

2009 DRAFTING REQUEST

Bill

Received: **09/21/2009**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Public Instruction 6-7073**

By/Representing: **Jennifer Kammerud**

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

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - state superintendent**

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **jennifer.kammerud@dpi.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

DPI interventions in school districts

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>
/?	pgrant 09/29/2009	kfollett 09/29/2009		_____			S&L
/P1	pgrant 10/01/2009	kfollett 10/06/2009	phenry 09/30/2009	_____	sbasford 09/30/2009		S&L
/1	pgrant 10/07/2009	kfollett 10/07/2009	phenry 10/06/2009	_____	lparisi 10/06/2009		S&L
/2	pgrant	kfollett	jfrantze	_____	cduerst		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	10/21/2009	10/26/2009	10/07/2009 _____		10/07/2009		
/3			rschluet _____ 10/26/2009 _____		mbarman 10/26/2009	lparisi 10/27/2009	

FE Sent For: @ intro 10/30/09

<END>

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	10/21/2009	10/26/2009	10/07/2009	_____	10/07/2009		
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			10/26/2009	_____	10/26/2009		

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/1	pgrant 10/07/2009	kfollett 10/07/2009	phenry 10/06/2009	_____	lparisi 10/06/2009		S&L
/2		13/15 10/26	jfrantze <i>[Signature]</i> 10/26	_____	cduerst		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

10/07/2009 _____

10/07/2009

FE Sent For:

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/1		12kf 10/9	phenry 10/06/2009	_____	lparisi 10/06/2009		

To
10/7
PH
10/7

FE Sent For:

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/?	pgrant 09/29/2009	kfollett 09/29/2009					S&L
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FE Sent For:			<i>10</i> ph	<i>ph/mb</i> <END>			

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/?	pgrant	1P1kfg 9/29	oe ph	7 /oe ph/uo			
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FE Sent For:

<END>

-kf

New Statutory Section

115.291 Intervention Powers

The state superintendent may:

- (1) INTERVENTIONS. Direct schools and school districts under (2) to implement one or more of the following interventions:
 - (a) Institute and fully implement a new curriculum.
 - (b) Institute and fully implement a new instructional program, including, but not limited to, expanded learning time, behavioral and academic interventions and individual learning plans for students.
 - (c) Institute and fully implement an accountability structure to monitor financial affairs and/or the implementation of the corrective action plan.
 - (d) Institute and fully implement personnel changes that are consistent with school district policies and collective bargaining agreements.
- (2) CONDITIONS FOR INTERVENTION. Intervene in schools and school districts that fall in the bottom quartile for three or more consecutive years in the rate of graduation or attendance, and any of the tested subject areas by major racial group, disability status, economic status, or English language learner status.

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Tuesday, September 22, 2009 11:22 AM
To: Grant, Peter
Cc: Thompson, Michael DPI; Ellefson, Sheila DPI
Subject: RE: Drafting Request Regarding Race to the Top

Peter,

As usual you asked some excellent questions. We talked about the issues you have raised and have the following responses.

- 1) We did mean to apply this to schools as well as districts, but you are correct that it should say that DPI could direct the school board to make certain changes within specific schools in the school district.
- 2) Curriculum is the content of what is taught. The instructional program is similar, so we can see the confusion. If it helps, alternate wording that we would suggest to replace instructional program would be instructional design. Instructional design is really the mechanism, as listed in our examples, through which curriculum is delivered.
- 3) In school you are taught a core instructional program. Behavioral and academic interventions go beyond the core program for kids that need them. They are additional supports and services. Individual learning plans are individual specific plans tailored to meet the need(s) of the individual student.
- 4) Corrective action plans are a reference to federal law under the Elementary and Secondary Education Act. We have decided not to reference the federal law and would like to change the wording under (c) to read "Institute and fully implement an accountability structure to monitor financial affairs and/or implement the interventions prescribed by the state superintendent.
- 5) Yes, we mean the department could intervene in a particular school if the third graders in that school were in the bottom quartile of all third graders statewide on the third grade reading test or if the English language learners were in the bottom quartile in the eighth grade math test. As I mentioned earlier, however, we are still firming up that trigger as we really want to be focusing on the chronically underperforming schools and districts. As for major racial groups, that definition is changing at the federal level, so let me get back to you on how we want that to look as a result.

On another note, we would like to add in a cross-reference to clarify that if the interventions directed by the state superintendent are not implemented that the state superintendent may withhold aid under Wis. Stats. 121.006 and 115.28 (9).

Jennifer

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Friday, September 18, 2009 2:39 PM
To: Kammerud, Jennifer DPI
Cc: Thompson, Michael DPI; Ellefson, Sheila DPI
Subject: RE: Drafting Request Regarding Race to the Top

Jennifer, I have some questions about the request relating to intervention powers:

- Did you really mean to direct this at schools as well as school districts? So that DPI could direct the principal of a grade school in Milwaukee to institute a new curriculum or make personnel changes even if the principal had no power to do so and the school board disagreed? Or do you mean that DPI could direct the school board to make certain changes within specific schools in the school district?
- I'm not clear on the difference between a "curriculum" and an "instructional program." (In fact, looking at the examples you give of "instructional program," I think you're using the wrong term. For example, is "expanded learning time" (which I take to mean, for instance, a longer school day) an instructional program?)
- What's an "individual learning plan"? What is a behavioral or academic intervention?
- What is the "corrective action plan" referred to in paragraph (c)?
- In the "conditions" section, do you mean bottom quartile of all school districts? Or particular schools? Maybe a few examples would help. For instance, do you mean that the department could intervene in a particular school if the third graders in that school were in the bottom quartile of all third graders statewide on the 3rd grade reading test? Could the department intervene if the English language learners in a school district were in the bottom quartile of all English language learners in the state on the 8th grade math test? Oh, and what are the major racial groups?

