

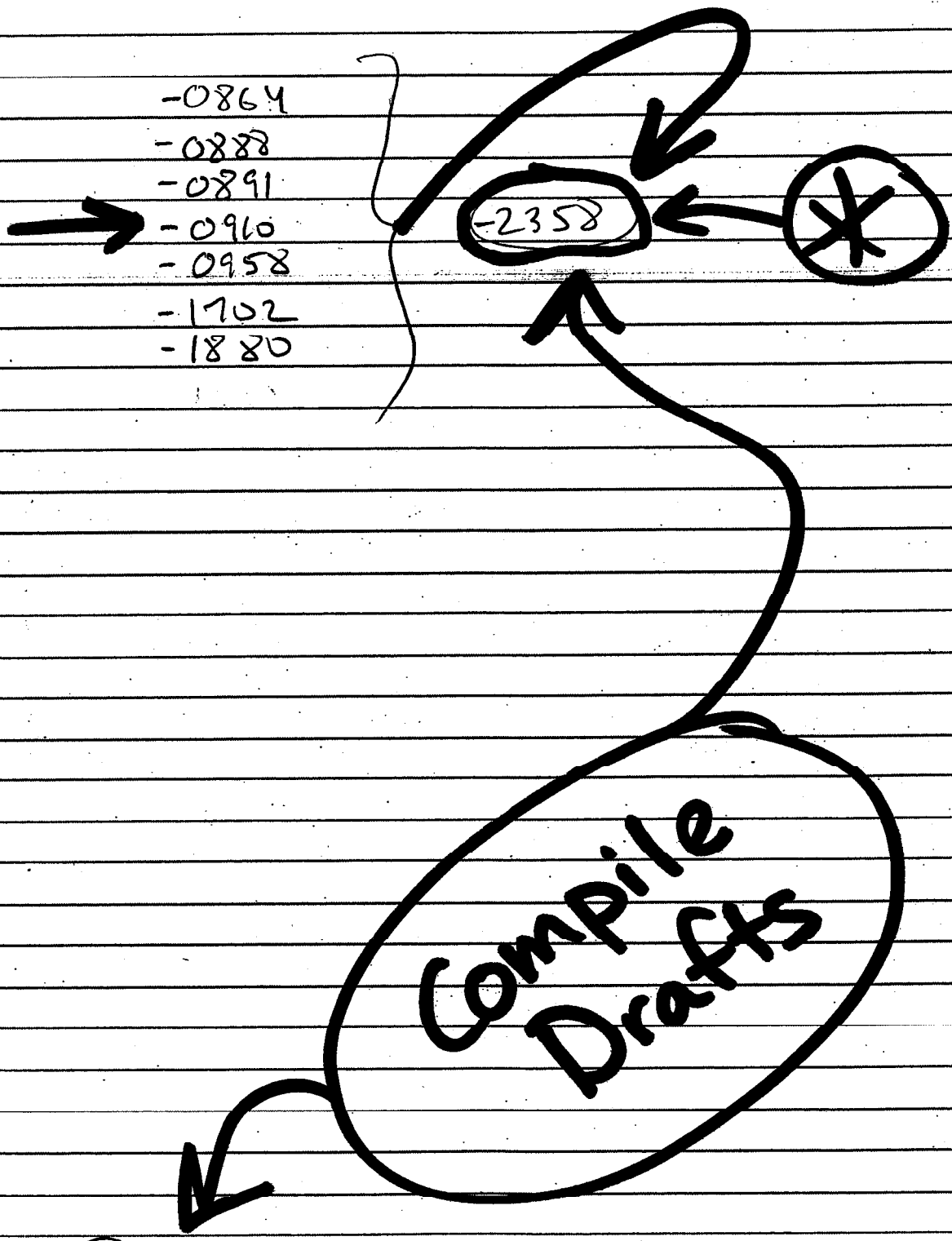
- 0864
- 0888
- 0891
- -0960
- 0958
- 1702
- 1880

-2358

\*

Compile Drafts

⊕ -0910



2001 DRAFTING REQUEST

Bill

Received: 11/02/2000

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-1923

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - MPS  
Education - state superintendent

Extra Copies: M.I.L.

Pre Topic:

DOA:.....Maternowski -

Topic:

Administration of standardized pupil assessments to pupils in Milwaukee Parental Choice Program

Instructions:

See Attached

Now a part of 01-2358

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	grantpr	gs 11/6/00	[Signature]	[Signature] 11-7-00			
		1/6 wlj 2/7	11-6-00	[Signature]			
FE Sent For:			[Signature] 2/7	[Signature] 2/7			<END>

RE ~~OL3F~~

~~right to remain tests~~

TC w/  
Peter M.

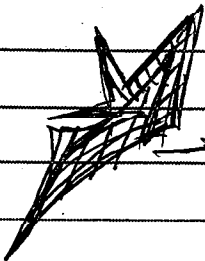
if choice school does so, dqi must  
supply, do grading etc.

