

2001 DRAFTING REQUEST

Bill

Received: **01/30/2001**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-1923**

By/Representing: **Maternowsky**

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

Drafter: **grantpr**

May Contact:

Alt. Drafters: **mlief**

Subject: **Education - state superintendent
Education - school boards**

Extra Copies: **MJL**

Pre Topic:

DOA:.....Maternowsky -

Topic:

Pupil assessments, school performance reports, SAGE evaluation, and board on education evaluation and accountability

Instructions:

Compile and reconcile -0864, -0888,-0891, -0910, -0958, -1702, and -1880.

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 02/01/2001			_____			S&L
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/2	mlief 02/02/2001	gilfokm 02/02/2001	pgreensl 02/02/2001	_____	lrb_docadmin 02/02/2001		S&L

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/3	grantpr 02/06/2001	gilfokm 02/06/2001	martykr 02/06/2001	_____	lrb_docadmin 02/06/2001		S&L
/4	grantpr 02/07/2001	jdye 02/07/2001	martykr 02/07/2001	_____	lrb_docadmin 02/07/2001		S&L
/5	grantpr 02/12/2001	gilfokm 02/12/2001	martykr 02/13/2001	_____	lrb_docadmin 02/13/2001		S&L

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*1/5-2/KM9 Km²/13 Rs 2
12-01 Km 13*

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 1/4 2/7 jld
 Km 3/7
 Pg Km 2/7

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13-2/Kmg
1/6-01

Km 2/4

LF 2/6
Km 6

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FE Sent For:		12-2/kmg 12-01	2/2 pg	2/2 pg/16 <END>			

Sorted Item List

<u>Store File Name</u>	<u>Text</u>
-1880.1	15.105 (8) of the statutes is created to read:
-1880.2	16.963 of the statutes is created to read:
-0864.1	20.255 (1) (dt) of the statutes is repealed.
-1880.3	20.255 (1) (dw) of the statutes is repealed.
-0864.2	20.255 (1) (dw) of the statutes is amended to read:
-1880.4	20.255 (2) (cu) of the statutes is amended to read:
-1880.5	20.505 (4) (cw) of the statutes is created to read:
-1880.6	20.923 (4) (c) 2. of the statutes is created to read:
-1880.7	115.38 (1) of the statutes is renumbered 115.38 (1r), and 115.38 (1r) (intro.), (b) 2. and (c), as renumbered, are amended to read:
-1880.8	115.38 (1g) of the statutes is created to read:
-1880.9	115.38 (2) of the statutes is amended to read:
-1880.10	115.38 (3) of the statutes is amended to read:
-1702.1	115.38 (4) of the statutes is amended to read:
-1880.11	115.38 (4) of the statutes is amended to read:
-1702.2	115.38 (5) of the statutes is created to read:
-1880.12	118.30 (1) of the statutes is renumbered 118.30 (1d) and amended to read:
-1880.13	118.30 (1b) of the statutes is created to read:
-1880.14	118.30 (1g) (b) of the statutes is amended to read:
-1880.15	118.30 (1g) (c) of the statutes is amended to read:
-0888.1	118.30 (1m) (a) of the statutes is amended to read:
-1880.16	118.30 (1m) (a) 1. of the statutes is amended to read:
-0888.2	118.30 (1m) (am) of the statutes is amended to read:
-1880.17	118.30 (1m) (am) 1. of the statutes is amended to read:
-0888.3	118.30 (1r) (a) of the statutes is amended to read:
-1880.18	118.30 (1r) (a) 1. of the statutes is amended to read:
-0888.4	118.30 (1r) (am) of the statutes is amended to read:
-1880.19	118.30 (1r) (am) 1. of the statutes is amended to read:
-0910.1	118.30 (1s) of the statutes is created to read:
-0910.2	118.30 (2) (b) 1. of the statutes is amended to read:

-0910.3	118.30 (2) (b) 2. of the statutes is amended to read:
-1880.20	118.30 (2) (b) 2. of the statutes is amended to read:
-0910.4	118.30 (2) (b) 5. of the statutes is created to read:
-0891.3	118.30 (3) of the statutes is renumbered 118.30 (3) (a) and amended to read:
-1880.21	118.30 (3) of the statutes is amended to read:
-0891.4	118.30 (3) (b) of the statutes is created to read:
-1880.22	118.30 (4) of the statutes is amended to read:
-1880.23	118.30 (6) of the statutes is amended to read:
-0910.5	118.30 (7) of the statutes is created to read:
-1880.24	118.38 (1) (a) 8. of the statutes is created to read:
-0958.1	118.43 (7) of the statutes is amended to read:
-1880.25	118.43 (7) of the statutes is amended to read:
-1880.26	121.02 (1) (r) of the statutes is amended to read:
-1880.27	230.08 (2) (vm) of the statutes is created to read:
-1880.9101	Nonstatutory provisions; administration.
-1880.9140	Nonstatutory provisions; public instruction.
-0910.9440	Effective dates; public instruction.
-1880.9440	Effective dates; public instruction.

0864 - Am 20-255 (1) (dw)

-0891 - RA 118-30 (3) eff - immed.
CR 118-30 (3) (a)

-0888 - Am 118-30 (1m) (a) eff - immed.
(am)
(lv) (a)
(am)
*but ed. be delayed
w/ fit r/r
substantive
effect*

-0910 - CR 118-30 (1s)
Am (2) (b) 1. } eff. 7/1/02
Am (2) (b) 2.
CR (2) (b) 5.
CR (7)

-0958 - Am 118-43 (1) eff - immed.

-1702 - Am 115-38 (4) eff - immed.
CR 115-38 (5)

CR 20-255 (1) (dw)
-1880 - RN 115-38 (1) 5/4/00
Am 115-38 (1v) (intro.), (b) 2. & (c)
CR 115-38 (1g)
Am 115-38 (2), (3) & (4)
RA 118-30 (1) → (1d)
CR 118-30 (1b)
Am (1g) (b), (c)
(1m) (a) 1., (am) 1.
(1v) (a) 1., (am) 1.
(2) (b) 2.
(3), (4), (6) & 118-43 (7)
all eff. 7/1/02

2001

Date (time) needed

soon

LRB-0864 /PI

DOA BUDGET DRAFT

MSL: jld:

Use the appropriate components and routines developed for bills.

LPS - Fix request sheet

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget.

.....
.....

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



[Handwritten scribble]

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

SECTION #.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-2358/P1

PG: ch

FRIDAY

DN

mjl

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

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

LPS: Suppress attorney numbers at bill SECTIONS.

all

1 AN ACT ^{DON'T GEN. CAT.} ...; relating to: the budget, administration of the 4th and 8th grade
 2 standardized examinations; the confidentiality of pupil assessments and
 3 requiring the exercise of rule-making authority; pupil assessments and private
 4 schools participating in the Milwaukee parental choice program; the budget.

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -0864/P1 ***

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Under current law, DPI has two separate appropriations related to pupil assessments. This bill consolidates these appropriations into one appropriation.

*** ANALYSIS FROM -0888/1 ***

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Under current law, ~~each school board and each charter school must administer standardized examinations to all pupils enrolled in the fourth, eighth, and tenth grades.~~ Beginning on July 1, 2002, each pupil must be given at least two

move to p. 4

move top 3

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.

move
to
p. 3

***** ANALYSIS FROM -0891/1 *****
EDUCATION
PRIMARY AND SECONDARY EDUCATION

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 (~~the 4th, 8th, and 10th grade examination and the high school graduation examination~~).

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.

***** ANALYSIS FROM -0910/5 *****
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 (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.