Thanks -

Peter

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Friday, September 18, 2009 1:30 PM
To: Grant, Peter
Cc: Thompson, Michael DPI; Ellefson, Sheila DPI
Subject: Drafting Request Regarding Race to the Top

Peter,

We are working on some items related to Race to the Top that we would like to have drafted.

The first, dealing with superintendent powers, is attached, but please note we are still discussing the percentage of schools and districts it would apply to under (2) so we will likely need to revisit that condition for intervention. We are looking to have these powers be a new section in ch. 115.

<< File: Supt. Powers Proposal.docx >>

The second is a revision of current statutes related to grants for improving academic achievement.

<< File: Grants for Improving Achievement.docx >>

The third is nonstatutory language that would reverse the consolidation of agency servers currently required by DOA. (If you want to know how that is connected I can fill you in).

<< File: Server Exemption.docx >>

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707

Ph: 608/266-7073

E-mail: jennifer.kammerud@dpi.wi.gov

Grant, Peter

To: Kammerud, Jennifer DPI
Subject: More questions about intervention powers

Jennifer, I'm looking over the instructions again. Regarding personnel changes, it says the changes would have to be consistent with school district policies and collective bargaining agreements. I'm assuming that's true of the other paragraphs as well.

Here's what I've got so far. Let me know what you think.

115.295 Department interventions.

(1) Subject to sub. (2), the department may direct a school board to do one or more of the following, consistent with applicable school board policies and collective bargaining agreements:

- (a) Implement a new curriculum in one or more schools.
- (b) Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils, in one or more schools.
- (c) Implement personnel changes.
- (d) Implement an accountability structure to monitor the school district's finances or to monitor the other interventions directed by the department in pars. (a) to (c).

Peter

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Monday, September 28, 2009 4:24 PM
To: Grant, Peter
Cc: Thayer, Jennifer L. DPI; Russell, Lynette K DPI; Thompson, Michael DPI
Subject: State Superintendent Powers

Importance: High

Peter – What follows reflects what the department would like to see drafted. There are some changes in (1) Interventions. Also, I did see your e-mail regarding collective bargaining. We do not want the other provisions to relate to collective bargaining agreements and school district policies. A few other notes for your information follow the language below.

Jennifer

New Statutory Section

115.291 Intervention Powers

The state superintendent may:

- (1) INTERVENTIONS. Direct school districts under (2) to implement in selective schools or all schools within a district one or more of the following interventions:
- (a) Institute and fully implement a new curriculum.
 - (b) Institute and fully implement a new instructional design, including, but not limited to, expanded learning time, behavioral and academic interventions and individual learning plans for students.
 - (c) Institute and fully implement an accountability structure to monitor financial affairs and/or implementation of the interventions prescribed by the state superintendent.
 - (d) Institute and fully implement personnel changes that are consistent with school district policies and collective bargaining agreements.
- (2) CONDITIONS FOR INTERVENTION. Intervene in school districts under (a) or (b) or (c).
- (a) Recognized as a school district identified for improvement under 20 USC 6316.
 - (b) Recognized as a school district that has schools identified for improvement under 20 USC 6316.
 - (b) Are in the bottom 10 percent for at least three consecutive years based on state and federal assessments in any of the following areas:
 1. Test scores by total student population.
 2. Test scores disaggregated by major racial group, disability status, economic status, or English language learner status.
 3. Graduation rate.
- (3) ABILITY TO WITHHOLD AID. Withhold aid under s.121.006 and 115.28 (9) for failure to comply with directed interventions.

In regards to testing, we want to capture all of the tests currently required by the state in grades 4, 8, and 10 and the tests in reading and math that we additionally do under federal law at grades 3, 5, 6, and 7.

In regards to racial group - There will be significant changes for school districts and the Wisconsin Department of Public Instruction in the fall of 2010 for the 2010-11 school year regarding the collection of race and ethnicity. We would prefer to reflect in the above language the groups for which we will be disaggregating our data beginning in 2010-11.

OLD 2009-10:

Prior to the new standards, these categories were used to comply with the previous federal reporting guidelines. Each student was identified by one and only one category

- **American Indian or Alaskan Native**
- **Asian or Pacific Islander**
- **Black, Not Hispanic**
- **Hispanic**
- **White, Not Hispanic**

New 2010-11:

How will DPI report race and ethnicity to the federal government?

Regardless of the race combinations of individuals, each individual must be reported in exactly one of the following race and ethnicity categories:

- Hispanic of any race
- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Two or more races

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Tuesday, September 29, 2009 9:14 AM
To: Grant, Peter
Subject: Making Your Life A Little Easier I Hope...RTTT Supt. Powers

Peter,

I got in this morning and it was desired that we strike one of the conditions for intervention (c) as reflected below.