(not tied into diploma)

→ dqi makes <sup>tests</sup> available or no change

→ dqi also runs for sd's free of charge

(need not accept gov - stns)



→ just pupils in MPCP, not all

also, allow schools to purchase <sup>for</sup> non-choice ~~sd's~~ pupils  
(K-1, DP1)  
& allow 'em to pay for grading

Q: does PP/ provide exams, &  
score exams, free of charge only if  
the school ~~has~~ is using the state exams?  
or all exams?  
only ↑

Peter

2001

Date (time) needed Soon

LRB 09/10/1

**DOA BUDGET DRAFT**

PG : cjs :

Use the appropriate components and routines developed for bills.

>>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

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

SECTION #.

LAB-0910/1  
PK-cjs

**2001 BILL**

EDUCATION (Head)

PRIMARY AND SECONDARY EDUCATION (Sub)

1 AN ACT ~~to amend~~ 118.30 (1g) (a) 1., 118.30 (1g) (b), 118.30 (1g) (e), 118.30 (2) (b)

2 1, 118.30 (2) (b) 2, 118.30 (6) and 118.33 (1) (f) 3; and ~~to create~~ 118.30 (1g) (a)

3 3., 118.30 (1s), 118.30 (2) (b) 5, 118.33 (1) (f) 2m, 118.33 (6) (c) and 119.28 (10)

4 ~~of the statutes; relating to:~~ pupil assessments and to private schools

5 participating in the Milwaukee parental choice program.

**Analysis by the Legislative Reference Bureau**

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 examinations developed by ~~the department of public instruction (DPI)~~ or develop its own examinations. Identical provisions exist under current law for Milwaukee charter schools.

Under current law, the fourth, eighth, and tenth grade examinations and the high school graduation examination are not required to be administered to pupils

INSERT

**BILL**

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.

~~This bill provides that the governing body of a private school participating in the MPCP must adopt academic standards and administer the fourth, eighth, and tenth grade examinations and the high school graduation examination to pupils enrolled in the private school. The governing body may either adopt DPI's examinations or develop its own.~~

~~Under current law, by September 1, 2002, each school board and the operator of each Milwaukee charter school must develop written policies specifying criteria for granting a high school diploma. Beginning September 1, 2003, neither a school board nor the operator of a Milwaukee charter school may grant a high school diploma to any pupil unless the pupil has satisfied the criteria. Similarly, each school board and each Milwaukee charter school must adopt policies specifying criteria for promoting a pupil from the fourth grade to the fifth grade and from the eighth grade to the ninth grade. Beginning September 1, 2002, a pupil may not be promoted unless he or she satisfies the promotion criteria.~~

~~This bill imposes upon private schools participating in the MPCP the same prohibitions against graduation and promotion (for pupils attending the private school under the MPCP) that are imposed upon school boards and Milwaukee charter schools.~~

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

~~For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.~~

---

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

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

2           118.30 (1g) (a) 1. By August 1, 1998, each school board shall adopt pupil  
3 academic standards in mathematics, science, reading and writing, geography, and  
4 history. ~~If the governor has issued~~ The school board may adopt the pupil academic  
5 standards issued by the governor as an executive order under s. 14.23, the school  
6 board may adopt those standards no. 326, dated January 13, 1998.

I Under this bill, if a private school participating in the MPCP wishes to administer any of the examinations adopted, approved, or developed by ~~the~~ DPI, ~~the~~ DPI must provide the examination, and score the examination, free of charge if the examination ~~is~~ is administered to a pupil who is attending the private school under the MPCP.

If the pupil is attending the private school but not under the MPCP, DPI may charge the private school a fee for providing and for scoring the examination.

FE-SL



INSERT

(m) DPI provides the examinations and scores those examinations, free of charge.

~~for the school~~

that are adopted, approved, or developed by DPI;

A SEC #. CR. 118-30 (7)

(B)

A 118.30 (7) If a private school that participates in the program under s. 119.23 wishes to administer an ~~of the~~ that has that has been examination adopted, approved, or developed by the state superintendent under sub. (1), the department shall provide the examination and score the examination, free of charge if the examination is administered to a pupil who is attending ~~at~~ the private school under s. 119.23. The department may charge a fee for providing the examination, and for scoring the examination, if the examination is administered to a pupil who is attending ~~at~~ the private school but not under s. 119.23.

(End)

## Grant, Peter

---

**From:** Maternowski, Peter  
**Sent:** Tuesday, January 09, 2001 6:26 PM  
**To:** Grant, Peter  
**Subject:** Revisions to LRB-0910

Peter,

Please modify the MPCP assessment draft (LRB-0910/1) as follows:

1. Beginning in the 2002-2003 school year, require schools participating in the MPCP to administer the statewide assessments to students attending the school under the Choice program. (This would include the 4<sup>th</sup>, 8<sup>th</sup> and 10<sup>th</sup> grade exams, the 3<sup>rd</sup> grade reading comprehension test and the HSGT .)
2. Do not require the Choice schools to adopt the state's or alternative pupil academic standards.
3. Allow for a parental opt-out similar to that enjoyed by parents of public school students.
4. Require that the department can only release the data in aggregate for all choice students, i.e. treat the Choice students as if they are all attending the same school for the purposes of reporting the results. The effect of this would be to prevent identifying how students in particular schools performed. The department could, however, use other reporting categories, e.g. ethnicity, economically disadvantaged, limited English proficiency, child with a disability.
5. Direct the department to provide each parent of a Choice child taking one of the state assessments a copy of the child's test results.