INS FROM PP. 1-2

*** ANALYSIS FROM -0958/1 ***
EDUCATION
PRIMARY AND SECONDARY EDUCATION

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.

*** ANALYSIS FROM -1702/1 ***
EDUCATION
PRIMARY AND SECONDARY EDUCATION

Currently, the state superintendent of ~~public instruction~~ 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.

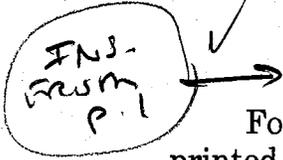
*** ANALYSIS FROM -1880/3 ***
EDUCATION
PRIMARY AND SECONDARY EDUCATION

This bill creates a five-member board on education evaluation and accountability (BEEA) attached to DOA and headed by an executive director. On July 1, 2002, the bill transfers the pupil assessment program, the school performance report program, and the responsibility for arranging an evaluation of the ~~student achievement guarantee~~ program from DPI to BEEA. The bill also authorizes BEEA to conduct a study of ~~the Milwaukee parental choice program~~ if BEEA receives sufficient funds from private sources.

SAGE
====

MPCP

INS-
from
P.1



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 *[✓]-1880/3.1* SECTION 1. 15.105 (8) of the statutes is created to read:

2 15.105 (8) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. There is
3 created a board on education evaluation and accountability, attached to the
4 department of administration under s. 15.03, consisting of 5 members appointed for
5 4-year terms. At least one member shall be experienced in education evaluation and
6 assessment.

7 *[✓]-1880/3.2* SECTION 2. 16.963 of the statutes is created to read:

8 **16.963 Education evaluation and accountability. (1) DEFINITION.** In this
9 section, "board" means the board on education evaluation and accountability.

10 **(2) DUTIES.** The board shall do all of the following:

11 (a) Appoint an executive director outside the classified service to serve at its
12 pleasure.

13 (b) Administer the pupil assessment program under s. 118.30 and develop a
14 standardized reading test for use under s. 121.02 (1) (r).

15 (c) Arrange for an evaluation of the student achievement guarantee program
16 under s. 118.43 (7).

17 (d) Administer the school performance and educational program review
18 program under s. 115.38.

19 **(3) POWERS.** The board may conduct a longitudinal study of the Milwaukee
20 parental choice program under s. 119.23 if the board receives sufficient funds from

1 private sources to do so. If the board conducts a study, it shall report the results to
2 the legislature under s. 13.172 (2) and to the governor.

3 ***-0864/P1.1* SECTION 3.** 20.255 (1) (dt) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 ***-1880/3.3* SECTION 4.** 20.255 (1) (dw) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 ***-0864/P1.2* SECTION 5.** 20.255 (1) (dw) of the statutes is amended to read:

6 20.255 (1) (dw) *Pupil assessment*. The amounts in the schedule for the costs
7 of the examinations developed and administered under s. ss. 118.30 and for the
8 ~~review and modification of academic standards, as provided under 1997 Wisconsin~~
9 ~~Act 27, section 9140 (5r) 121.02 (1) (r).~~

10 ***-1880/3.4* SECTION 6.** 20.255 (2) (cu) of the statutes is amended to read:

11 20.255 (2) (cu) *Achievement guarantee contracts*. The amounts in the schedule
12 for aid to school districts ~~and the program evaluation~~ under s. 118.43. No funds may
13 be encumbered from this appropriation after June 30, 2005.

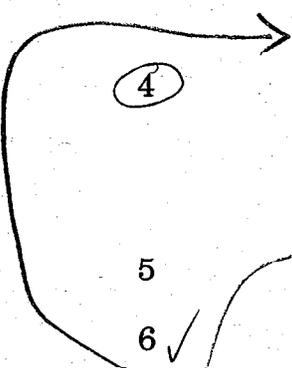
14 ***-1880/3.5* SECTION 7.** 20.505 (4) (cw) of the statutes is created to read:

15 20.505 (4) (cw) *Board on education evaluation and accountability*
16 ~~program operations~~. The amounts in the schedule for general program operations
17 of the board on education evaluation and accountability.

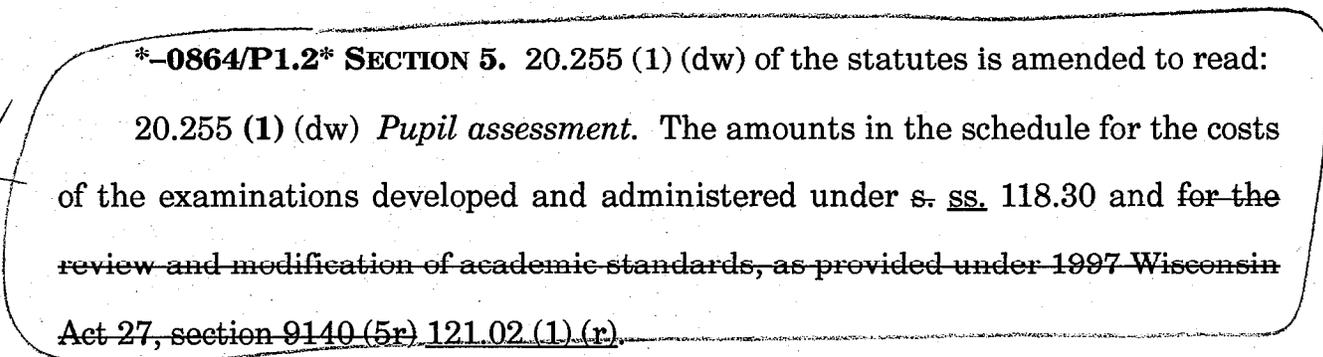
****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 ***-1880/3.6* SECTION 8.** 20.923 (4) (c) 2. of the statutes is created to read:

19 20.923 (4) (c) 2. Education evaluation and accountability, board on: executive
20 director.



✓, as affected by 2001 Wisconsin Act... (this act),



1 *~~1880/3.7~~* SECTION 9. 115.38 (1) of the statutes is renumbered 115.38 (1r),
2 and 115.38 (1r) (intro.), (b) 2. and (c), as renumbered, are amended to read:

3 115.38 (1r) (intro.) The ~~state superintendent~~ board shall develop a school and
4 school district performance report for use by school districts under sub. (2). The
5 report shall include all of the following by school and by school district:

6 (b) 2. The numbers of suspensions and expulsions; the reasons for which pupils
7 are suspended or expelled, reported according to categories specified by the ~~state~~
8 ~~superintendent~~ board; the length of time for which pupils are expelled, reported
9 according to categories specified by the ~~state superintendent~~ board; whether pupils
10 return to school after their expulsion; the educational programs and services, if any,
11 provided to pupils during their expulsions, reported according to categories specified
12 by the ~~state superintendent~~ board; the schools attended by pupils who are suspended
13 or expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled
14 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).

15 (c) Staffing and financial data information, as determined by the ~~state~~
16 ~~superintendent~~ board, not to exceed 10 items. The ~~state superintendent~~ board may
17 not request a school board to provide information solely for the purpose of including
18 the information in the report under this paragraph.

19 *~~1880/3.8~~* SECTION 10. 115.38 (1g) of the statutes is created to read:

20 115.38 (1g) In this section, “board” means the board on education evaluation
21 and accountability.

22 *~~1880/3.9~~* SECTION 11. 115.38 (2) of the statutes is amended to read:

23 115.38 (2) ~~By January 1, 1993, and annually thereafter~~ Annually by January
24 1, each school board shall distribute to the parent or guardian of each pupil enrolled
25 in the school district, including pupils enrolled in charter schools located in the school

1 district, or give to each pupil to bring home to his or her parent or guardian, a school
2 and school district performance report that includes the information specified by the
3 state superintendent board under sub. (1) (1r).

