupil satisfies the criteria for promotion specified in the school board's policy

6

under par. (a).

7

(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: 3/8/99

To: Senator Grobschmidt

Relating to LRB drafting number: LRB-2394


Topic

Promotional and high school graduation examinations

Subject(s)

Education - school boards

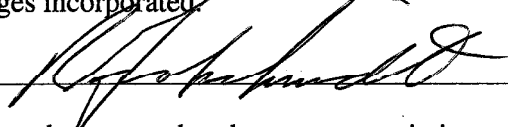
1. JACKET the draft for introduction


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

sent out
MB