

ASSEMBLY BILL 808 (LRB -3893)

An Act to renumber and amend 118.43 (4) (d); to amend 118.43 (2) (g) and 118.43 (3) (intro.); and to create 118.38 (1) (a) 9., 118.43 (2) (bt), 118.43 (3) (at), 118.43 (3m) and 118.43 (4) (d) 2. of the statutes; relating to: student achievement guarantee in education program contracts. (FE)

2010

- 03-04. A. Introduced by Representatives **Dexter, Hilgenberg, Garthwaite, Danou, Berceau, Clark, Hraychuck, Molepske Jr., Pasch, Pope-Roberts and Smith**; cosponsored by Senators **Holperin, Kreitlow, Olsen, Vinehout and Lehman**.
- 03-04. A. Read first time and referred to committee on Education 722
- 03-09. A. Public hearing held.
- 03-22. A. Fiscal estimate received.
- 03-23. A. Executive action taken.
- 03-31. A. Report passage recommended by committee on Education, Ayes 8, Noes 4 774
- 03-31. A. Referred to committee on Rules 774
- 04-13. A. Made a special order of business at 11:45 A.M. on 4-15-2010 pursuant to Assembly Resolution 22 825
- 04-15. A. Read a second time 856
- 04-15. A. Assembly amendment 1 offered by Representative Dexter (**LRB a2253**) 856
- 04-15. A. Assembly amendment 1 **adopted** 856
- 04-15. A. Assembly amendment 2 offered by Representative Kaufert (**LRB a2247**) 856
- 04-15. A. Assembly amendment 2 laid on table, Ayes 52, Noes 45 856
- 04-15. A. Ordered to a third reading 857
- 04-15. A. Rules suspended 857
- 04-15. A. Read a third time and **passed**, Ayes 68, Noes 29 857
- 04-15. A. Ordered immediately messaged 857
- 04-16. S. Received from Assembly.
- 04-16. S. Read first time and referred to committee on Education.
- 04-22. S. Senator Lassa added as a cosponsor.
- 04-22. S. Rules suspended to withdraw from committee on Education and take up.
- 04-22. S. Read a second time.
- 04-22. S. Ordered to a third reading.
- 04-22. S. Rules suspended.
- 04-22. S. Read a third time and **concurred in**.
- 04-22. S. Ordered immediately messaged.
- 04-22. A. Received from Senate concurred in.

JB/9/13

2009
ENROLLED BILL

09en A B-808

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

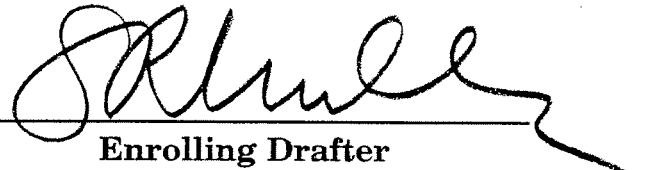
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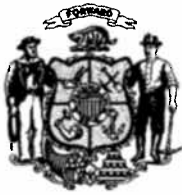
Amendments to above (if none, write "NONE"): AA1 - a2253/1

Corrections - show date (if none, write "NONE"): None

Topic Rel

4-27-10
Date


Enrolling Drafter



2009 ASSEMBLY BILL 808

March 4, 2010 – Introduced by Representatives DEXTER, HILGENBERG, GARTHWAITE, DANOU, BERCEAU, CLARK, HRAYCHUCK, MOLEPSKE JR., PASCH, POPE-ROBERTS and SMITH, cosponsored by Senators HOLPERIN, KREITLOW, OLSEN, VINEHOUT and LEHMAN. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 118.43 (4) (d); *to amend* 118.43 (2) (g) and
2 118.43 (3) (intro.); and *to create* 118.38 (1) (a) 9., 118.43 (2) (bt), 118.43 (3) (at),
3 118.43 (3m) and 118.43 (4) (d) 2. of the statutes; **relating to:** student
4 achievement guarantee in education program contracts.

Analysis by the Legislative Reference Bureau

Current law allows an eligible school board that has entered into a five-year renewable student achievement guarantee (SAGE) contract with the Department of Public Instruction (DPI) to reduce class size to 15 pupils in grades kindergarten to three in schools with specified low-income enrollment to receive \$2,250 for each low-income pupil enrolled in grades eligible for SAGE funding. Current law permits a school to renew and receive payments under a renewed SAGE contract if the school board maintains the reduced class size achieved during the last school year of the original SAGE contract for the grades specified for the last school year of the contract. Current law also permits DPI to waive requirements of the SAGE program in a contract entered into between DPI and a school board.