4 ***-1880/3.10*** SECTION 12. 115.38 (3) of the statutes is amended to read:

5 115.38 (3) Annually, the state superintendent board shall publish and
6 distribute to the legislature under s. 13.172 (2) a summary of the reports under sub.
7 (2).

8 ***-1702/1.1*** SECTION 13. 115.38 (4) of the statutes is amended to read:

9 115.38 (4) ~~Beginning in the 1993-94 school year and annually thereafter,~~ the
10 state superintendent shall identify those school districts that are low in performance
11 and those schools in which there are pupils enrolled who do not meet the state
12 minimum performance standards on the examinations administered under s.
13 118.30. The state superintendent shall make recommendations regarding how the
14 programs and operations of the identified school districts and schools may be
15 improved and. Each school district shall review the recommendations and develop
16 an improvement plan. The state superintendent shall periodically assess school
17 district implementation of the recommendations plans.

Annually

18 ***-1880/3.11*** SECTION 14. 115.38 (4) of the statutes is amended to read:

19 115.38 (4) ~~Beginning in the 1993-94 school year and annually thereafter,~~ the
20 state superintendent ~~board~~ Annually, the board shall identify those school districts that
21 are low in performance and those schools in which there are pupils enrolled who do
22 not meet the state minimum performance standards on the examinations
23 administered under s. 118.30. The state superintendent board shall make
24 recommendations regarding how the programs and operations of the identified

as affected by 2001 Wisconsin Act... (this act),

Annually

stet-plain

- 8 - Each school district shall LRB-2358/P1
review the recommendations and PG:....:ch
develop an improvement **SECTION 14**
plan. The ~~state superintendent~~ board shall

1 school districts and schools may be improved ~~and~~ periodically assess school district
2 implementation of the ~~recommendations~~ plans

3 *-1702/1.2* **SECTION 15.** 115.38 (5) of the statutes is created to read:

4 115.38 (5) Annually, the state superintendent shall publish and distribute to
5 the governor, and to the legislature under s. 13.172 (2), a list of the school districts
6 and schools that are identified under sub. (4).

INS.
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7 *-1880/3.12* **SECTION 16.** 118.30 (1) of the statutes is renumbered 118.30 (1d)
8 and amended to read:

LPS: DON'T Type Hard SEC. #3

9 118.30 (1d) (a) The ~~state superintendent~~ board shall adopt or approve
10 examinations designed to measure pupil attainment of knowledge and concepts in
11 the 4th, 8th and 10th grades.

12 (b) The ~~department~~ board shall develop a high school graduation examination
13 that is designed to measure whether pupils meet the pupil academic standards
14 issued by the governor as executive order no. 326, dated January 13, 1998.

15 *-1880/3.13* **SECTION 17.** 118.30 (1b) of the statutes is created to read:

16 118.30 (1b) In this section, "board" means the board on education evaluation
17 and accountability.

18 *-1880/3.14* **SECTION 18.** 118.30 (1g) (b) of the statutes is amended to read:

19 118.30 (1g) (b) Each school board operating high school grades and each
20 operator of a charter school under s. 118.40 (2r) that operates high school grades shall
21 adopt a high school graduation examination that is designed to measure whether
22 pupils meet the pupil academic standards adopted by the school board or operator
23 of the charter school under par. (a). If the school board or operator of the charter
24 school has adopted the pupil academic standards issued as executive order no. 326,
25 dated January 13, 1998, the school board or operator of the charter school may adopt

1 the high school graduation examination developed by the department board under
2 sub. ~~(1)~~ (1d) (b). If a school board or operator of a charter school develops and adopts
3 its own high school graduation examination, it shall notify the department board
4 annually by October 1 that it intends to administer the examination in the following
5 school year.

6 *~~1880/3.15~~* SECTION ¹⁹~~19~~. 118.30 (1g) (c) of the statutes is amended to read:

7 118.30 (1g) (c) Each school board operating elementary grades and each
8 operator of a charter school under s. 118.40 (2r) that operates elementary grades may
9 develop or adopt its own examination designed to measure pupil attainment of
10 knowledge and concepts in the 4th grade and may develop or adopt its own
11 examination designed to measure pupil attainment of knowledge and concepts in the
12 8th grade. If the school board or operator of the charter school develops or adopts an
13 examination under this paragraph, it shall notify the department board.

14 *~~0888/1.1~~* SECTION ²⁰~~20~~. 118.30 (1m) (a) of the statutes is amended to read:

15 118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade
16 examination adopted or approved by the state superintendent under sub. (1) to all
17 pupils enrolled in the school district, including pupils enrolled in charter schools
18 located in the school district, in the 4th grade. ~~Beginning on July 1, 2002, if the~~
19 ~~school board has not developed and adopted its own 4th grade examination, the~~
20 ~~school board shall provide a pupil with at least 2 opportunities to take the~~
21 ~~examination administered under this subdivision.~~

22 2. Beginning on July 1, 2002, if the school board has developed or adopted its
23 own 4th grade examination, administer that examination to all pupils enrolled in the
24 school district, including pupils enrolled in charter schools located in the school

, as affected by
2001 Wisconsin Act SECTION 20
(this act),

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

3 ***-1880/3.16* SECTION 21.** 118.30 (1m) (a) 1. of the statutes is amended to read:

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

11 ***-0888/1.2* SECTION 22.** 118.30 (1m) (am) of the statutes is amended to read:

12 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
13 examination adopted or approved by the state superintendent under sub. (1) to all
14 pupils enrolled in the school district, including pupils enrolled in charter schools
15 located in the school district, in the 8th grade. Beginning on July 1, 2002, if the
16 school board has not developed and adopted its own 8th grade examination, the
17 school board shall provide a pupil with at least 2 opportunities to take the
18 examination administered under this subdivision.

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

24 ***-1880/3.17* SECTION 23.** 118.30 (1m) (am) 1. of the statutes is amended to
25 read:

, as affected by
2001 Wisconsin Act
(this act),

22

21

23

24

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

8 *~~0888/1.3~~* SECTION ~~24~~²⁴. 118.30 (1r) (a) of the statutes is amended to read:

9 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade
10 examination adopted or approved by the state superintendent under sub. (1) (a) to
11 all pupils enrolled in the charter school in the 4th grade. Beginning on July 1, 2002,
12 if the operator of the charter school has not developed or adopted its own 4th grade
13 examination, the operator of the charter school shall provide a pupil with at least 2
14 opportunities to take the examination administered under this subdivision.

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

20 *~~1880/3.18~~* SECTION ~~25~~²⁵. 118.30 (1r) (a) 1. of the statutes is amended to read:

21 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade
22 examination adopted or approved by the ~~state superintendent board~~ under sub. (1)
23 (1d) (a) to all pupils enrolled in the charter school in the 4th grade. Beginning on
24 July 1, 2002, if the operator of the charter school has not developed or adopted its
25 own 4th grade examination, the operator of the charter school shall provide a pupil

, as affected by 2001
Wisconsin Act ...
(this act),

1 with at least 2 opportunities to take the examination administered under this
2 subdivision.