Thanks. I'll call tomorrow morning to see if you have any questions.

Peter Maternowski  
State Budget Office  
608-266-1923  
[peter.maternowski@doa.state.wi.us](mailto:peter.maternowski@doa.state.wi.us)

*pushed*

*can't do it  
school by school*



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0910/1

PG:cjs:rs

*500*

DOA:.....Maternowski – Administration of standardized pupil assessments to pupils in Milwaukee Parental Choice Program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

*Do NOT GET*

1 **AN ACT**...; relating to: pupil assessments and to private schools participating  
2 in the Milwaukee parental choice program.

*the*  
**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 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, the fourth, eighth, and tenth grade examinations and the high school graduation examination are not required to be administered to pupils

*by*

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.

~~Under this bill, if a private school participating in the MPCP wishes to administer any of the examinations adopted, approved, or developed by DPI, DPI must provide the examination, and score the examination, free of charge if the examination is administered to a pupil who is attending the private school under the MPCP. If the pupil is attending the private school but not under the MPCP, DPI may charge the private school a fee for providing and for scoring the examination.~~

INS.  
A

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:*

INS.  
2-1

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10

SECTION 1. 118.30 (7) of the statutes is created to read:

118.30 (7) ~~If a private school that participates in the program under s. 119.23 wishes to administer an examination that has been adopted, approved, or developed by the state superintendent under sub. (1), the department shall provide the examination, and score the examination, free of charge if the examination is administered to a pupil who is attending the private school under s. 119.23. The department may charge a fee for providing the examination and for scoring the examination if the examination is administered to a pupil who is attending the private school but not under s. 119.23.~~

(a)

INSERT 2-9

(END)

examinations administered under sub. (1s) created s. 119.23 (10)

## BILL

## SECTION 4

2-1-1

1 118.30 (1g) (c) Each school board operating elementary grades and, each  
 2 operator of a charter school under s. 118.40 (2r) that operates elementary grades, and  
 3 the governing body of each private school participating in the program under s.  
 4 119.23 that operates elementary grades may develop or adopt its own examination  
 5 designed to measure pupil attainment of knowledge and concepts in the 4th grade  
 6 and may develop or adopt its own examination designed to measure pupil attainment  
 7 of knowledge and concepts in the 8th grade. If the school board or, operator of the  
 8 charter school, or governing body of the private school develops or adopts an  
 9 examination under this paragraph, it shall notify the department.

10 SECTION 5. 118.30 (1s) of the statutes is created to read:

11 118.30 (1s) Annually the governing body of each private school participating  
 12 in the program under s. 119.23 shall do all of the following:

13 (a) ~~Except as provided in sub. (c)~~ administer the 4th grade examination  
 14 adopted or approved by the state superintendent under sub. (1) (a) to all pupils  
 15 attending the 4th grade in the private school under s. 119.23. Beginning on July 1,  
 16 2002, ~~if the governing body of the private school has not developed or adopted its own~~  
 17 ~~4th grade examination,~~ the governing body of the private school shall provide a pupil  
 18 with at least 2 opportunities to take the examination administered under this  
 19 ~~subdivision.~~ paragraph

20 2. Beginning on July 1, 2002, if the governing body of the private school has  
 21 developed or adopted its own 4th grade examination, administer that examination  
 22 to all pupils attending the 4th grade in the private school under s. 119.23. The  
 23 governing body of the private school shall provide a pupil with at least 2  
 24 opportunities to take the examination administered under this subdivision.

BILL

5 -  
2-1:2

1 (am) ~~Except as provided in sub(6)~~ administer the 8th grade examination  
2 adopted or approved by the state superintendent under sub. (1) (a) to all pupils  
3 attending the 8th grade in the private school under s. 119.23. Beginning on  
4 July 1, 2002, if ~~the governing body of the private school has not developed and~~  
5 ~~adopted its own 8th grade examination,~~ the governing body of the private school shall  
6 provide a pupil with at least 2 opportunities to take the examination administered  
7 under this ~~subdivision~~ *paragraph*

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

13 (b) Administer the 10th grade examination to all pupils attending the 10th  
14 grade in the private school under s. 119.23.

15 (d) If the private school operates high school grades, beginning in the 2002-03  
16 school year administer the high school graduation examination <sup>developed</sup> ~~adopted~~ by the  
17 ~~governing body of the private school~~ <sup>department</sup> (1) ✓ under sub. (1)(b) to all pupils attending the  
18 11th and 12th grades at the private school under s. 119.23. The governing body of  
19 the private school shall administer the examination at least twice each school year  
20 and may administer the examination only to pupils attending the 11th and 12th  
21 grades.

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

23 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
24 subch. V of ch. 115, the school board or operator of the a charter school under s. 118.40



## BILL

## SECTION 6

2-1-3

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

3 **SECTION 7.** 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  
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 **SECTION 8.** 118.30 (2) (b) 5. of the statutes is created to read:

12 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing  
13 body of a private school participating in the program under s. 119.23 shall excuse the  
14 pupil from taking an examination administered under sub. (1s).