Jennifer

115.291 Intervention Powers

The state superintendent may:

(1) INTERVENTIONS. Direct school districts under (2) to implement in selective schools or all schools within a district one or more of the following interventions:

- (a) Institute and fully implement a new curriculum.
- (b) Institute and fully implement a new instructional design, including, but not limited to, expanded learning time, behavioral and academic interventions and individual learning plans for students.
- (c) Institute and fully implement an accountability structure to monitor financial affairs and/or implementation of the interventions prescribed by the state superintendent.
- (d) Institute and fully implement personnel changes that are consistent with school district policies and collective bargaining agreements.

(2) CONDITIONS FOR INTERVENTION. Intervene in school districts under (a) or (b).

(a) Recognized as a school district identified for improvement under 20 USC 6316.

(b) Recognized as a school district that has schools identified for improvement under 20 USC 6316.

(3) ABILITY TO WITHHOLD AID. Withhold aid under s.121.006 and 115.28 (9) for failure to comply with directed interventions.

(c) (3)
(b) (1) (A)

BILL

in 9/29

Date (time) needed

9/30
THURSDAY am
(DN)

LRB - 3521 / P1
PG : 15f :

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the

statutes; relating to: *authorizing the Department of Public Instruction to direct a school district to implement a new curriculum or instructional design, make personnel changes, or adopt accountability measures.*

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

Analysis by the Legislative Reference Bureau

- If titles are needed in the analysis, in the component bar:
 - For the main heading, execute: **create** → **anal:** → **title:** → **head**
 - For the subheading, execute: **create** → **anal:** → **title:** → **sub**
 - For the sub-subheading, execute: **create** → **anal:** → **title:** → **sub-sub**
- For the analysis text, in the component bar:
 - For the text paragraph, execute: **create** → **anal:** → **text**

anal:
prelim →

This is a preliminary draft. An analysis will be provided in a later version of this draft.

FE-SL

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

SECTION #.

Section #. 115.28 (9) of the statutes is amended to read:

115.28 (9) FEDERAL AIDS. Accept federal funds for any function over which the state superintendent has jurisdiction and act as the agent for the receipt and disbursement of such funds.

Cross Reference: See also ch. PI 23, Wis. adm. code.

History: 1971 c. 40, 125; 1973 c. 89, 90; 1975 c. 39, 115, 199, 220, 224, 395, 422; 1977 c. 26, 29, 203, 418, 429; 1979 c. 28, 331; 1979 c. 346 ss. 10, 15; 1979 c. 355; 1981 c. 20, 241; 1983 a. 27, 412; 1985 a. 12; 1985 a. 29 ss. 1686m, 1689, 3202 (43); 1987 a. 27, 159; 1989 a. 31, 56, 297, 336, 359; 1991 a. 39, 93, 108, 164, 227, 250, 269, 315; 1993 a. 16, 27, 213, 223, 335, 339, 437, 455, 492; 1995 a. 27 ss. 3847g to 3858, 9126 (19), 9145 (1); 1995 a. 225; 1997 a. 27, 113, 114, 164, 240, 245, 252; 1999 a. 9, 19, 32, 124, 185, 186; 2001 a. 16; 2003 a. 33, 42; 2005 a. 25 ss. 1108, 1855, 1856m, 1856w; 2005 a. 218, 220, 466; 2007 a. 20 ss. 2683 to 2684m, 9121 (6) (a); 2007 a. 68, 222; 2009 a. 28.

The state superintendent may withhold federal ^{funds} from ^{any} school district that fails to comply to the state superintendent's satisfaction ^{with} a department ^{directive} under s. 115.292.

SEC. CR. 115.292 ✓

(B)

115.292 Department interventions.

(A) The department may direct the school board to do one or more of the following:

(1) Implement a new curriculum in one or more schools.

(2) Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils, or schools.

(B) (4) Adopt ~~responsibility~~ accountability measures to monitor the school district's

~~one or more schools financial affairs or~~

finances or to monitor the other interventions

directed by the department under subs. (1) to (3).

SEC. RN; 121.006⁴ (1)(a); 121.006 (1)(a) 1.

SEC. CR. 121.006⁴ (1)(a) 2.

(B)
121.006 (1)(a) 2. The state superintendent
state
may withhold aid from any school district that
fails to comply with a department directive under
115.292[✓]
S. 115.292. to the state superintendent's
satisfaction with

End

D-Note

(A)

not If the department identifies
for
a school district for

improvement under 20 USE 6316 (c) (3)

or if

a school board identifies a
for

school for school improvement under

20 USE 6316 (b) (1) (A),

(B)

(3) I Make personnel changes that are consistent with applicable school board policies and collective bargaining agreements.

Date

LRB-3521/Pldn
PG: kjf

(DN)

As you requested, I included "consistent with collective bargaining agreements" only with respect to personnel changes. Note, however, that a new instructional design ^{could} ~~would~~ conflict with a collective bargaining agreement, ~~and therefore~~ rendering the school board unable to implement it.

PLS

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

LRB-3521/P1dn
PG:kjf:ph

September 29, 2009

As you requested, I included "consistent with collective bargaining agreements" only with respect to personnel changes. Note, however, that a new instructional design could conflict with a collective bargaining agreement, rendering the school board unable to implement it.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Thursday, October 01, 2009 1:55 PM
To: Grant, Peter
Cc: Ellefson, Sheila DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

Understand. Sorry for all the work. Let's go with the original cite then.