3 ²⁷ *-0888/1.4* SECTION 26. 118.30 (1r) (am) of the statutes is amended to read:

4 118.30 (1r) (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 charter school in the 8th grade. ~~Beginning on July 1, 2002,~~
7 ~~if the 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 take the examination administered under this subdivision.~~

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

15 ²⁸ *-1880/3.19* SECTION 27. 118.30 (1r) (am) 1. of the statutes is amended to read:

16 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade
17 examination adopted or approved by the state superintendent board under sub. (1)
18 (1d) (a) to all pupils enrolled in the charter school in the 8th grade. Beginning on

19 July 1, 2002, if the operator of the charter school has not developed and adopted its
20 own 8th grade examination, the operator of the charter school shall provide a pupil
21 with at least 2 opportunities to take the examination administered under this
22 subdivision.

23 ²⁹ *-0910/5.1* SECTION 28. 118.30 (1s) of the statutes is created to read:

24 118.30 (1s) (a) Annually, by September 15, the governing body of each private
25 school participating in the program under s. 119.23 shall notify the ~~department~~

*as affected by 2001
Wisconsin Act ...
(this act),*

STEP

~~the~~ ^{board} ~~it~~ ^{the school} will administer the examinations under par. (b) or (c) or both in the current school year.

(b) If the private school notifies the ~~department~~ ^{board} that it will administer the examinations under this paragraph, the private school shall do all of the following:

1. Administer a standardized reading test developed by the ~~department~~ ^{board} to all pupils attending the 3rd grade in the private school under s. 119.23.

2. Administer the 4th grade examination adopted or approved by the ~~state superintendent~~ ^{board} under sub. ~~(a)~~ ^(1d) to all pupils attending the 4th grade in the private school under s. 119.23.

3. Administer the 8th grade examination adopted or approved by the ~~state superintendent~~ ^{board} under sub. ~~(a)~~ ^(1d) to all pupils attending the 8th grade in the private school under s. 119.23.

4. Administer the 10th grade examination ^{adopted or approved by the board under sub. (1d) (a)} to all pupils attending the 10th grade in the private school under s. 119.23.

(c) If the private school notifies the ~~department~~ ^{board} that it will administer the examination under this paragraph, beginning in the 2002-03 school year the private school shall administer the high school graduation examination developed by the ~~department~~ ^{board} under sub. ~~(a)~~ ^(1d) to all pupils attending the 11th and 12th grades at the private school under s. 119.23. The governing body of the private school shall administer the examination at least twice each school year and may administer the examination only to pupils attending the 11th and 12th grades.

-0910/5.2 SECTION ~~29~~ ²⁰ 118.30 (2) (b) 1. of the statutes is amended to read:

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

1 119.23 and administering any of the examinations under sub. (1s), shall comply with
2 s. 115.77 (1m) (bg).

3 ~~*-0910/5.3* SECTION 30.~~ ³¹ 118.30 (2) (b) 2. of the statutes is amended to read: ✓

4 118.30 (2) (b) 2. According to criteria established by the state superintendent ^{board}
5 by rule, the school board or operator of the a charter school under s. 118.40 (2r), or
6 governing body of a private school participating in the program under s. 119.23 may
7 determine not to administer an examination under this section to a limited-English
8 proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined
9 in his or her native language, or may modify the format and administration of an
10 examination for such pupils.

11 ~~*-1880/3.20* SECTION 31.~~ 118.30 (2) (b) 2. of the statutes is amended to read: ✓

12 118.30 (2) (b) 2. According to criteria established by the state superintendent
13 board by rule, the school board or operator of the charter school under s. 118.40 (2r)
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 ~~*-0910/5.4* 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) (a) 2. to 4. or (b).

22 ~~*-0891/1.3* SECTION 33.~~ ³³ 118.30 (3) of the statutes is renumbered 118.30 (3) (a)

23 and 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 ~~*-1880/3.21* SECTION 33. 118.30 (3) of the statutes is amended to read:~~
 6 ~~118.30 (3) The state superintendent board shall make available upon request,~~
 7 ~~within 90 days after the date of administration, any examination required to be~~
 8 ~~administered under this section. This subsection does not apply while the~~
 9 ~~examination is being developed or validated.~~

10 *-0891/1.4* SECTION ³⁵ 118.30 (3) (b) of the statutes is created to read:
 11 118.30 (3) (b) The state superintendent shall promulgate rules establishing
 12 procedures to administer par. (a). To the extent feasible, the rules shall protect the
 13 security and confidentiality of the examinations required to be administered under
 14 this section.

15 *-1880/3.22* SECTION ³⁴ 118.30 (4) of the statutes is amended to read:
 16 118.30 (4) The department board shall study the utility of administering
 17 technology-based performance assessments to pupils.

18 *-1880/3.23* SECTION ³⁸ 118.30 (6) of the statutes is amended to read:
 19 118.30 (6) A school board and an operator of a charter school under s. 118.40
 20 (2r) is not required to administer the 4th and 8th grade examinations adopted or
 21 approved by the state superintendent board under sub. (1) (1d) if the school board
 22 or the operator of the charter school administers its own 4th and 8th grade
 23 examinations, the school board or operator of the charter school provides the state
 24 superintendent board with statistical correlations of those examinations with the

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1 examinations adopted or approved by the ~~state superintendent board~~ under sub. (1)
2 (1d), and the federal department of education approves.

3 ³⁹ *-0910/5.5* SECTION 36. 118.30 (7) of the statutes is created to read:

4 (4) 118.30 (7) (a) The ~~department~~^{board} shall provide the examinations administered
5 under sub. (1s) and score the examinations free of charge.

6 (6) (b) The ~~department~~^{board} may not disclose the results of the examinations
7 administered under sub. (1s) except as follows:

8 (8) 1. The ~~department~~^{board} shall publish the aggregate results of all of the examinations
9 provided to the ~~department~~^{board}.

10 (10) 2. The ~~department~~^{board} shall report each pupil's scores to the pupil's parent or
11 guardian.

12 ⁴⁰ *-1880/3.24* SECTION 37. 118.38 (1) (a) 8. of the statutes is created to read:

13 118.38 (1) (a) 8. The school performance report under s. 115.38.

14 ⁴¹ *-0958/1.1* SECTION 38. 118.43 (7) of the statutes is amended to read:

15 (15) 118.43 (7) EVALUATION. ~~Beginning in the 1996-97 school year,~~ the department
16 shall arrange for an ~~annual~~ evaluation of the program under this section and shall
17 allocate from the appropriation under s. 20.255 (2) (cu) ~~\$250,000~~ \$125,000 for that

18 purpose. To ensure an impartial evaluation under this subsection, the department
19 shall select an evaluator by using a competitive process.

20 ⁴² *-1880/3.25* SECTION 39. 118.43 (7) of the statutes is amended to read:

21 (21) 118.43 (7) EVALUATION. ~~Beginning in the 1996-97 school year,~~ the department
22 ~~shall~~ board on education evaluation and accountability shall arrange for an
23 evaluation of the program under this section and shall allocate from the
24 appropriation under s. 20.255 (2) (cu) ~~\$250,000~~ 20.505 (4) (cw) \$125,000 for that

25 purpose. To ensure an impartial evaluation, the ~~department~~^{board} shall select an evaluator by using a competitive process.

Annually

as affected by 2001 Wisconsin Act... (this act)

Annually set-plain

1 *³-1880/3.26* **SECTION 40.** 121.02 (1) (r) of the statutes is amended to read:

2 121.02 (1) (r) Except as provided in s. 118.40 (2r) (d) 2., annually administer
3 a standardized reading test developed by the ~~department~~ board on education
4 evaluation and accountability to all pupils enrolled in the school district in grade 3,
5 including pupils enrolled in charter schools located in the school district.

6 *⁴-1880/3.27* **SECTION 41.** 230.08 (2) (vm) of the statutes is created to read:

7 230.08 (2) (vm) The executive director of the board on education evaluation and
8 accountability.

