

2007 DRAFTING REQUEST

Bill

Received: 12/20/2007

Received By: tkuczens

Wanted: As time permits

Identical to LRB:

For: Lena Taylor (608) 266-5810

By/Representing: Eric Peterson

This file may be shown to any legislator: NO

Drafter: tkuczens

May Contact:

Addl. Drafters:

Subject: Education - MPS

Extra Copies: PG

Submit via email: YES

Requester's email: Sen.Taylor@legis.wisconsin.gov

Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

requiring teachers under MPCP to meet requirements of teachers at charter schools

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	tkuczens 12/21/2007	lkunkel 01/15/2008		_____			State
/1			nmatzke 01/15/2008	_____	lparisi 01/15/2008	cduerst 02/05/2008	

FE Sent For: N/A

<END>

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/P1	tkuczens	1/mk 1/15	nwn 1/15	nwn/pg 1/15			

FE Sent For:

<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

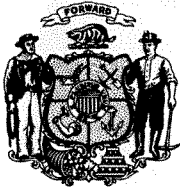
LRB

12/20/57

~~Eric~~

~~Taylor~~

reg. "charlie"
~~to~~ ~~teachers~~ to ~~meet~~
same requirements as ~~dent~~ as ~~dent~~ as teachers



IMC
RMNR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 12/21/07
wanted
1/16/08

LPS: Pls fix
request
sheet

Genlat

- 1 AN ACT ...; relating to: requiring the licensure of instructional staff in schools
- 2 participating in the Milwaukee Parental Choice Program.

Analysis by the Legislative Reference Bureau

Under the Milwaukee Parental Choice Program (MPCP), a pupil who resides in the city of Milwaukee may attend a private school at state expense under certain conditions. Currently, persons are not required to be licensed to teach in any private school. Current law requires persons seeking to teach in a public school, including a charter school, to hold a license or permit issued by the Department of Public Instruction (DPI). Current law also requires all instructional staff of a charter school to hold a license or permit issued by DPI. DPI has defined "instructional staff" by rule to include all professional employees who have as part of their responsibility direct contact with students or with the instructional program of the school.

Beginning in the 2009-10 school year, this bill directs each private school participating in the MPCP to ensure that all instructional staff, as defined under current law, in the private school hold a license or a permit to teach issued by DPI. The bill defines "instructional staff" to have the meaning under current law.

For further information see the state 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:

Insert 1-3

BILL

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:

Insert
1-3

SECTION 1. 115.28 (7) (b) of the statutes is amended to read:

115.28 (7) (b) Subject to the same rules and laws concerning qualifications of applicants and granting and revocation of licenses or certificates under par. (a), the state superintendent shall grant certificates and licenses to teachers in private schools, except that teaching experience requirements for such certificates and licenses may be fulfilled by teaching experience in either public or private schools. An applicant is not eligible for a license or certificate unless the state superintendent finds that the private school in which the applicant taught offered an adequate educational program during the period of the applicant's teaching therein. Private Except as provided in s. 119.23 (7) (b) 3, private schools are not obligated to employ only licensed or certified teachers.

SECTION 2. 118.125 (4) of the statutes is amended to read:

118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district and a private school participating in the program under s. 119.23 shall transfer to another school or school district all pupil records relating to a specific pupil if the transferring school district or private school has received written notice from the pupil if he or she is an adult or his or her parent or guardian if the pupil is a minor that the pupil intends to enroll in the other school or school district or written notice from the other school or school district that the pupil has enrolled or from a court that the pupil has been placed in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured residential care center for children and youth, as defined in s.

BILL

1 **SECTION 5.** 118.13 (2) (b) of the statutes is amended to read:

2 118.13 (2) (b) Any person who receives a negative determination under par. (a)
3 or (am) may appeal the determination to the state superintendent.

4 **SECTION 6.** 118.13 (3) (a) 3. of the statutes is amended to read:

5 118.13 (3) (a) 3. Include in the department's biennial report under s. 15.04 (1)
6 (d) information on the ~~status of school district compliance of school districts and~~
7 ~~private schools~~ with this section and school district the progress made toward
8 providing reasonable equality of educational opportunity for all pupils in this state.

9 **SECTION 7.** 118.13 (3) (b) 1. of the statutes is amended to read:

10 118.13 (3) (b) 1. Periodically review school district and private school programs,
11 activities, and services to determine whether the school boards and the governing
12 bodies of private schools are complying with this section.

13 **SECTION 8.** 118.13 (3) (b) 2. of the statutes is amended to read:

14 118.13 (3) (b) 2. Assist school boards and the governing bodies of private schools
15 to comply with this section by providing information and technical assistance upon
16 request.

17 **SECTION 9.** 118.13 (4) of the statutes is amended to read:

18 118.13 (4) Any public school or private school official, employee, or teacher who
19 intentionally engages in conduct which discriminates against a person or causes a
20 person to be denied rights, benefits or privileges, in violation of sub. (1) or (1m), may
21 be required to forfeit not more than \$1,000.