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Thursday, October 01, 2009 1:44 PM
To: Kammerud, Jennifer DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

I hate to do this, but here's an excerpt from our drafting manual:

9.03(4)(d) Do not use the following forms of reference:

1. "42 USC 1396a et seq." "Et seq." does not tell how many of the following sections are included in the reference.

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Thursday, October 01, 2009 1:40 PM
To: Grant, Peter
Cc: Ellefson, Sheila DPI; Pollock, Sheri G. DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

Can we use 20 USC Chapter 70 et. seq. instead? We are concerned the provisions relating to identifying schools may move in part out of Title I with the reauthorization. If that happens, this would likely be more than a simple law revision issue. If it is not possible to use the above cite, then we will revert to the original citation.

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Thursday, October 01, 2009 10:11 AM
To: Kammerud, Jennifer DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

No (although if you want to refer to the correct section of the ESEA, that would be OK). But why not use the USC citation, and if it changes, ask the law revisions committee to draft a bill to correct the references?

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Thursday, October 01, 2009 9:34 AM
To: Grant, Peter
Cc: Ellefson, Sheila DPI; Pollock, Sheri G. DPI; Thompson, Michael DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

No, that's not what we were trying to do. The Elementary and Secondary Education Act (ESEA) is up for reauthorization. We were trying to preserve the ability to intervene should the federal citations change. Based on your e-mail and further conversations here, I think that is just going to be too hard. Instead, we would propose changing the language (see below) to refer to ESEA instead of the specific citation that was being used. Does that work from your end?

115.292 State Superintendent Interventions. If a school or a school district is identified for improvement under the Elementary and Secondary Education Act the state superintendent may direct the school board...

10/01/2009

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Wednesday, September 30, 2009 4:31 PM
To: Kammerud, Jennifer DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

So the bill would authorize dpi to determine that a school or school district is in need of improvement if dpi finds that the criteria for such a determination under the appropriate section of NCLB exist. At that point, dpi would have to promulgate rules allowing it to intervene; i.e., to direct the school board to do those things that are in this draft. Right?

I could draft that, but it seems a little odd to me. First dpi makes the determination that the school needs improvement. (Even though there's nothing it can do about it at that point.) Then it has to promulgate a rule allowing it to intervene. That would take at least 6 months, wouldn't it? Would the school still need improvement? And would this process apply only for the first time that a determination is made, or each time?

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Wednesday, September 30, 2009 2:06 PM
To: Grant, Peter
Cc: Ellefson, Sheila DPI; Thompson, Michael DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

Peter,

Thank you for the suggestions. I talked them over with our legal counsel and we would like to try the suggestion that the state superintendent may determine that a school or district is in need of improvement. In addition, we want to make sure that if the authority to make that determination is utilized the state superintendent would be required to promulgate rules. Does that work?

Jennifer

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Wednesday, September 30, 2009 1:48 PM
To: Kammerud, Jennifer DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

If you want to authorize dpi to promulgate rules that would allow dpi to intervene in schools on some basis other than the basis that exists in federal law, I think you have to establish that basis. You would have to authorize dpi (or someone else) to determine that a school or school district is in need of improvement. (You might have to specify what that meant as well.)

What are the criteria for the "improvement" identification in the federal law? Maybe you could authorize dpi to determine that a school or school district is in need of improvement if it meets the criteria that were specified in the federal law. So even if the federal law is repealed, the reference to it would still be meaningful. And if dpi determines, using those criteria, that a school or school district is in need of improvement, dpi could intervene.

At any rate, it would be a little more complicated than simply saying "or under state law." But let me know if you're interested in pursuing this.

Peter

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Wednesday, September 30, 2009 1:04 PM
To: Grant, Peter
Cc: Ellefson, Sheila DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

Peter,

Here is what we are trying to do – establish in state law a basis for intervention in case the federal law goes away. I think the

10/01/2009

thought here was that could be done by providing the state superintendent with the option of promulgating rules to establish a condition for intervention under state law. Is there a way to better accomplish our goal that you could suggest?

Jennifer

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Wednesday, September 30, 2009 12:49 PM
To: Kammerud, Jennifer DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

I don't think there are any constitutional issues, although "state superintendent" is fine. But where in state law is the authority to identify a school or school district for improvement? I don't think I can imply that it's in there somewhere....

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Wednesday, September 30, 2009 12:03 PM
To: Grant, Peter
Cc: Ellefson, Sheila DPI; Thompson, Michael DPI; Thayer, Jennifer L. DPI
Subject: RE: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

Peter,

Thank you so much for your work. In looking at the draft there are some changes we would like to make (see below). Most of the changes have to do with altering the reference from department to state superintendent. It was felt that doing so was more appropriate given constitutional issues that could otherwise arise and was more consistent with other sections of chapter 115.

In addition we would like some language added saying the state superintendent may promulgate rules under this section. The rationale for the rules has to do with the fact that we do want this power to continue should federal law change.