9 *⁴-1880/3.9101* **SECTION 9101. Nonstatutory provisions;**
10 **administration.**

11 (1) **BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY.** Notwithstanding
12 section 15.105 (8) of the statutes, as created by this act, 2 of the initial members of
13 the board on education evaluation and accountability shall serve for terms expiring
14 on May 1, 2002; 2 of the initial members shall serve for terms expiring on May 1,
15 2004; and one of the initial members shall serve for a term expiring on May 1, 2006.

16 *⁴-1880/3.9140* **SECTION 9140. Nonstatutory provisions; public**
17 **instruction.**

18 (1) **TRANSFER OF FUNCTIONS TO BOARD ON EDUCATION EVALUATION AND**
19 **ACCOUNTABILITY.**

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of public instruction primarily related to the functions
22 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
23 determined by the secretary of administration, become the assets and liabilities of
24 the board on education evaluation and accountability.

1 (b) *Employee transfers.* All incumbent employees holding positions in the
2 department of public instruction performing duties primarily related to the
3 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
4 determined by the secretary of administration, are transferred on the effective date
5 of this paragraph to the board on education evaluation and accountability.

6 (c) *Employee status.* Employees transferred under paragraph (b) have all the
7 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
8 statutes in the board on education evaluation and accountability that they enjoyed
9 in the department of public instruction immediately before the transfer.
10 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
11 has attained permanent status in class is required to serve a probationary period.

12 (d) *Tangible personal property.* On the effective date of this paragraph, all
13 tangible personal property, including records, of the department of public instruction
14 that is primarily related to the functions under sections 115.38, 118.30, 118.43 (7),
15 and 121.02 (1) (r), 1999 stats., as determined by the secretary of administration, is
16 transferred to the board on education evaluation and accountability.

17 (e) *Contracts.* All contracts entered into by the department of public instruction
18 in effect on the effective date of this paragraph that are primarily related to the
19 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
20 determined by the secretary of administration, remain in effect and are transferred
21 to the board on education evaluation and accountability. The board on education
22 evaluation and accountability shall carry out any obligations under such a contract
23 until the contract is modified or rescinded by the board on education evaluation and
24 accountability to the extent allowed under the contract.

1 (f) *Rules and orders.* All rules promulgated by the department of public
2 instruction that are in effect on the effective date of this paragraph and that relate
3 to the functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999
4 stats., as determined by the secretary of administration, are transferred to the board
5 on education evaluation and accountability and remain in effect until their specified
6 expiration date or until amended or repealed by the board on education evaluation
7 and accountability. All orders issued by the department of public instruction that are
8 in effect on the effective date of this paragraph and that relate to the functions under
9 sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as determined by
10 the secretary of administration, are transferred to the board on education evaluation
11 and accountability and remain in effect until their specified expiration date or until
12 modified or rescinded by the board on education evaluation and accountability.

13 (g) *Pending matters.* Any matter pending with the department of public
14 instruction on the effective date of this paragraph that is related to the functions
15 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
16 determined by the secretary of administration, is transferred to the board on
17 education evaluation and accountability and all materials submitted to or actions
18 taken by the department of public instruction with respect to the pending matter are
19 considered as having been submitted to or taken by the board on education
20 evaluation and accountability.

21 ~~*-0910/5.9440* SECTION 9440. Effective dates; public instruction.~~

22 ~~(1) MILWAUKEE PARENTAL CHOICE PROGRAM; PUPIL ASSESSMENTS. The treatment of~~
23 ~~sections 118.30 (1s), (2) (b) 1., 2., and 5., and (7) of the statutes takes effect on July~~
24 ~~1, 2002.~~

25 *-1880/3.9440* SECTION 9440. Effective dates; public instruction.

SECTION 9440

^{CS} MILWAUKEE PARENTAL CHOICE PROGRAM;
PUPIL ASSESSMENTS;

[by SECTION 42]

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(1) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. The treatment of sections 16.963, 20.255 (1) (dw) ^{(by SECTION 4) auto ref.} and (2) (cu), 20.923 (4) (c) 2., 115.38 (1), (1g), (2), (3), and (4), 118.30 (1), (1b), (1g) (b) and (c), (1m) (a) 1. and (am) 1., (1r) (a) 1. and (am) 1., (2) (b) 2., ^{1, 2, 3, 4, 5, and 6} (4), ^{and (7)} and (6), 118.38 (1) (a) 8., 118.43 (7), and 121.02 (1) (r) of the statutes and SECTION 9140 (1) of this act take effect on July 1, 2002.

[by SECTION 26]

^{auto ref.}
[by SECTION 28], (1s)

(END)

[by SECTION 24]
[by SECTION 22]

(3) (a) [by SECTION 34] and ^{for (b)} (b) [by SECTION 36]

[by SECTION 14], and (5) [by SECTION 16]

auto ref.

auto ref.

1 and those schools in which there are pupils enrolled who do not meet the state
 2 minimum performance standards on the examinations administered under s.
 3 118.30. The state superintendent shall make recommendations regarding how the
 4 programs and operations of the identified school districts and schools may be
 5 improved and. Each school district shall review the recommendations and develop
 6 an improvement plan. The state superintendent shall periodically assess school
 7 district implementation of the recommendations plans.

8 ^{#16} SECTION 2. 115.38 (5) of the statutes is ^{as} created to read: ^{by 2001 Wisconsin Act ... (this act), is amended}

9 115.38 (5) Annually, the ~~state superintendent~~ shall publish and distribute to
 10 the governor, and to the legislature under s. 13.172 (2), a list of the school districts
 11 and schools that are identified under sub. (4).
 12 ~~(END)~~ buame

DQA:.....Maternowski – Availability of pupil assessment information
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the confidentiality of pupil assessments and requiring the
2 exercise of rule-making authority.

Analysis by the Legislative Reference Bureau
EDUCATION

PRIMARY AND SECONDARY EDUCATION

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 (the 4th, 8th, and 10th grade examination and the high school graduation examination).

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.

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

SECTION 2. ³⁴ 118.30 (3) ^(a) of the statutes is ~~renumbered 118.30 (3) (a) and~~ amended to read:

34
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as affected by 2001
Wisconsin Act ...
(this act),

SECTION 3

board

end of 15-9
6

1 118.30 (3) (a) The state superintendent shall ~~make available upon request,~~
2 allow a person to view an examination required to be administered under this section
3 if the person submits to the state superintendent a board written request to do so within
4 90 days after the date of administration ~~and~~ of the examination ~~required to be~~
5 ~~administered under this section.~~ This ~~subsection~~ paragraph does not apply while ~~the~~
6 an examination is being developed or validated.

✓
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9

SECTION 4. ³⁶ 118.30 (3) (b) of the statutes is ~~created~~ ^{amended} to read:

7
8 118.30 (3) (b) The state superintendent shall promulgate rules establishing
9 procedures to administer par. (a). To the extent feasible, the rules shall protect the
10 security and confidentiality of the examinations required to be administered under
11 this section.

(END)

, as created by 2001
Wisconsin Act... (this
act),

DN

PG:mgj:

This draft compiles and reconciles
the following drafts (all of
from the list):

- 0864 / 1 ✓
- 0891 / 1 ✓
- 0888 / 1 ✓
- 0910 / 5 ✓
- 0958 / 1 ✓
- 1702 / 1 ✓
- 1880 / 3 ✓

N

PG
MJL

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2358/1dn
PG&MJL:all:pg

February 2, 2001

This draft compiles and reconciles the following drafts, all of which should be deleted from the in-list:

-0864/P1
-0888/1
-0891/1
-0910/5
-0958/1
-1702/1
-1880/3

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TRDkt

DN

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

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

P. 17

DON'T
GEN. CAT.