22 **SECTION 10.** 118.19 (1) of the statutes is amended to read:

23 118.19 (1) Any person seeking to teach in a public school, including a charter
24 school, in a private school participating in the program under s. 119.23, or in a school

BILL**SECTION 10**

1 or institution operated by a county or the state shall first procure a license or permit
2 from the department.

3 **SECTION 11.** 118.30 (1g) (a) 1. of the statutes is amended to read:

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

9 **SECTION 12.** 118.30 (1g) (a) 3. of the statutes is created to read:

10 118.30 (1g) (a) 3. The governing body of each private school participating in the
11 program under s. 119.23 shall adopt pupil academic standards in mathematics,
12 science, reading and writing, geography, and history. The governing body of the
13 private school may adopt the pupil academic standards issued by the governor as
14 executive order no. 326, dated January 13, 1998.

15 **SECTION 13.** 118.30 (1s) of the statutes is created to read:

16 118.30 (1s) Annually, the governing body of each private school participating
17 in the program under s. 119.23 shall do all of the following:

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

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

BILL

1 that the report is free of material misstatements and fairly presents pupil costs
2 under sub. (4) (b) 1. ~~The Except as provided in par. (ar), the~~ audit under this
3 subdivision shall be limited in scope to those records that are necessary for the
4 department to make payments under subs. (4) and (4m).

5 **SECTION 26.** 119.23 (7) (ar) of the statutes is created to read:

6 119.23 (7) (ar) The certified public accountant conducting the independent
7 financial audit required under par. (am) 1. shall include in the audit a report on the
8 private school's compliance with par. (b) 4. and 6. The certified public accountant
9 may determine compliance by examining an appropriate sample of pupil records.

10 **SECTION 27.** 119.23 (7) (b) of the statutes is created to read:

11 119.23 (7) (b) Each private school participating in the program under this
12 section shall do all of the following:

13 1. Administer to any pupils attending the 3rd grade in the private school under
14 this section a standardized reading test developed by the department.

15 2. Employ a reading specialist licensed by the department to develop and
16 coordinate a comprehensive reading curriculum and annually evaluate the
17 curriculum.

18 3. Ensure that ~~every~~ ^{all instructional} teacher, supervisor, administrator, and professional staff

19 ~~member~~ holds a license or permit to teach issued by the department. ^{in the private school}

20 4. Maintain progress records for each pupil attending the private school under
21 this section while the pupil attends the school and, except as provided under subd.
22 7., for at least 5 years after the pupil ceases to attend the school.

23 5. Upon request, provide a pupil or the parent or guardian of a minor pupil who
24 is attending the private school under this section with a copy of the pupil's progress
25 records.

For purposes of this paragraph, ^{all} instructional staff has the meaning given in the rules promulgated by the department under s. 121.02(1)(a)2.

BILL

SECTION 33

1 119.23 (10) (a) 4. Failed to meet at least ~~one~~ 3 of the standards under sub. (7)

2 (a) by the date specified by department rule.

3 **SECTION 34.** 119.23 (10) (a) 5. of the statutes is created to read:

4 119.23 (10) (a) 5. Failed to provide the information required under sub. (6m).

5 **SECTION 35.** 119.23 (10) (a) ⁶ of the statutes is created to read:

6 119.23 (10) (a) ⁶. Failed to comply with the requirements under sub. (7) (b) ~~6~~

7 ^(c) *keep period*

8 **SECTION 36.** 119.23 (10) (a) ⁷ of the statutes is created to read:

9 119.23 (10) (a) 7. Violated sub. (7) (b) 4., 5., or 6.

10 **SECTION 37.** 119.23 (10) (d) of the statutes is amended to read:

11 119.23 (10) (d) The state superintendent may withhold payment from a parent
12 or guardian under subs. (4) and (4m) if the private school attended by the child of the
13 parent or guardian violates this section or s. 118.25 (4).

14 **SECTION 38. Initial applicability.**

15 (1) Except as provided in subsections (2) and (3), this act first applies to private
16 schools participating in the program under section 119.23 of the statutes and to
17 pupils who apply to attend, and to pupils who attend, a private school under section
18 119.23 of the statutes in the 2008-09 school year.

19 (1) ⁽²⁾ The treatment of sections 115.28 (7) (b) and 119.23 (7) (b) ³ of the statutes
20 first applies to a private school participating in the program under section 119.23 of
21 the statutes in the 2009-10 school year. ✓

22 ^(a) ⁽³⁾ The treatment of section 118.19 (1) of the statutes first applies to a person
23 seeking to teach in a private school participating in the program under section 119.23
24 of the statutes in the 2009-10 school year. ✓

25

~~(END)~~ *end of 1-3 insert*

Duerst, Christina

From: Peterson, Eric
Sent: Tuesday, February 05, 2008 11:25 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-3719/1 Topic: requiring teachers under MPCP to meet requirements of teachers at charter schools

Please Jacket LRB 07-3719/1 for the SENATE.