SECTION 2. 115.292 of the statutes is created to read:

115.292 Department State superintendent interventions. ~~If the department identifies a school or a school district is identified for improvement under state or federal law 20 USC 6316 (c) (3) or if a school board identifies a school for school improvement under 20 USC 6316 (b) (1) (A), the department~~ state superintendent may direct the school board to

do one or more of the following:

- (1) Implement a new curriculum in one or more schools.
- (2) Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils, in one or more schools.
- (3) Make personnel changes that are consistent with applicable ~~school board policies and~~ collective bargaining agreements.
- (4) Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the department under subs. (1) to (3).

Jennifer Kammerud
Legislative Liaison

10/01/2009

Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov

From: Basford, Sarah [mailto:Sarah.Basford@legis.wisconsin.gov]
Sent: Wednesday, September 30, 2009 7:40 AM
To: Kammerud, Jennifer DPI
Subject: Draft review: LRB 09-3521/P1 Topic: DPI interventions in school districts

Following is the PDF version of draft LRB 09-3521/P1 and drafter's note.

Grant, Peter

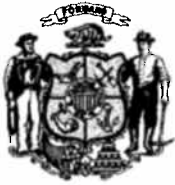
From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Friday, October 02, 2009 9:05 AM
To: Grant, Peter
Cc: Thompson, Michael DPI; Pertl, Jeff DPI; Jones, Burton S. DPI; Thayer, Jennifer L. DPI
Subject: Superintendent Powers One Last Time...

Peter,

I'm hoping this will resolve that issue we went round and round with yesterday. Our folks here are still concerned about the use of just the citation in the event of federal law changing significantly. So instead of what we were trying to do yesterday, we want to use the language you have already written referencing the ability to intervene in a district identified in need of improvement or a district with school(s) identified in need of improvement. We would like to remove the USC citation and instead give us the authority to promulgate rules to define "in need of improvement". That way we can do rules to track or reference federal language so when federal language changes we can amend the administrative rule. Would this work?

Jennifer

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

soon

LRB-3521/PT
PG:kjf:ph

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Regen

State Superintendent

1 AN ACT *to renumber* 121.006 (1) (a); *to amend* 115.28 (9); and *to create* 115.292
2 and 121.006 (1) (a) 2. of the statutes; **relating to:** authorizing the Department
3 of Public Instruction to direct a school district to implement a new curriculum
4 or instructional design, make personnel changes, or adopt accountability
5 measures, *and requiring the exercise of rulemaking authority*

Analysis by the Legislative Reference Bureau

(attached)

stays →

~~This is a preliminary draft. An analysis will be provided in a later version.~~

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:

6 SECTION 1. 115.28 (9) of the statutes is amended to read:
7 115.28 (9) FEDERAL AIDS. Accept federal funds for any function over which the
8 state superintendent has jurisdiction and act as the agent for the receipt and
9 disbursement of such funds. The state superintendent may withhold federal funds

State Superintendent

1 from any school district that fails to comply to the state superintendent's satisfaction
2 with a department directive under s. 115.292 (1)

3 SECTION 2. 115.292 of the statutes is created to read:

4 **115.292 Department interventions.** (1) If the department identifies a school
5 ~~district for improvement under 20 USC 6316 (c) (3) or if a school board identifies a~~
6 ~~school for school improvement under 20 USC 6316 (b) (1) (A),~~ the department may
7 direct the school board to do one or more of the following:

- 8 (a) ~~1~~ Implement a new curriculum in one or more schools.
- 9 (b) ~~2~~ Implement a new instructional design, including expanded school hours,
- 10 additional pupil supports and services, and individual learning plans for pupils, in
- 11 one or more schools.

12 (c) ~~3~~ Make personnel changes that are consistent with applicable school board
13 policies and collective bargaining agreements.

14 (d) ~~4~~ Adopt accountability measures to monitor the school district's finances or
15 to monitor other interventions directed by the department under ~~115.292~~.

16 SECTION 3. 121.006 (1) (a) of the statutes is renumbered 121.006 (1) (a) 1.

17 SECTION 4. 121.006 (1) (a) 2. of the statutes is created to read:

18 121.006 (1) (a) 2. The state superintendent may withhold state aid from any
19 school district that fails to comply to the state superintendent's satisfaction with a

20 department directive under s. 115.292 (1)

21 (END)

state superintendent determines that

state superintendent

state superintendent

par. (a) to (c)

P-15

20

2-15

(B)
(2)

The state superintendent shall promulgate rules ~~defining~~ "in need of improvement" under the purpose of sub. (1).

establishing criteria and a procedure for determining whether a school or school district is

ANALYSIS

Under the federal No Child Left Behind
 of 2001 (NCLB),
 Act a school board must identify ^{for}
 school improvement any school that fails, ^{for}
 two consecutive school years, to make adequate
 yearly progress, as defined in the state's
 action plan (required under the act).
 Similarly, the federal law requires
 a state to identify for improvement any
 school district that, ^{for} for two consecutive years,
 fails to make adequate yearly progress,
 as defined in the state's plan.

This bill provides that if the State
 Superintendent of Public Instruction determines that
 a school or ^{that} is in need of
 a school district ~~for~~ improvement under
 the NCLB, or if a school board identifies

~~a school for school improvement under~~
~~the ACUB~~ the state superintendent
may direct the school board to
may do one ^{or} or more of the following:

1. Implement a new curriculum in one
or
or more schools.

2. Implement a new ^{new} instructional
design, including expanded school hours,
additional pupil supports and services,
and
and individual learning plans for
pupils, in one ^{or} or more schools.