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

(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.

This bill creates a five-member board on education evaluation and accountability (BEEA) attached to DOA and headed by an executive director. On July 1, 2002, the bill transfers the pupil assessment program, the school performance report program, and the responsibility for arranging an evaluation of the SAGE program from DPI to BEEA. The bill also authorizes BEEA to conduct a study of MPCP if BEEA receives sufficient funds from private sources.

Under current law, DPI has two separate appropriations related to pupil assessments. This bill consolidates these appropriations into one appropriation.

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.** 15.105 (8) of the statutes is created to read:

2 **15.105 (8) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY.** There is
3 created a board on education evaluation and accountability, attached to the
4 department of administration under s. 15.03, consisting of 5 members appointed for
5 4-year terms. At least one member shall be experienced in education evaluation and
6 assessment.

7 **SECTION 2.** 16.963 of the statutes is created to read:

8 **16.963 Education evaluation and accountability. (1) DEFINITION.** In this
9 section, "board" means the board on education evaluation and accountability.

10 **(2) DUTIES.** The board shall do all of the following:

11 (a) Appoint an executive director outside the classified service to serve at its
12 pleasure.

13 (b) Administer the pupil assessment program under s. 118.30 and develop a
14 standardized reading test for use under s. 121.02 (1) (r).

15 (c) Arrange for an evaluation of the student achievement guarantee program
16 under s. 118.43 (7).

1 (d) Administer the school performance and educational program review
2 program under s. 115.38.

3 (3) POWERS. The board may conduct a longitudinal study of the Milwaukee
4 parental choice program under s. 119.23 if the board receives sufficient funds from
5 private sources to do so. If the board conducts a study, it shall report the results to
6 the legislature under s. 13.172 (2) and to the governor.

7 **SECTION 3.** 20.255 (1) (dt) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 4.** 20.255 (1) (dw) of the statutes is amended to read:

9 20.255 (1) (dw) *Pupil assessment.* The amounts in the schedule for the costs
10 of the examinations developed and administered under s. ~~ss.~~ 118.30 and ~~for the~~
11 ~~review and modification of academic standards, as provided under 1997 Wisconsin~~
12 ~~Act 27, section 9140 (5r)~~ 121.02 (1) (r).

13 **SECTION 5.** 20.255 (1) (dw) of the statutes, as affected by 2001 Wisconsin Act
14 (this act), is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 6.** 20.255 (2) (cu) of the statutes is amended to read:

16 20.255 (2) (cu) *Achievement guarantee contracts.* The amounts in the schedule
17 for aid to school districts ~~and the program evaluation~~ under s. 118.43. No funds may
18 be encumbered from this appropriation after June 30, 2005.

19 **SECTION 7.** 20.505 (4) (cw) of the statutes is created to read:

20 20.505 (4) (cw) *Board on education evaluation and accountability.* The
21 amounts in the schedule for general program operations of the board on education
22 evaluation and accountability.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 **SECTION 8.** 20.923 (4) (c) 2. of the statutes is created to read:

2 20.923 (4) (c) 2. Education evaluation and accountability, board on: executive
3 director.

4 **SECTION 9.** 115.38 (1) of the statutes is renumbered 115.38 (1r), and 115.38 (1r)
5 (intro.), (b) 2. and (c), as renumbered, are amended to read:

6 115.38 (1r) (intro.) The ~~state superintendent~~ board shall develop a school and
7 school district performance report for use by school districts under sub. (2). The
8 report shall include all of the following by school and by school district:

9 (b) 2. The numbers of suspensions and expulsions; the reasons for which pupils
10 are suspended or expelled, reported according to categories specified by the ~~state~~
11 ~~superintendent~~ board; the length of time for which pupils are expelled, reported
12 according to categories specified by the ~~state superintendent~~ board; whether pupils
13 return to school after their expulsion; the educational programs and services, if any,
14 provided to pupils during their expulsions, reported according to categories specified
15 by the ~~state superintendent~~ board; the schools attended by pupils who are suspended
16 or expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled
17 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).

18 (c) Staffing and financial data information, as determined by the ~~state~~
19 ~~superintendent~~ board, not to exceed 10 items. The ~~state superintendent~~ board may
20 not request a school board to provide information solely for the purpose of including
21 the information in the report under this paragraph.

22 **SECTION 10.** 115.38 (1g) of the statutes is created to read:

1 115.38 (1g) In this section, “board” means the board on education evaluation
2 and accountability.

3 **SECTION 11.** 115.38 (2) of the statutes is amended to read:

4 115.38 (2) ~~By January 1, 1993, and annually thereafter~~ Annually by January
5 1, each school board shall distribute to the parent or guardian of each pupil enrolled
6 in the school district, including pupils enrolled in charter schools located in the school
7 district, or give to each pupil to bring home to his or her parent or guardian, a school
8 and school district performance report that includes the information specified by the
9 ~~state superintendent board~~ board under sub. (1) (1r).

10 **SECTION 12.** 115.38 (3) of the statutes is amended to read:

11 115.38 (3) Annually, the ~~state superintendent board~~ board shall publish and
12 distribute to the legislature under s. 13.172 (2) a summary of the reports under sub.
13 (2).

14 **SECTION 13.** 115.38 (4) of the statutes is amended to read:

15 115.38 (4) ~~Beginning in the 1993-94 school year and annually thereafter~~
16 Annually, the state superintendent shall identify those school districts that are low
17 in performance and those schools in which there are pupils enrolled who do not meet
18 the state minimum performance standards on the examinations administered under
19 s. 118.30. The state superintendent shall make recommendations regarding how the
20 programs and operations of the identified school districts and schools may be
21 improved ~~and~~. Each school district shall review the recommendations and develop
22 an improvement plan. The state superintendent shall periodically assess school
23 district implementation of the recommendations plans.

24 **SECTION 14.** 115.38 (4) of the statutes, as affected by 2001 Wisconsin Act
25 (this act), is amended to read:

1 115.38 (4) Annually, the ~~state superintendent~~ board shall identify those school
2 districts that are low in performance and those schools in which there are pupils
3 enrolled who do not meet the state minimum performance standards on the
4 examinations administered under s. 118.30. The ~~state superintendent~~ board shall
5 make recommendations regarding how the programs and operations of the identified
6 school districts and schools may be improved. Each school district shall review the
7 recommendations and develop an improvement plan. The ~~state superintendent~~
8 board shall periodically assess school district implementation of the plans.

9 **SECTION 15.** 115.38 (5) of the statutes is created to read:

10 115.38 (5) Annually, the state superintendent shall publish and distribute to
11 the governor, and to the legislature under s. 13.172 (2), a list of the school districts
12 and schools that are identified under sub. (4).

13 **SECTION 16.** 115.38 (5) of the statutes, as created by 2001 Wisconsin Act (this
14 act), is amended to read:

15 115.38 (5) Annually, the ~~state superintendent~~ board shall publish and
16 distribute to the governor, and to the legislature under s. 13.172 (2), a list of the
17 school districts and schools that are identified under sub. (4).

18 **SECTION 17.** 118.30 (1) of the statutes is renumbered 118.30 (1d) and amended
19 to read:

20 118.30 (1d) (a) The ~~state superintendent~~ board shall adopt or approve
21 examinations designed to measure pupil attainment of knowledge and concepts in
22 the 4th, 8th and 10th grades.