15 **SECTION 9.** 118.30 (6) of the statutes is amended to read:

16 118.30 (6) A school board and, an operator of a charter school under s. 118.40  
17 (2r), and the governing body of a private school participating in the program under  
18 s. 119.23 is not required to administer the 4th and 8th grade examinations adopted  
19 or approved by the state superintendent under sub. (1) if the school board ~~or~~, the  
20 operator of the charter school, or the governing body of the private school administers  
21 its own 4th and 8th grade examinations, the school board ~~or~~, operator of the charter  
22 school, or governing body of the private school provides the state superintendent  
23 with statistical correlations of those examinations with the examinations adopted or  
24 approved by the state superintendent under sub. (1), and the federal department of  
25 education approves.

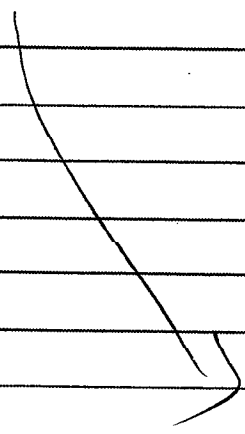


2-9-11

¶ (b) The department ~~is~~ may not disclose  
the results of the <sup>examinations</sup> administered under  
sub (1s) or s. ~~19.23~~ 19.23 (10) except as  
follows:

¶ 1. The department shall publish the  
aggregate results of all of the <sup>examinations</sup> provided  
to the department.

¶ 2. The department shall report to  
each pupil's score on the tests.  
~~the results of~~ to the pupil's parent or  
guardian.



29:2

**BILL**

1 shall be based solely on the pupil's academic performance; and any other academic  
2 criteria specified by the governing body of the private school.

3 2. Beginning on September 1, 2002, the governing body of a private school  
4 participating in the program under s. 119.23 may not promote a 4th grade pupil who  
5 is attending the private school under s. 119.23 to the 5th grade, and may not promote  
6 an 8th grade pupil who is attending the private school under s. 119.23 to the 9th  
7 grade, unless the pupil satisfies the criteria for promotion specified in the governing  
8 body's policy under subd. 1.

9 **SECTION 13.** 119.23 (10) of the statutes is created to read:

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

~~CONFIDENTIAL~~



2-9:3

Nonstat File Sequence: **FFF**

LRB \_\_\_\_\_ / \_\_\_\_\_

**EFFECTIVE DATE**

1. In the component bar: For the action phrase, execute: ... create → action: → \*NS: → effdate  
For the text, execute: ..... create → text: → \*NS: → effdateA
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_ . Effective date.

( #1 ) ( ) ..... This act takes effect on .....

1. In the component bar: For the action phrase, execute: .. create → action: → \*NS: → effdateE  
For the text, execute: ..... create → text: → \*NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_ . Effective dates; .....

..... This act takes effect on the day after publication, except as follows:

( #1 ) ( ) ..... The treatment of sections ..... of the statutes takes effect on .....

1. In the component bar: For the budget action phrase, execute:..create → action: → \*NS: → 94XX  
For the text, execute: ..... create → text: → \*NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

**SECTION 94** 40 . Effective dates; public instruction

( #1 ) ( <sup>CS</sup> ) MILWAUKEE PARENTAL CHOICE ..... The treatment of sections 118.30(1s), (2)(b), 209.6hr 50, and (7) and 119.23(10) of the statutes takes effect on July 1, 2002.

PROGRAM, PUPIL ASSESSMENTS

(End)

**BILL**

*Beginning in the 2002-03 school year, the MPCP in the*

*A:1*

*PG-cis:jf private school must use*

*requires*

~~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.~~

~~This bill provides that the governing body of a private school participating in the MPCP must adopt academic standards and administer the fourth, eighth, and tenth grade examinations and the high school graduation examination to pupils enrolled in the private school. The governing body may either adopt DPI's examinations or develop its own.~~

~~Under current law, by September 1, 2002, each school board and the operator of each Milwaukee charter school must develop written policies specifying criteria for granting a high school diploma. Beginning September 1, 2003, neither a school board nor the operator of a Milwaukee charter school may grant a high school diploma to any pupil unless the pupil has satisfied the criteria. Similarly, each school board and each Milwaukee charter school must adopt policies specifying criteria for promoting a pupil from the fourth grade to the fifth grade and from the eighth grade to the ninth grade. Beginning September 1, 2002, a pupil may not be promoted unless he or she satisfies the promotion criteria.~~

~~This bill imposes upon private schools participating in the MPCP the same prohibitions against graduation and promotion (for pupils attending the private school under the MPCP) that are imposed upon school boards and Milwaukee charter schools.~~

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

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

118.30 (1g) (a) 1. By August 1, 1998, each school board shall adopt pupil academic standards in mathematics, science, reading and writing, geography, and history. ~~If the governor has issued~~ The school board may adopt the pupil academic standards issued by the governor as an executive order under s. 14.23, the school board may adopt those standards no. 326, dated January 13, 1998.

*Beginning in the 2002-03 school year,*



A:2

administered to  
MPCP pupils

If the bill requires that DPI provide all of the examinations, 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, parent or guardian.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0910/2  
PG:jsjf

DOA:.....Maternowski - Administration of standardized pupil assessments  
to pupils in Milwaukee Parental Choice Program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

- 1 AN ACT ...; relating to: pupil assessments and to private schools participating  
2 in the Milwaukee parental choice program.