3. Make personnel changes that ^{are}
consistent with applicable collective
bargaining agreements.

4. Adopt accountability measures to
monitor
monitor the school district's finances ^{or}
or

to monitor other interventions
directed
directed by the state superintendent (i)

¶ The bill also authorizes the
to
state superintendent to withhold state
and federal aid from any school
district that fails to comply ^{with any} to the
state superintendent's satisfaction with any ^{or} of
^{the} directives.

FE-5L

→ (rw ¶) The bill directs the state
superintendent to promulgate rules
~~the~~ "in need of improvement"
for the purpose of ~~exercising~~ this
authority. exercising

establishing criteria and a
procedure for determining whether
a school ^{or} school district is

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Tuesday, October 06, 2009 3:25 PM
To: Grant, Peter
Cc: Ellefson, Sheila DPI; Perti, Jeff DPI; Thompson, Michael DPI; Jones, Burton S. DPI
Subject: LRB 09-3521/1 Topic: DPI interventions in school districts

Peter,

Upon further review, the department doesn't think it is necessary to have Section 1 amending 115.28(9) as our ability to withhold federal funds is clear under federal law. Let's strike that section and then, I believe, we are done. The rest of the bill looks great.

Jennifer

From: Parisi, Lori [mailto:Lori.Parisi@legis.wisconsin.gov]
Sent: Tuesday, October 06, 2009 2:19 PM
To: Kammerud, Jennifer DPI
Subject: Draft review: LRB 09-3521/1 Topic: DPI interventions in school districts

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Peter R. Grant, Managing Attorney, at (608) 267-3362, at peter.grant@legis.wisconsin.gov, or at One East Main Street, Suite 200.

If you would like to jacket the draft for introduction, please click on the appropriate button below. Please select only one button. If you wish to introduce this draft in both houses please contact the drafting attorney to have a companion bill drafted.

**Jacket for the
ASSEMBLY**

**Jacket for the
SENATE**

Please allow one day for jacketing. If this is a "rush" please make a note in your response e-mail so we are aware that we need to give this request a high priority.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.

10/07/2009



Soen

2

2009 BILL

1 AN ACT to renumber ~~121.006 (1) (a);~~ to amend 115.28 (9); and to create 115.292
2 and ~~121.006 (1) (a) 2.~~ of the statutes; relating to: authorizing the state
3 superintendent of public instruction to direct a school district to implement a
4 new curriculum or instructional design, make personnel changes, or adopt
5 accountability measures, and requiring the exercise of rule-making authority.

regen.

Analysis by the Legislative Reference Bureau

This bill provides that if the state superintendent of public instruction determines that a school or school district is in need of improvement, the state superintendent may direct the school board to do one or more of the following:

1. Implement a new curriculum in one or more schools.
2. Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils, in one or more schools.
3. Make personnel changes that are consistent with applicable collective bargaining agreements.
4. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent. The bill directs the state superintendent to promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need of improvement for the purpose of exercising this authority.

X

6

6

BILL

The bill also authorizes the state superintendent to withhold state and federal aid from any school district that fails to comply to the state superintendent's satisfaction with any of the above directives.

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. 115.28 (9) of the statutes is amended to read:~~

~~115.28 (9) FEDERAL AIDS. Accept federal funds for any function over which the state superintendent has jurisdiction and act as the agent for the receipt and disbursement of such funds. The state superintendent may withhold federal funds from any school district that fails to comply to the state superintendent's satisfaction with a directive under s. 115.292 (1).~~

SECTION 2. 115.292 of the statutes is created to read:

115.292 State superintendent interventions. (1) If the state superintendent determines that a school or school district is in need of improvement, the state superintendent may direct the school board to do one or more of the following:

(a) Implement a new curriculum in one or more schools.

(b) Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils, in one or more schools.

(c) Make personnel changes that are consistent with applicable collective bargaining agreements.

BILL

1 (d) Adopt accountability measures to monitor the school district's finances or
2 to monitor other interventions directed by the state superintendent under pars. (a)
3 to (c).

4 (2) The state superintendent shall promulgate rules establishing criteria and
5 a procedure for determining whether a school or school district is in need of
6 improvement under sub. (1).

7 **SECTION 3.** 121.006 (1) (a) of the statutes is renumbered 121.006 (1) (a) 1.

8 **SECTION 4.** 121.006 (1) (a) 2. of the statutes is created to read:

9 121.006 (1) (a) 2. The state superintendent may withhold state aid from any
10 school district that fails to comply to the state superintendent's satisfaction with a
11 directive under s. 115.292 (1).

12 (END)

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Friday, October 16, 2009 3:20 PM
To: Pertl, Jeff DPI
Cc: Thompson, Michael DPI; Evers, Anthony S DPI; Jones, Burton S. DPI
Subject: Additional change requested for Supt. powers bill

Importance: High

Jeff,

Please forward to the Gov's office these additional changes.

The language should read something to the effect of (1) If the state superintendent determines that a school or school district is currently in need of improvement, the stat superintendent may direct the school board to do one or more of the following in the district or schools identified.

The goal is to ensure we only intervene in identified schools and districts and that our authority does not continue if they are no longer identified.