23 (b) The ~~department~~ board shall develop a high school graduation examination
24 that is designed to measure whether pupils meet the pupil academic standards
25 issued by the governor as executive order no. 326, dated January 13, 1998.

1 **SECTION 18.** 118.30 (1b) of the statutes is created to read:

2 118.30 (1b) In this section, “board” means the board on education evaluation
3 and accountability.

4 **SECTION 19.** 118.30 (1g) (b) of the statutes is amended to read:

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

17 **SECTION 20.** 118.30 (1g) (c) of the statutes is amended to read:

18 118.30 (1g) (c) Each school board operating elementary grades and each
19 operator of a charter school under s. 118.40 (2r) that operates elementary grades may
20 develop or adopt its own examination designed to measure pupil attainment of
21 knowledge and concepts in the 4th grade and may develop or adopt its own
22 examination designed to measure pupil attainment of knowledge and concepts in the
23 8th grade. If the school board or operator of the charter school develops or adopts an
24 examination under this paragraph, it shall notify the ~~department~~ board.

25 **SECTION 21.** 118.30 (1m) (a) of the statutes is amended to read:

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

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

13 **SECTION 22.** 118.30 (1m) (a) 1. of the statutes, as affected by 2001 Wisconsin
14 Act (this act), is amended to read:

15 118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade
16 examination adopted or approved by the state superintendent board under sub. (1)
17 (1d) to all pupils enrolled in the school district, including pupils enrolled in charter
18 schools located in the school district, in the 4th grade.

19 **SECTION 23.** 118.30 (1m) (am) of the statutes is amended to read:

20 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
21 examination adopted or approved by the state superintendent under sub. (1) to all
22 pupils enrolled in the school district, including pupils enrolled in charter schools
23 located in the school district, in the 8th grade. ~~Beginning on July 1, 2002, if the~~
24 ~~school board has not developed and adopted its own 8th grade examination, the~~

1 ~~school board shall provide a pupil with at least 2 opportunities to take the~~
2 ~~examination administered under this subdivision.~~

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 take the examination administered under this subdivision.~~

8 **SECTION 24.** 118.30 (1m) (am) 1. of the statutes, as affected by 2001 Wisconsin
9 Act (this act), is amended to read:

10 118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
11 examination adopted or approved by the state superintendent board under sub. (1)
12 (1d) to all pupils enrolled in the school district, including pupils enrolled in charter
13 schools located in the school district, in the 8th grade.

14 **SECTION 25.** 118.30 (1r) (a) of the statutes is amended to read:

15 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade
16 examination adopted or approved by the state superintendent under sub. (1) (a) to
17 all pupils enrolled in the charter school in the 4th grade. ~~Beginning on July 1, 2002,~~
18 ~~if the operator of the charter school has not developed or adopted its own 4th grade~~
19 ~~examination, the operator of the charter school shall provide a pupil with at least 2~~
20 ~~opportunities to take the examination administered under this subdivision.~~

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

1 **SECTION 26.** 118.30 (1r) (a) 1. of the statutes, as affected by 2001 Wisconsin Act
2 (this act), is amended to read:

3 118.30 (1r) (a) 1. Except as provided in sub. (6), administer the 4th grade
4 examination adopted or approved by the state superintendent board under sub. (1)
5 (1d) (a) to all pupils enrolled in the charter school in the 4th grade.

6 **SECTION 27.** 118.30 (1r) (am) of the statutes is amended to read:

7 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade
8 examination adopted or approved by the state superintendent under sub. (1) (a) to
9 all pupils enrolled in the charter school in the 8th grade. ~~Beginning on July 1, 2002,~~
10 ~~if the operator of the charter school has not developed and adopted its own 8th grade~~
11 ~~examination, the operator of the charter school shall provide a pupil with at least 2~~
12 ~~opportunities to take the examination administered under this subdivision.~~

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

18 **SECTION 28.** 118.30 (1r) (am) 1. of the statutes, as affected by 2001 Wisconsin
19 Act (this act), is amended to read:

20 118.30 (1r) (am) 1. Except as provided in sub. (6), administer the 8th grade
21 examination adopted or approved by the state superintendent board under sub. (1)
22 (1d) (a) to all pupils enrolled in the charter school in the 8th grade.

23 **SECTION 29.** 118.30 (1s) of the statutes is created to read:

24 118.30 (1s) (a) Annually, by September 15, the governing body of each private
25 school participating in the program under s. 119.23 shall notify the board whether

1 it will administer the examinations under par. (b) or (c) or both in the current school
2 year.

3 (b) If the private school notifies the board that it will administer the
4 examinations under this paragraph, the private school shall do all of the following:

5 1. Administer a standardized reading test developed by the board to all pupils
6 attending the 3rd grade in the private school under s. 119.23.

7 2. Administer the 4th grade examination adopted or approved by the board
8 under sub. (1d) (a) to all pupils attending the 4th grade in the private school under
9 s. 119.23.

10 3. Administer the 8th grade examination adopted or approved by the board
11 under sub. (1d) (a) to all pupils attending the 8th grade in the private school under
12 s. 119.23.

13 4. Administer the 10th grade examination adopted or approved by the board
14 under sub. (1d) (a) to all pupils attending the 10th grade in the private school under
15 s. 119.23.

16 (c) If the private school notifies the board that it will administer the
17 examination under this paragraph, beginning in the 2002–03 school year the private
18 school shall administer the high school graduation examination developed by the
19 board under sub. (1d) (b) to all pupils attending the 11th and 12th grades at the
20 private school under s. 119.23. The governing body of the private school shall
21 administer the examination at least twice each school year and may administer the
22 examination only to pupils attending the 11th and 12th grades.

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

24 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
25 subch. V of ch. 115, the school board or operator of the a charter school under s. 118.40

1 (2r), or governing body of a private school participating in the program under s.
2 119.23 and administering any of the examinations under sub. (1s), shall comply with
3 s. 115.77 (1m) (bg).

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

5 118.30 (2) (b) 2. According to criteria established by the state superintendent
6 board by rule, the school board ~~or~~, operator of the a charter school under s. 118.40 (2r),
7 or governing body of a private school participating in the program under s. 119.23
8 may determine not to administer an examination under this section to a
9 limited-English proficient pupil, as defined under s. 115.955 (7), may permit the
10 pupil to be examined in his or her native language, or may modify the format and
11 administration of an examination for such pupils.

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

13 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
14 body of a private school participating in the program under s. 119.23 shall excuse the
15 pupil from taking an examination administered under sub. (1s) (a) 2. to 4. or (b).

16 **SECTION 33.** 118.30 (3) of the statutes is renumbered 118.30 (3) (a) and
17 amended to read:

18 118.30 (3) (a) The state superintendent shall ~~make available upon request,~~
19 allow a person to view an examination required to be administered under this section
20 if the person submits to the state superintendent a written request to do so within
21 90 days after the date of administration, any of the examination required to be
22 administered under this section. This subsection paragraph does not apply while the
23 an examination is being developed or validated.

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

1 118.30 (3) (a) The ~~state superintendent~~ board shall allow a person to view an
2 examination required to be administered under this section if the person submits to
3 the ~~state superintendent~~ board a written request to do so within 90 days after the
4 date of administration of the examination. This paragraph does not apply while an
5 examination is being developed or validated.

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

7 118.30 (3) (b) The state superintendent shall promulgate rules establishing
8 procedures to administer par. (a). To the extent feasible, the rules shall protect the
9 security and confidentiality of the examinations required to be administered under
10 this section.

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

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

17 **SECTION 37.** 118.30 (4) of the statutes is amended to read:

18 118.30 (4) The ~~department~~ board shall study the utility of administering
19 technology based performance assessments to pupils.