*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, 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 requires a private school participating in the MPCP to administer the fourth, eighth, and tenth grade examinations and the high school graduation examination to pupils enrolled in the MPCP in the private school. The private school must use DPI's examinations.

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. Beginning in the 2002-03 school year, this bill imposes this requirement on these private schools.

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 pupils parent or guardian.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

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

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

2           **118.30 (1s)** Annually the governing body of each private school participating  
3 in the program under s. 119.23 shall do all of the following:

4           (a) Administer the 4th grade examination adopted or approved by the state  
5 superintendent under sub. (1) (a) to all pupils attending the 4th grade in the private

6           ~~school under s. 119.23. Beginning on July 1, 2002, the governing body of the private~~  
7 ~~school shall provide a pupil with at least 2 opportunities to take the examination~~  
8 ~~administered under this paragraph.~~

9           (am) Administer the 8th grade examination adopted or approved by the state  
10 superintendent under sub. (1) (a) to all pupils attending the 8th grade in the private  
11 school under s. 119.23. ~~Beginning on July 1, 2002, the governing body of the private~~

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

3 (b) Administer the 10th grade examination to all pupils attending the 10th  
4 grade in the private school under s. 119.23.

5 (d) If the private school operates high school grades, beginning in the 2002-03  
6 school year administer the high school graduation examination developed by the  
7 department under sub. (1) (b) to all pupils attending the 11th and 12th grades at the  
8 private school under s. 119.23. The governing body of the private school shall  
9 administer the examination at least twice each school year and may administer the  
10 examination only to pupils attending the 11th and 12th grades.

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

12 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
13 subch. V of ch. 115, the school board or operator of the a charter school under s. 118.40  
14 (2r), or governing body of a private school participating in the program under s.  
15 119.23 shall comply with s. 115.77 (1m) (bg).

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

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

24 SECTION 4. 118.30 (2) (b) 5. of the statutes is created to read:



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

4           **SECTION 5.** 118.30 (7) of the statutes is created to read:

5           118.30 (7) (a) The department shall provide the examinations administered  
6 under sub. (1s) and s. 119.23 (10), and score the examinations, free of charge.

7           (b) The department may not disclose the results of the examinations  
8 administered under sub. (1s) or s. 119.23 (10) except as follows:

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

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

13           **SECTION 6.** 119.23 (10) of the statutes is created to read:

14           119.23 (10) Each private school participating in the program under this section  
15 shall administer to the pupils attending the 3rd grade in the private school under this  
16 section a standardized reading test developed by the department.

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

18           (1) **MILWAUKEE PARENTAL CHOICE PROGRAM; PUPIL ASSESSMENTS.** The treatment of  
19 sections 118.30 (1s), (2) (b) 1., 2., and 5., and (7) and 119.23 (10) of the statutes takes  
20 effect on July 1, 2002.

21

(END)

## Grant, Peter

---

**From:** Maternowski, Peter  
**Sent:** Saturday, January 13, 2001 1:59 PM  
**To:** Grant, Peter  
**Subject:** Revisions to three drafts

Peter,

Please make the following revisions to the identified drafts:

LRB-1632/2 - Changes the open enrollment payment amount. Please revise the draft so that the payment amount is set at two-thirds of the statewide average per pupil school district cost. (In the draft it is set at 75%.)

LRB-0910/3 - Requires pupils attending private schools under the MPCP to take the statewide assessments administered by the department. Please revise the draft to:

1. Allow private schools participating in the MPCP to opt into the assessments. If a school agrees to administer the assessments, they must administer all tests that are appropriate for their MPCP student body.
2. A school must notify the Department by September 15 if it intends to participate in the statewide testing program in that school year.
3. MPCP schools that agree to participate in the statewide testing program, are subject to the same statutory provisions as public schools (i.e. sections 2, 3, and 4 on 0910/3.)

LRB-0887/3 - Makes various changes to MPCP reporting dates and program administration. Please revise the draft to:

1. Remove the expansion of the definition of private school (the expanded definition included stand-alone 4-year-old kindergarten programs).
2. Remove the language limiting DPI's authority to withhold payments unless ordered to do so by a court.

Thanks, if you have questions I will be in tomorrow afternoon and all day Monday.

Peter Maternowski  
State Budget Office  
608-266-1923  
[peter.maternowski@doa.state.wi.us](mailto:peter.maternowski@doa.state.wi.us)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRE-0910/3

PG:cjsj

WJ

DOA:.....Maternowski - Administration of standardized pupil assessments to pupils in Milwaukee Parental Choice Program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

DO NOT GEN

- 1 AN ACT ...; relating to: pupil assessments and to private schools participating
- 2 in the Milwaukee parental choice program.

*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, the fourth, eighth, and tenth grade examinations and the high school graduation examination are not required to be administered to pupils

*If the private school chooses to administer the examinations*  
*allows the examination*

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 requires a private school participating in the MPCP to administer the fourth, eighth, and tenth grade examinations and the high school graduation examination to pupils enrolled in the MPCP in the private school. The private school must use DPI's examinations.

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. Beginning in the 2002-03 school year, this bill imposes this requirement on these private schools.

*allows*

*the test*

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 pupils parent or guardian.

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
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11

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

118.30 (1s) Annually <sup>by September 15,</sup> the governing body of each private school participating in the program under s. 119.23 shall do all of the following:

*INS. 2-3*

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

(am) Administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils attending the 8th grade in the private school under s. 119.23.

