

**SENATE AMENDMENT 3,  
TO 2003 SENATE RESOLUTION 32**

March 10, 2004 – Offered by Senators LASSA, ROBSON, COGGS, MOORE, BRESKE, RISSER, CHVALA, DECKER, WIRCH, ERPENBACH, CARPENTER, PLALE and M. MEYER.

1           At the locations indicated, amend the resolution as follows:

2           **1.** Page 1, line 5: after “Wisconsin” insert “and strongly urging the state not  
3 to appropriate any state funds for implementing the No Child Left Behind Act which  
4 would not otherwise have been expended for public education under existing state  
5 education laws”.

6           **2.** Page 2, line 7: after that line insert:

7           “Whereas, in fiscal year 2003, under the federal Elementary and Secondary  
8 Education Act of 1965 (ESEA), Wisconsin received approximately \$277 million and  
9 used the funds to run many programs that accrued great benefits to low income  
10 children; and

11           Whereas, in January 2002, the federal government enacted a comprehensive  
12 revision to ESEA known as the No Child Left Behind Act (NCLB) which expanded  
13 federal requirements for primary and secondary school education; and

1           Whereas, the act increases Wisconsin’s system of setting standards and testing  
2 students for achievement of the standards to once in each of grades 3 to 8 in language  
3 arts and mathematics and to once in each of 3 grades in science causing a major  
4 disruption of administrative and curriculum planning as well as a major expense to  
5 Wisconsin’s education system; and

6           Whereas, the act imposes serious consequences, which will have fiscal  
7 implications to both the state and local school districts, in which the students in any  
8 grade or subgroup such as low income students or students with disabilities within  
9 a grade do not meet the standards; and

10           Whereas, NCLB is a “one size fits all” educational policy that will be  
11 detrimental to Wisconsin’s rural and urban schools where it is already difficult to  
12 recruit and retain teachers and where wild fluctuations in testing results can occur  
13 due to small class sizes; and

14           Whereas, while the expanded provisions of NCLB direct many meritorious  
15 improvements in the public education system, they have the potential to interfere  
16 severely with state and local legislative and education administration prerogatives  
17 and to cost the state of Wisconsin considerably more to implement than the amount  
18 of federal grants it receives, thereby placing a major burden on the state’s strained  
19 financial resources; and

20           Whereas, Public Law 104–4 of 1995 was intended to curb the practice of  
21 imposing unfunded federal mandates on states and local government; and”.

22           **3.** Page 2, line 16: after that line insert:

23           “***Resolved by the senate, That*** the senate strongly urges the state not to  
24 appropriate any state funds for implementing NCLB which would not otherwise

1 have been expended for public education under existing state education laws; and,  
2 be it further

3 ***Resolved by the senate, That*** the senate urges the department of public  
4 instruction, before adopting any new rules for the purpose of complying with NCLB,  
5 to submit a written proposal describing the rule and the potential costs to local school  
6 districts of implementing the rule to the senate committee on education; and, be it  
7 further

8 ***Resolved by the senate, That*** the senate urges the superintendent of public  
9 instruction to submit to the senate committee on education a statement of  
10 expenditures by the state and local school districts made to comply with NCLB; and,  
11 be it further”.

12 **4.** Page 2, line 18: before “members” insert “president of the United States, to  
13 the U.S. Secretary of Education Rod Paige, to the Superintendent of Public  
14 Instruction Elizabeth Burmaster, to the”.

15 (END)