Jennifer

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Monday, October 19, 2009 9:42 AM
To: Grant, Peter
Cc: Pertl, Jeff DPI; Casper, Tim - GOV
Subject: Superintendent Powers - Race to the Top

Attachments: Additional change requested for Supt. powers bill; supt. powers to be amended

Peter,

I know you are melding legislative drafts on a number of topics for race to the top. In regards to the piece on superintendent powers, I just wanted to make you aware of some additional changes we are requesting stemming from our meetings with the education groups (see attached e-mails). Please call me if you have any questions.

Jennifer



Additional change requested fo...



supt. powers to be amended

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Friday, October 16, 2009 2:00 PM
To: Pertl, Jeff DPI
Cc: Jones, Burton S. DPI; Thompson, Michael DPI
Subject: supt. powers to be amended

Importance: High

Attachments: 20091016140013517.pdf

All, I talked with Tony this afternoon and we are going to make a few changes to the Supt. interventions bill. Jeff, can you communicate this to whomever in the Gov's office is in charge of working on the draft? The additions are as follows (see attached for language):

- Under Section 1 add in an additional directive related to professional development.
- Under Section 1 add in an additional requirement regarding the implementation of the directives to be done in cooperation with district staff.

Jennifer



2009101614001351
7.pdf (123 KB)...

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Wednesday, October 21, 2009 11:15 AM
To: Grant, Peter
Cc: Thompson, Michael DPI; Ellefson, Sheila DPI
Subject: RE: Superintendent Powers - Race to the Top

Sorry Peter, I was in the Capitol all day yesterday and didn't see your e-mail. I'm out of the office again this AM so I don't have the draft in front of me, but that is o.k. as long as it is clear that our authority would remain to intervene under pars. (a) and (b) to intervene in any school in a district identified for improvement.

Jennifer

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Monday, October 19, 2009 10:31 AM
To: Kammerud, Jennifer DPI
Subject: RE: Superintendent Powers - Race to the Top

Regarding the other addition, I think we have to change pars. (a) and (b) as well to delete "in one or more schools." OK?

Peter

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Monday, October 19, 2009 9:42 AM
To: Grant, Peter
Cc: Pertl, Jeff DPI; Casper, Tim - GOV
Subject: Superintendent Powers - Race to the Top

Peter,

I know you are melding legislative drafts on a number of topics for race to the top. In regards to the piece on superintendent powers, I just wanted to make you aware of some additional changes we are requesting stemming from our meetings with the education groups (see attached e-mails). Please call me if you have any questions.

Jennifer

<< Message: Additional change requested for Supt. powers bill >> << Message: supt. powers to be amended >>

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Wednesday, October 21, 2009 11:24 AM
To: Grant, Peter
Cc: Ellefson, Sheila DPI; Thompson, Michael DPI
Subject: FW: Superintendent Powers - Race to the Top

Peter,

Par. (f) is there to provide an assurance that a board will work with staff to implement directives. I see your point about par. (d) and (e). I don't know that we would want to direct a board to work with staff on the oversight of the implementation of directives, but we may on the ability to direct personnel changes, so please change the appropriate reference.

Jennifer

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Monday, October 19, 2009 10:15 AM
To: Kammerud, Jennifer DPI
Subject: RE: Superintendent Powers - Race to the Top

Hi Jennifer.

I don't understand the new par. (f), which reads, "Develop with school district staff the implementation of interventions directed by the state superintendent under pars. (a) to (c)." Since the school board is in charge of the school district, what kind of obligation does "develop with school district staff" entail? It's a little vague. Must it consult a specified number of staff? May it ignore staff suggestions? (Wouldn't it typically direct staff to come up with whatever is necessary anyway?) And if it applies only to pars. (a) to (c), it would mean that the state superintendent could not direct the school board to work with staff to implement a directive under par. (d) or (e). Is that OK?

Peter

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Monday, October 19, 2009 9:42 AM
To: Grant, Peter
Cc: Pertl, Jeff DPI; Casper, Tim - GOV
Subject: Superintendent Powers - Race to the Top

Peter,

I know you are melding legislative drafts on a number of topics for race to the top. In regards to the piece on superintendent powers, I just wanted to make you aware of some additional changes we are requesting stemming from our meetings with the education groups (see attached e-mails). Please call me if you have any questions.

Jennifer

<< Message: Additional change requested for Supt. powers bill >> << Message: supt. powers to be amended >>

Jennifer Kammerud
Legislative Liaison

Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov



2009 BILL

1 AN ACT *to renumber* 121.006 (1) (a); and *to create* 115.292 and 121.006 (1) (a)
2 2. of the statutes; **relating to:** authorizing the state superintendent of public
3 instruction to direct a school district to implement a new curriculum or
4 instructional design, make personnel changes, or adopt accountability
5 measures, and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

This bill provides that if the state superintendent of public instruction determines that a school or school district is in need of improvement, the state superintendent may direct the school board to do one or more of the following:

1. Implement a new curriculum in one or more schools.
2. Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils, in one or more schools.
3. Make personnel changes that are consistent with applicable collective bargaining agreements.
4. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent. The bill directs the state superintendent to promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need of improvement for the purpose of exercising this authority.

BILL

The bill also authorizes the state superintendent to withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with any of the above directives.