(b) Administer the 10th grade examination to all pupils attending the 10th grade in the private school under s. 119.23.

1 (d) If the private school operates high school grades, beginning in the 2002-03  
2 school year administer the high school graduation examination developed by the  
3 department under sub. (1) (b) to all pupils attending the 11th and 12th grades at the  
4 private school under s. 119.23. The governing body of the private school shall  
5 administer the examination at least twice each school year and may administer the  
6 examination only to pupils attending the 11th and 12th grades.

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

8 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
9 subch. V of ch. 115, the school board ~~or~~ operator of the a charter school under s. 118.40  
10 (2r), or governing body of a private school participating in the program under s.  
11 119.23 shall comply with s. 115.77 (1m) (bg).

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

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

20 SECTION 4. 118.30 (2) (b) 5. of the statutes is created to read:

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

24 SECTION 5. 118.30 (7) of the statutes is created to read:

and administering the examinations under sub. (1s)



23

No ff

notify the department whether it intends  
will ~~to~~ ~~be~~ administer the examinations  
under this section in the current  
school year. If the private school  
~~determines~~ ~~to~~ <sup>notifies</sup> notifies the department that  
it will administer the examinations, the  
private school shall

4-11

119

If a private school participating in  
the program under this <sup>section</sup> ~~article~~  
~~the department under s. 118-25(1a)~~

~~that it will~~ administers the  
examinations under s. 118.38(1a)  
s. 118-30(1a) in any  
school year & it shall also in that  
school year



1/19/01

Pat M.

~~ed syst one of his oral test~~

3, 4, 8, 10 - set of tests

h. syst - system

want both or either



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0910/5  
PG:cjs&wlj.pg

DOA:.....Maternowski - Administration of standardized pupil assessments  
to pupils in Milwaukee Parental Choice Program  
FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

DO NOT GEN

- ① AN ACT ...; relating to: pupil assessments and to private schools participating
- 2 in the Milwaukee parental choice program.

*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, the fourth, eighth, and tenth grade examinations, and the high school graduation examination are not required to be administered to pupils

more  
to p. 2

the third grade reading test,

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 fourth, eighth, and tenth grade examinations and the high school graduation examination to pupils enrolled in the MPCP in the private school. If the private school chooses to administer the examinations, the private school must use DPI's examinations.~~

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. ~~Beginning in the 2002-03 school year, this bill allows these private schools to administer the test.~~

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.

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:*

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

118.30 (1s) Annually, by September 15, the governing body of each private school participating in the program under s. 119.23 shall notify the department whether it will administer the examinations under ~~this section~~ in the current school year. If the private school notifies the department that it will administer the examinations, the private school shall do all of the following:

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

move  
THEN  
A ✓  
2

2-61

as to (b) (c)  
par. (b) or (c) or both

*notifies the department that it will administer the examination under this paragraph*

1

~~(b)~~ <sup>3.</sup> Administer the 8th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils attending the 8th grade in the private school under s. 119.23.

4

~~(b)~~ <sup>4.</sup> Administer the 10th grade examination to all pupils attending the 10th grade in the private school under s. 119.23.

6

~~(c)~~ <sup>5.</sup> If the private school ~~operates high school grades~~, beginning in the 2002-03 school year <sup>the private school shall</sup> administer the high school graduation examination developed by the department under sub. (1) (b) 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.

7

department under sub. (1) (b) 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.

12

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

13

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

16

18

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

19

118.30 (2) (b) 2. According to criteria established by the state superintendent by rule, 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. 119.23 may determine not to administer an examination under this section to a limited-English proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or her native language, or may modify the format and administration of an examination for such pupils.

25

1 SECTION 4. 118.30 (2) (b) 5. of the statutes is created to read:

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

5 SECTION 5. 118.30 (7) of the statutes is created to read:

6 118.30 (7) (a) The department shall provide the examinations administered  
7 under sub. (1s) ~~and s. 119.23(10)~~ and score the examinations, free of charge.

8 (b) The department may not disclose the results of the examinations  
9 administered under sub. (1s) ~~or s. 119.23(10)~~ except as follows:

10 1. The department shall publish the aggregate results of all of the examinations  
11 provided to the department.

12 2. The department shall report each pupil's scores to the pupil's parent or  
13 guardian.

14 SECTION 6. 119.23 (10) of the statutes is created to read:

15 119.23 (10) If a private school participating in the program under this section  
16 administers the examinations under s. 118.30 (1s) in any school year, it shall also in  
17 that school year administer to the pupils attending the 3rd grade in the private  
18 school under this section a standardized reading test developed by the department.

19 SECTION 9440. Effective dates; public instruction.

20 (1) MILWAUKEE PARENTAL CHOICE PROGRAM; PUPIL ASSESSMENTS. The treatment of  
21 sections 118.30 (1s), (2) (b) 1., 2., and 5., and (7) ~~and s. 119.23(10)~~ of the statutes takes  
22 effect on July 1, 2002.