20 **SECTION 38.** 118.30 (6) of the statutes is amended to read:

21 118.30 (6) A school board and an operator of a charter school under s. 118.40
22 (2r) is not required to administer the 4th and 8th grade examinations adopted or
23 approved by the ~~state superintendent~~ board under sub. (1) (1d) if the school board
24 or the operator of the charter school administers its own 4th and 8th grade
25 examinations, the school board or operator of the charter school provides the state

1 ~~superintendent~~ board with statistical correlations of those examinations with the
2 examinations adopted or approved by the ~~state superintendent~~ board under sub. (1)
3 (1d), and the federal department of education approves.

4 **SECTION 39.** 118.30 (7) of the statutes is created to read:

5 118.30 (7) (a) The board shall provide the examinations administered under
6 sub. (1s) and score the examinations free of charge.

7 (b) The board may not disclose the results of the examinations administered
8 under sub. (1s) except as follows:

9 1. The board shall publish the aggregate results of all of the examinations
10 provided to the board.

11 2. The board shall report each pupil's scores to the pupil's parent or guardian.

12 **SECTION 40.** 118.38 (1) (a) 8. of the statutes is created to read:

13 118.38 (1) (a) 8. The school performance report under s. 115.38.

14 **SECTION 41.** 118.43 (7) of the statutes is amended to read:

15 118.43 (7) EVALUATION. ~~Beginning in the 1996-97 school year~~ Annually, the
16 department shall arrange for an evaluation of the program under this section and
17 shall allocate from the appropriation under s. 20.255 (2) (cu) ~~\$250,000~~ \$125,000 for
18 that purpose. To ensure an impartial evaluation, the department shall select an
19 evaluator by using a competitive process.

20 **SECTION 42.** 118.43 (7) of the statutes, as affected by 2001 Wisconsin Act
21 (this act), is amended to read:

22 118.43 (7) EVALUATION. Annually, the department board on education
23 evaluation and accountability shall arrange for an evaluation of the program under
24 this section and shall allocate from the appropriation under s. ~~20.255 (2) (cu)~~ 20.505

1 (4) (cw) \$125,000 for that purpose. To ensure an impartial evaluation, the
2 ~~department~~ board shall select an evaluator by using a competitive process.

3 **SECTION 43.** 121.02 (1) (r) of the statutes is amended to read:

4 121.02 (1) (r) Except as provided in s. 118.40 (2r) (d) 2., annually administer
5 a standardized reading test developed by the ~~department~~ board on education
6 evaluation and accountability to all pupils enrolled in the school district in grade 3,
7 including pupils enrolled in charter schools located in the school district.

8 **SECTION 44.** 230.08 (2) (vm) of the statutes is created to read:

9 230.08 (2) (vm) The executive director of the board on education evaluation and
10 accountability.

11 **SECTION 9101. Nonstatutory provisions; administration.**

12 (1) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. Notwithstanding
13 section 15.105 (8) of the statutes, as created by this act, 2 of the initial members of
14 the board on education evaluation and accountability shall serve for terms expiring
15 on May 1, 2002; 2 of the initial members shall serve for terms expiring on May 1,
16 2004; and one of the initial members shall serve for a term expiring on May 1, 2006.

17 **SECTION 9140. Nonstatutory provisions; public instruction.**

18 (1) TRANSFER OF FUNCTIONS TO BOARD ON EDUCATION EVALUATION AND
19 ACCOUNTABILITY.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of public instruction primarily related to the functions
22 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
23 determined by the secretary of administration, become the assets and liabilities of
24 the board on education evaluation and accountability.

1 (b) *Employee transfers.* All incumbent employees holding positions in the
2 department of public instruction performing duties primarily related to the
3 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
4 determined by the secretary of administration, are transferred on the effective date
5 of this paragraph to the board on education evaluation and accountability.

6 (c) *Employee status.* Employees transferred under paragraph (b) have all the
7 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
8 statutes in the board on education evaluation and accountability that they enjoyed
9 in the department of public instruction immediately before the transfer.
10 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
11 has attained permanent status in class is required to serve a probationary period.

12 (d) *Tangible personal property.* On the effective date of this paragraph, all
13 tangible personal property, including records, of the department of public instruction
14 that is primarily related to the functions under sections 115.38, 118.30, 118.43 (7),
15 and 121.02 (1) (r), 1999 stats., as determined by the secretary of administration, is
16 transferred to the board on education evaluation and accountability.

17 (e) *Contracts.* All contracts entered into by the department of public instruction
18 in effect on the effective date of this paragraph that are primarily related to the
19 functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
20 determined by the secretary of administration, remain in effect and are transferred
21 to the board on education evaluation and accountability. The board on education
22 evaluation and accountability shall carry out any obligations under such a contract
23 until the contract is modified or rescinded by the board on education evaluation and
24 accountability to the extent allowed under the contract.

1 (f) *Rules and orders.* All rules promulgated by the department of public
2 instruction that are in effect on the effective date of this paragraph and that relate
3 to the functions under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999
4 stats., as determined by the secretary of administration, are transferred to the board
5 on education evaluation and accountability and remain in effect until their specified
6 expiration date or until amended or repealed by the board on education evaluation
7 and accountability. All orders issued by the department of public instruction that are
8 in effect on the effective date of this paragraph and that relate to the functions under
9 sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as determined by
10 the secretary of administration, are transferred to the board on education evaluation
11 and accountability and remain in effect until their specified expiration date or until
12 modified or rescinded by the board on education evaluation and accountability.

13 (g) *Pending matters.* Any matter pending with the department of public
14 instruction on the effective date of this paragraph that is related to the functions
15 under sections 115.38, 118.30, 118.43 (7), and 121.02 (1) (r), 1999 stats., as
16 determined by the secretary of administration, is transferred to the board on
17 education evaluation and accountability and all materials submitted to or actions
18 taken by the department of public instruction with respect to the pending matter are
19 considered as having been submitted to or taken by the board on education
20 evaluation and accountability.

21 **SECTION 9440. Effective dates; public instruction.**

22 (1) MILWAUKEE PARENTAL CHOICE PROGRAM; PUPIL ASSESSMENTS, BOARD ON
23 EDUCATION EVALUATION AND ACCOUNTABILITY. The treatment of sections 16.963, 20.255
24 (1) (dw) (by SECTION 4) and (2) (cu), 20.923 (4) (c) 2., 115.38 (1), (1g), (2), (3), (4) (by
25 SECTION 14), and (5) (by SECTION 16), 118.30 (1), (1b), (1g) (b) and (c), (1m) (a) 1. (by

5 ← auto ref.

1 SECTION 22) and (am) 1. (by SECTION 24), (1r) (a) 1. (by SECTION 26) and (am) 1. (by
2 SECTION 28), (1s), (2) (b) 1., 2., and 5., (3) (a) (by SECTION 35) and (b) (by SECTION 37),
3 (4), (6), and (7), 118.38 (1) (a) 8., 118.43 (7) (by SECTION 43), and 121.02 (1) (r) of the
4 statutes and SECTION 9140 (1) of this act take effect on July 1, 2002.

5 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2358/1dn
PG&MJL:all:pg

February 2, 2001

This draft compiles and reconciles the following drafts, all of which should be deleted from the in-list:

-0864/P1

-0888/1

-0891/1

-0910/5

-0958/1

-1702/1

-1880/3

This draft corrects an ^{inc} incorrect cross-reference in the effective date section.

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A / 2 A

DRAFTER'S NOTE
FROM THE
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-1880/3

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