

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB75)

Received: **06/10/2009**

Received By: **tkuczens**

Wanted: **As time permits**

Identical to LRB:

For: **Michael Huebsch (608) 266-0631**

By/Representing: **Elise Nelson**

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: **Rep.Huebsch@legis.wisconsin.gov**

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

Pre Topic:

No specific pre topic given

Topic:

MPCP - require state superintendent to notify JCF if will not adopt or approve new standardized test to be administered to pupils

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>
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FE Sent For:

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FE Sent For:

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Kuczenski, Tracy

From: Nelson, Elise
Sent: Wednesday, June 10, 2009 4:14 PM
To: Grant, Peter; Kuczenski, Tracy
Subject: Rep. Huebsch Budget Amendments

Peter and Tracy,

Representative Huebsch would like to offer two amendments to the budget, AB 75. They are education-related so I am emailing them to you but let me know if I should direct them elsewhere.

1. The LFB summary at page 714, #11 describes the provision that we would like to amend. It relates to pupil participation in religious activities. The Gov/Jt Finance added a penalty to a choice school's failure to comply with the current law provision regarding pupil participation in religious activities. Under the Gov/Jt Finance, the state superintendent may issue an order barring the school from participating the the program in the current year. We would like to remove the penalty that was added by the gov/jt finance and return to current law.
2. This one relates to the mandatory use of a state test. I think that adding a "shall" being added to the requirement that the state superintendent notifies the legislature and cochairs of JFC will take care of the loophole described below, but I will defer to the drafter if he/she has other suggestions on how to avoid the scenario described below.

See Section 2267 of AB 75, creating Section 118.30(1s) of the statutes, and in particular, Sec. 118.30(1s)(b)

"If, before January 1, 2010, the state superintendent notifies in writing the cochairpersons of the joint committee on finance and the cochairpersons of the appropriate standing committees in each house of the legislature that the department will not adopt or approve new examinations under sub. (1) to be administered to pupils under sub. (1m) in the 2011-12 school year, then, beginning in the 2010-11 school year and annually thereafter, the governing body of each private school participating in the program under s. 119.23 shall administer nationally normed standardized tests in reading, mathematics, and science to pupils attending the school under s. 119.23 in the 4th, 8th, and 10th grades instead of administering the examinations under par. (a).

Based on the above, there are 2 triggers for choice schools not taking the revamped wkce or other state mandated test:

1. The superintendent does not adopt or approve new exams before Jan 1, 2010; and
2. The superintendent must notify the cochairs of JFC and the legislature that such test hasn't been adopted.

The way it is written requires both to occur -- so if the superintendent doesn't

adopt a new test but fails to notify the legislature, then private schools would still be required to take the WKCE.

Please let me know if you have any questions.

Elise
6-0631



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75**

6/10/09

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 1238, line 13: delete "If, before" and substitute "No later than".
- 3 **2.** Page 1238, line 13: delete "notifies" and substitute "shall notify".
- 4 **3.** Page 1238, line 15: delete "that" and substitute "whether".
- 5 **4.** Page 1238, line 16: delete "not".
- 6 **5.** Page 1238, line 17: after "year" insert ". If the state superintendent will not
- 7 adopt or approve new examinations under sub. (1) to be administered to pupils under
- 8 sub. (1m) in the 2010-11 school year".

9 (END)