23 (END)

(A)

At Beginning ~~to~~ in the 2002-03 school year, this bill allows a private school participating in the MCP to choose to administer the <sup>examinations</sup> (the <sup>grade</sup> third grade reading test and the fourth, eighth <sup>and</sup> and fifth grade <sup>examinations</sup> <sup>examinations</sup>) or the high school graduation <sup>examination</sup> for both to the pupils attending the private school

under the MCP ~~The private school may also choose to administer the high school graduation examination to the to such pupils.~~

26

~~(b) Annually by September 15, the governing body of each private school~~

§ 1. Administer ~~to~~ a <sup>standardized</sup> reading test developed by the department <sup>to</sup> all pupils ~~enrolled in~~ attending the 3rd grade in the private school under

501150230

DOA:.....Maternowski – Administration of standardized pupil assessments  
to pupils in Milwaukee Parental Choice Program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

- 1 **AN ACT ...; relating to:** pupil assessments and private schools participating in  
2 the Milwaukee parental choice program.

---

*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.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

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

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

2           118.30 (1s) (a) Annually, by September 15, the governing body of each private  
3 school participating in the program under s. 119.23 shall notify the department as  
4 to whether it will administer the examinations under par. (b) or (c) or both in the  
5 current school year.

6           (b) If the private school notifies the department that it will administer the  
7 examinations under this paragraph, the private school shall do all of the following:

8           1. Administer a standardized reading test developed by the department to all  
9 pupils attending the 3rd grade in the private school under s. 119.23.

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

4           3. Administer the 8th grade examination adopted or approved by the state  
5 superintendent under sub. (1) (a) to all pupils attending the 8th grade in the private  
6 school under s. 119.23.

7           4. Administer the 10th grade examination to all pupils attending the 10th  
8 grade in the private school under s. 119.23.

9           (c) If the private school notifies the department that it will administer the  
10 examination under this paragraph, beginning in the 2002–03 school year the private  
11 school shall administer the high school graduation examination developed by the  
12 department under sub. (1) (b) to all pupils attending the 11th and 12th grades at the  
13 private school under s. 119.23. The governing body of the private school shall  
14 administer the examination at least twice each school year and may administer the  
15 examination only to pupils attending the 11th and 12th grades.

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

17           118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
18 subch. V of ch. 115, the school board ~~or~~, operator of ~~the~~ a charter school under s. 118.40  
19 (2r), or governing body of a private school participating in the program under s.  
20 119.23 and administering any of the examinations under sub. (1s), shall comply with  
21 s. 115.77 (1m) (bg).

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

23           118.30 (2) (b) 2. According to criteria established by the state superintendent  
24 by rule, the school board ~~or~~, operator of ~~the~~ a charter school under s. 118.40 (2r), or  
25 governing body of a private school participating in the program under s. 119.23 may

1 determine not to administer an examination under this section to a limited-English  
2 proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined  
3 in his or her native language, or may modify the format and administration of an  
4 examination for such pupils.

5 **SECTION 4.** 118.30 (2) (b) 5. of the statutes is created to read:

6 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing  
7 body of a private school participating in the program under s. 119.23 shall excuse the  
8 pupil from taking an examination administered under sub. (1s) (a) 2. to 4. or (b).

9 **SECTION 5.** 118.30 (7) of the statutes is created to read:

10 118.30 (7) (a) The department shall provide the examinations administered  
11 under sub. (1s) and score the examinations free of charge.

12 (b) The department may not disclose the results of the examinations  
13 administered under sub. (1s) except as follows:

14 1. The department shall publish the aggregate results of all of the examinations  
15 provided to the department.

16 2. The department shall report each pupil's scores to the pupil's parent or  
17 guardian.

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

19 (1) MILWAUKEE PARENTAL CHOICE PROGRAM, PUPIL ASSESSMENTS. The treatment of  
20 sections 118.30 (1s), (2) (b) 1., 2., and 5., and (7) of the statutes takes effect on July  
21 1, 2002.

22 (END)

DN

haley

P. M.

DOA:.....Maternowski – Administration of standardized pupil assessments to pupils in Milwaukee Parental Choice Program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

- 1 AN ACT ...; relating to: pupil assessments and private schools participating in
- 2 the Milwaukee parental choice program.

*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.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

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

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

2           118.30 (1s) (a) Annually, by September 15, the governing body of each private  
3 school participating in the program under s. 119.23 shall notify the department as  
4 to whether it will administer the examinations under par. (b) or (c) or both in the  
5 current school year.

6           (b) If the private school notifies the department that it will administer the  
7 examinations under this paragraph, the private school shall do all of the following:

8           1. Administer a standardized reading test developed by the department to all  
9 pupils attending the 3rd grade in the private school under s. 119.23.

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

4           3. Administer the 8th grade examination adopted or approved by the state  
5 superintendent under sub. (1) (a) to all pupils attending the 8th grade in the private  
6 school under s. 119.23.

7           4. Administer the 10th grade examination to all pupils attending the 10th  
8 grade in the private school under s. 119.23.

9           (c) If the private school notifies the department that it will administer the  
10 examination under this paragraph, beginning in the 2002–03 school year the private  
11 school shall administer the high school graduation examination developed by the  
12 department under sub. (1) (b) to all pupils attending the 11th and 12th grades at the  
13 private school under s. 119.23. The governing body of the private school shall  
14 administer the examination at least twice each school year and may administer the  
15 examination only to pupils attending the 11th and 12th grades.