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.** 115.292 of the statutes is created to read:

2 **115.292 State superintendent interventions.** (1) If the state
3 superintendent determines that a school or school district is in need of improvement,
4 the state superintendent may direct the school board to do one or more of the
5 following:

6 (a) Implement a new curriculum in one or more schools.

7 (b) Implement a new instructional design, including expanded school hours,
8 additional pupil supports and services, and individual learning plans for pupils, in
9 one or more schools.

10 (C) Implement professional development focused on school and student
11 ~~(d) (e)~~ Make personnel changes that are consistent with applicable collective bargaining agreements.

12 ~~(e) (d)~~ Adopt accountability measures to monitor the school district's finances or
13 to monitor other interventions directed by the state superintendent under pars. (a)
14 to (c).

15 (f) ~~Develop with district staff the implementation of interventions~~
16 (2) The state superintendent shall promulgate rules establishing criteria and
17 a procedure for determining whether a school or school district is in need of
18 improvement under sub. (1). directed by the state superintendent under pars (a) to (c).

18 **SECTION 2.** 121.006 (1) (a) of the statutes is renumbered 121.006 (1) (a) 1.

19 **SECTION 3.** 121.006 (1) (a) 2. of the statutes is created to read:

Grant, Peter

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Tuesday, October 20, 2009 10:10 AM
To: Grant, Peter
Cc: Casper, Tim - GOV; Pertl, Jeff DPI; Thompson, Michael DPI; Ellefson, Sheila DPI; Jones, Burton S. DPI
Subject: Superintendent Interventions - RTTT
Importance: High

Peter,

Regarding the changes I sent yesterday, we do not want the word currently used as the intent is to be able to intervene in districts or schools that may be identified in future years. As a result, we are instead suggesting the following language to address the concern of WASB.

- (1) If the state superintendent determines that a school or school district is identified as in need of improvement, the state superintendent may direct the school board to do one or more of the following in the district or schools identified.

Jennifer

10/21/09 Jennifer K:
~~SB~~ SB must seek input from
SD staff on implementation.



in
10/21

2009 BILL

Regen

1 AN ACT to renumber 121.006 (1) (a); and to create 115.292 and 121.006 (1) (a)
 2 2. of the statutes; relating to: authorizing the state superintendent of public
 3 instruction to direct a school district to implement a new curriculum or
 4 instructional design, make personnel changes, or adopt accountability
 5 measures, and requiring the exercise of rule-making authority.

in the school
or school
district

Analysis by the Legislative Reference Bureau

This bill provides that if the state superintendent of public instruction determines that a school or school district is in need of improvement, the state superintendent may direct the school board to do one or more of the following:

1. Implement a new curriculum ~~in one or more schools~~
2. Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils ~~in~~

A

3. ~~one or more schools~~ 4. 2. Make personnel changes that are consistent with applicable collective bargaining agreements.

5. 4. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent. The bill directs the state superintendent to promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need of improvement for the purpose of exercising this authority.

(no #) the school board must seek input from school district staff on implementing any of the above directives.

BILL

The bill also authorizes the state superintendent to withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with any of the above directives.

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. 115.292 of the statutes is created to read:

2 **115.292 State superintendent interventions.** (1) If the state
3 superintendent determines that a school or school district is in need of improvement,
4 the state superintendent may direct the school board to do one or more of the
5 following ^{in the school or school district}

6 (a) Implement a new curriculum ~~in one or more schools.~~

7 (b) Implement a new instructional design, including expanded school hours,
8 additional pupil supports and services, and individual learning plans for pupils ~~in~~

9 ~~one or more schools.~~

10 (d) ~~(e)~~ Make personnel changes that are consistent with applicable collective
11 bargaining agreements.

12 (e) ~~(d)~~ Adopt accountability measures to monitor the school district's finances or
13 to monitor other interventions directed by the state superintendent under pars. (a)

14 to ~~(e)~~ ^(d)

15 (3) ~~(2)~~ The state superintendent shall promulgate rules establishing criteria and
16 a procedure for determining whether a school or school district is in need of
17 improvement under sub. (1).

✓

18 SECTION 2. 121.006 (1) (a) of the statutes is renumbered 121.006 (1) (a) 1.

✓

19 SECTION 3. 121.006 (1) (a) 2. of the statutes is created to read:

BILL

1 121.006 (1) (a) 2. The state superintendent may withhold state aid from any
2 school district that fails to comply to the state superintendent’s satisfaction with a
3 directive under s. 115.292 (1).

4

(END)

(A)

3. Implement professional development programs
based on improving pupil academic
achievement.

(B)

~~¶ 6. Work with school district staff to
implement a directive under items 1 to 4, above.~~

Should not reach up to for it
on behalf of the directives.

2-9

(e) Implement professional development programs focused on improving pupil academic achievement.

2-14

(f) Work with school district staff to implement a directive under pars. (a) to (e).

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

2-14

(B)

(2) If a school board receives a directive from the state superintendent under sub. (1), the school board shall seek input from school district staff on implementing the directive.

Parisi, Lori

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Tuesday, October 27, 2009 9:58 AM
To: LRB.Legal
Cc: McCarthy, Tom
Subject: Draft Review: LRB 09-3521/3 Topic: DPI interventions in school districts

Please Jacket LRB 09-3521/3 for the ASSEMBLY and have it sent to Rep. Pope-Roberts for introduction.

Thank you.

Jennifer Kammerud
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