

2001 DRAFTING REQUEST

Bill

Received: 05/02/2001

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Luther Olsen (608) 266-8077

By/Representing: Mary

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Addl. Drafters:

Subject: Education - state superintendent

Extra Copies: MJL

Submit via email: NO

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Access to statewide examinations

Instructions:

Sections 2712 and 2714 from budget bill

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 05/02/2001	hhagen 05/03/2001		_____			State
/1			jfrantze 05/03/2001	_____	lrb_docadmin 05/03/2001	lrb_docadmin 06/13/2001	

FE Sent For:

At intro

<END>

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1/?	grantpr	11 hmk 5/3/01	Jo 5/3	Jo/RS 3/3			

FE Sent For:

<END>

2001

Date (time)
needed

Other

LRB - 3227, 1

PG: hnh

BILL

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *... access to statewide pupil assessments and granting rule-making authority .*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

(attached)

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

SECTION #.

DOA:.....Maternowsky - Pupil assessments, school performance reports, SAGE evaluation, and board on education evaluation and accountability

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

~~EDUCATION~~

~~PRIMARY AND SECONDARY EDUCATION~~

Current law requires each school board and each Milwaukee charter school (a charter school operated by or under contract with the city of Milwaukee, the University of Wisconsin-Milwaukee, or Milwaukee Area Technical College) 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 standardized examinations to fourth, eighth, and tenth grade pupils enrolled in the school district, including pupils enrolled in charter schools (other than Milwaukee charter schools) located in the school district. Beginning in the 2002-03 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 the examinations developed by ~~DPI~~ or develop its own examinations. Identical provisions exist under current law for Milwaukee charter schools. ~~DPI provides the examinations that are adopted, approved, or developed by DPI, and scores those examinations, free of charge.~~

~~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~~

the department of public instruction

(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.

Under current law, the third grade reading test, the fourth, eighth, and tenth grade examinations, and the high school graduation examination are not required to be administered to pupils participating in the Milwaukee parental choice program (MPCP), under which certain low-income pupils who reside in the city of Milwaukee may attend participating private schools in Milwaukee at state expense.

Beginning in the 2002-03 school year, this bill allows a private school participating in the MPCP to choose to administer the grade examinations (the third grade reading test and the fourth, eighth, and tenth grade examinations) or the high school graduation examination, or both, to the pupils attending the private school under the MPCP.

The bill requires that DPI provide all of the examinations administered to MPCP pupils, and score the examinations, free of charge. The bill also prohibits DPI from disclosing the results of the examinations administered to MPCP pupils, except that DPI must publish the aggregate results and must report each pupil's scores to the pupil's parent or guardian.

Under current law, beginning on July 1, 2002, each pupil must be given at least two opportunities to take the fourth and eighth grade examinations. This bill eliminates the requirement that each pupil be given two opportunities to take each examination; the bill requires only that the examinations be administered to all pupils in the appropriate grades.

Current law directs the state superintendent of public instruction ~~state superintendent~~ to make available upon request, within 90 days after the date of administration, any of the required pupil assessments.

This bill requires the person to submit the request in writing and provides that the person may view the examination but not receive a copy. The bill also directs the state superintendent to promulgate rules that, to the extent feasible, protect the security and confidentiality of the examinations.

Currently, the state superintendent annually must identify those school districts that are low in performance and those schools in which there are pupils who do not meet the state minimum performance standards.

This bill requires DPI to publish and report a list of the school districts and schools to the governor and the legislature. The bill also requires the identified school districts to develop improvement plans.

Under current law, school boards may enter into achievement guarantee (SAGE) contracts with DPI to decrease class size and improve academic achievement in grades kindergarten to three. DPI must arrange for an annual evaluation of the SAGE program, for which DPI must allocate \$250,000 from the SAGE appropriation.

This bill requires DPI to select the evaluator of the SAGE program by using a competitive process that ensures impartiality. The bill also reduces the amount that DPI must allocate for the evaluation to \$125,000.

1 private school under s. 119.23. The governing body of the private school shall
2 administer the examination at least twice each school year and may administer the
3 examination only to pupils attending the 11th and 12th grades.

4 **SECTION 30.** 118.30 (2) (b) 1. of the statutes is amended to read:

5 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
6 subch. V of ch. 115, the school board ~~or~~ operator of the a charter school under s. 118.40
7 (2r), or governing body of a private school participating in the program under s.
8 119.23 and administering any of the examinations under sub. (1s), shall comply with
9 s. 115.77 (1m) (bg).

10 **SECTION 31.** 118.30 (2) (b) 2. of the statutes is amended to read:

11 118.30 (2) (b) 2. According to criteria established by the ~~state superintendent~~
12 board by rule, the school board ~~or~~ operator of the a charter school under s. 118.40 (2r),
13 or governing body of a private school participating in the program under s. 119.23
14 may determine not to administer an examination under this section to a
15 limited-English proficient pupil, as defined under s. 115.955 (7), may permit the
16 pupil to be examined in his or her native language, or may modify the format and
17 administration of an examination for such pupils.

18 **SECTION 32.** 118.30 (2) (b) 5. of the statutes is created to read:

19 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
20 body of a private school participating in the program under s. 119.23 shall excuse the
21 pupil from taking an examination administered under sub. (1s) (b) 2. to 4. or (c).

22 **SECTION ~~33.~~** 118.30 (3) of the statutes is renumbered 118.30 (3) (a) and
23 amended to read:

24 118.30 (3) (a) The state superintendent shall ~~make available upon request,~~
25 allow a person to view an examination required to be administered under this section

1 if the person submits to the state superintendent a written request to do so within
2 90 days after the date of administration, any of the examination required to be
3 administered under this section. This subsection paragraph does not apply while the
4 an examination is being developed or validated.

5 ~~SECTION 34. 118.30 (3) (a) of the statutes, as affected by 2001 Wisconsin Act~~
6 ~~(this act), is amended to read:~~

7 ~~118.30 (3) (a) The state superintendent board shall allow a person to view an~~
8 ~~examination required to be administered under this section if the person submits to~~
9 ~~the state superintendent board a written request to do so within 90 days after the~~
10 ~~date of administration of the examination. This paragraph does not apply while an~~
11 ~~examination is being developed or validated.~~

12 ~~SECTION 35.~~ 118.30 (3) (b) of the statutes is created to read:

13 118.30 (3) (b) The state superintendent shall promulgate rules establishing
14 procedures to administer par. (a). To the extent feasible, the rules shall protect the
15 security and confidentiality of the examinations required to be administered under
16 this section.

17 ~~SECTION 36. 118.30 (3) (b) of the statutes, as created by 2001 Wisconsin Act~~
18 ~~(this act), is amended to read:~~

19 ~~118.30 (3) (b) The state superintendent board shall promulgate rules~~
20 ~~establishing procedures to administer par. (a). To the extent feasible, the rules shall~~
21 ~~protect the security and confidentiality of the examinations required to be~~
22 ~~administered under this section.~~

23 ~~SECTION 37. 118.30 (4) of the statutes is amended to read:~~

24 ~~118.30 (4) The department board shall study the utility of administering~~
25 ~~technology-based performance assessments to pupils.~~

(End)



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

May 3, 2001

MEMORANDUM

To: Representative Olsen

From: Peter R. Grant, Managing Attorney

Re: LRB-3227/1 Access to statewide examinations

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-3362 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.