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

17           118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
18 subch. V of ch. 115, the school board ~~or~~ operator of ~~the~~ a charter school under s. 118.40  
19 (2r), or governing body of a private school participating in the program under s.  
20 119.23 and administering any of the examinations under sub. (1s), shall comply with  
21 s. 115.77 (1m) (bg).

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

23           118.30 (2) (b) 2. According to criteria established by the state superintendent  
24 by rule, the school board ~~or~~ operator of ~~the~~ a charter school under s. 118.40 (2r), or  
25 governing body of a private school participating in the program under s. 119.23 may

1 determine not to administer an examination under this section to a limited-English  
2 proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined  
3 in his or her native language, or may modify the format and administration of an  
4 examination for such pupils.

5 SECTION 4. 118.30 (2) (b) 5. of the statutes is created to read:

6 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing  
7 body of a private school participating in the program under s. 119.23 shall excuse the  
8 pupil from taking an examination administered under sub. (1s) <sup>(b) ↓</sup> 2. to 4. or <sup>(c) ↓</sup> ~~the~~

9 SECTION 5. 118.30 (7) of the statutes is created to read:

10 118.30 (7) (a) The department shall provide the examinations administered  
11 under sub. (1s) and score the examinations free of charge.

12 (b) The department may not disclose the results of the examinations  
13 administered under sub. (1s) except as follows:

14 1. The department shall publish the aggregate results of all of the examinations  
15 provided to the department.

16 2. The department shall report each pupil's scores to the pupil's parent or  
17 guardian.

18 SECTION 9440. Effective dates; public instruction.

19 (1) MILWAUKEE PARENTAL CHOICE PROGRAM; PUPIL ASSESSMENTS. The treatment of  
20 sections 118.30 (1s), (2) (b) 1., 2., and 5., and (7) of the statutes takes effect on July  
21 1, 2002.

22 (END)

LRB-0910/6dn  
PG: wlj: ...

DN

# This redraft corrects a  
misreference in SECTION 40

PG



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0910/6dn  
PG:wlj:kjf

February 7, 2001

This redraft corrects a cross-reference in SECTION 4.

Peter R. Grant  
Managing Attorney  
Phone: (608) 267-3362  
E-mail: [peter.grant@legis.state.wi.us](mailto:peter.grant@legis.state.wi.us)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0910/6  
PG:cjs&wlj:kjf

DOA:.....Maternowski – Administration of standardized pupil assessments  
to pupils in Milwaukee Parental Choice Program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

- 1 AN ACT ...; relating to: pupil assessments and private schools participating in  
2 the Milwaukee parental choice program.

---

*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.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

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

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

2           118.30 (1s) (a) Annually, by September 15, the governing body of each private  
3 school participating in the program under s. 119.23 shall notify the department as  
4 to whether it will administer the examinations under par. (b) or (c) or both in the  
5 current school year.

6           (b) If the private school notifies the department that it will administer the  
7 examinations under this paragraph, the private school shall do all of the following:

8           1. Administer a standardized reading test developed by the department to all  
9 pupils attending the 3rd grade in the private school under s. 119.23.

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

4           3. Administer the 8th grade examination adopted or approved by the state  
5 superintendent under sub. (1) (a) to all pupils attending the 8th grade in the private  
6 school under s. 119.23.

7           4. Administer the 10th grade examination to all pupils attending the 10th  
8 grade in the private school under s. 119.23.

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

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

17           118.30 (2) (b) 1. If a pupil is enrolled in a special education program under  
18 subch. V of ch. 115, the school board ~~or~~ operator of ~~the~~ a charter school under s. 118.40  
19 (2r), or governing body of a private school participating in the program under s.  
20 119.23 and administering any of the examinations under sub. (1s), shall comply with  
21 s. 115.77 (1m) (bg).

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

23           118.30 (2) (b) 2. According to criteria established by the state superintendent  
24 by rule, the school board ~~or~~ operator of ~~the~~ a charter school under s. 118.40 (2r), or  
25 governing body of a private school participating in the program under s. 119.23 may

1 determine not to administer an examination under this section to a limited-English  
2 proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined  
3 in his or her native language, or may modify the format and administration of an  
4 examination for such pupils.

5 **SECTION 4.** 118.30 (2) (b) 5. of the statutes is created to read:

6 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing  
7 body of a private school participating in the program under s. 119.23 shall excuse the  
8 pupil from taking an examination administered under sub. (1s) (b) 2. to 4. or (c).

9 **SECTION 5.** 118.30 (7) of the statutes is created to read:

10 118.30 (7) (a) The department shall provide the examinations administered  
11 under sub. (1s) and score the examinations free of charge.

12 (b) The department may not disclose the results of the examinations  
13 administered under sub. (1s) except as follows:

14 1. The department shall publish the aggregate results of all of the examinations  
15 provided to the department.

16 2. The department shall report each pupil's scores to the pupil's parent or  
17 guardian.

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

19 (1) MILWAUKEE PARENTAL CHOICE PROGRAM; PUPIL ASSESSMENTS. The treatment of  
20 sections 118.30 (1s), (2) (b) 1., 2., and 5., and (7) of the statutes takes effect on July  
21 1, 2002.

22 (END)