This bill changes the requirement that a school board maintain the reduced class size achieved during the last school year of the original SAGE contract as a condition for receiving payments under an existing SAGE contract, and permits a school board operating under an existing SAGE contract to do each of the following: 1) satisfy the class size requirement by reducing the class size to no more than 18 pupils; and 2) combine two classes with two classroom teachers to achieve a total class size of 30 pupils.

ASSEMBLY BILL 808

The bill also authorizes a school board, in the 2010–11 school year, to enter into a new, renewable, five–year SAGE contract with DPI to reduce class size to 18 pupils in grades kindergarten to three in one or more schools in the school district if, in the previous school year, at least one school in the school district had an enrollment of at least 50 percent low income and all of the following are satisfied:

1. In the previous school year, the school had an enrollment that was at least 30 percent low income.

2. The school is not receiving a grant from DPI for a preschool to grade five program.

3. The school is not already a beneficiary of a SAGE contract.

The school board may combine two classes with two classroom teachers to achieve a total class size of 30 pupils.

Finally, under the bill, DPI may not waive any requirement of the SAGE program in any SAGE contract entered into or renewed after the effective date of the 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:

1 **SECTION 1.** 118.38 (1) (a) 9. of the statutes is created to read:

2 118.38 (1) (a) 9. The requirements established for achievement guarantee
3 contracts under s. 118.43.

4 **SECTION 2.** 118.43 (2) (bt) of the statutes is created to read:

5 118.43 (2) (bt) In the 2010–11 school year, the school board of an eligible school
6 district may enter into a 5–year achievement guarantee contract with the
7 department on behalf of one or more schools in the school district if all of the following
8 apply:

9 1. In the previous school year, each school had an enrollment that was at least
10 30 percent low income.

11 2. The school board is not receiving a grant under the preschool to grade 5
12 program on behalf of any of the schools under s. 115.45.

13 3. None of the schools is a beneficiary of a contract under this section.

ASSEMBLY BILL 808

1 **SECTION 3.** 118.43 (2) (g) of the statutes is amended to read:

2 118.43 (2) (g) The department may renew an achievement guarantee contract
3 under pars. (b), (bg), ~~and (br)~~, and (bt) for one or more terms of 5 school years. ~~As~~
4 Except as provided in sub. (3m), as a condition of receiving payments under a
5 renewal of an achievement guarantee contract, a school board shall maintain the
6 reduction of class size achieved during the last school year of the original
7 achievement guarantee contract for the grades specified for the last school year of the
8 contract.

9 **SECTION 4.** 118.43 (3) (intro.) of the statutes is amended to read:

10 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)
11 ~~and~~, (ar), and (at), an achievement guarantee contract shall require the school board
12 to do all of the following in each participating school:

13 **SECTION 5.** 118.43 (3) (at) of the statutes is created to read:

14 118.43 (3) (at) *Class size; additional contracts.* For contracts that begin in the
15 2010–11 school year, reduce each class size to 18 in the following manner:

- 16 1. In the 2010–11 school year, in at least grades kindergarten and one.
17 2. In the 2011–12 school year, in at least grades kindergarten to 2.
18 3. In the 2012–13 to 2014–15 school years, in at least grades kindergarten to
19 3.

20 **SECTION 6.** 118.43 (3m) of the statutes is created to read:

21 118.43 (3m) ADJUSTMENT TO CLASS SIZE. (a) Beginning in the 2010–11 school
22 year, notwithstanding sub. (3) (a), (am), and (ar), a school board operating under an
23 achievement guarantee contract on the effective date of this subsection [LRB
24 inserts date], may do any of the following:

ASSEMBLY BILL 808

1 1. Satisfy the class size limitation by reducing each class size in each school
2 covered by the contract to no more than 18.

3 2. Combine 2 classes subject to the class size limitation in any school covered
4 by the contract having at least 2 regular classroom teachers when the classes are
5 combined if the combined class size is not greater than 30.

6 (b) A school board operating under an achievement guarantee contract entered
7 into under sub. (3) (at) may combine 2 classes subject to the class size limitation in
8 any school covered by the contract having at least 2 regular classroom teachers when
9 the classes are combined if the combined class size is not greater than 30.

10 **SECTION 7.** 118.43 (4) (d) of the statutes is renumbered 118.43 (4) (d) 1. and
11 amended to read:

12 118.43 (4) (d) 1. ~~A~~ Except as provided in subd. 2., a description of any statute
13 or rule that is waived under s. 118.38 if the waiver is related to the contract.

14 **SECTION 8.** 118.43 (4) (d) 2. of the statutes is created to read:

15 118.43 (4) (d) 2. No achievement guarantee contract entered into or renewed
16 under sub. (2) may include a waiver of any requirement of or rule promulgated under
17 the authority of this section.

INS. AAI-1

18 **SECTION 9. Initial applicability.**

19 (1) The treatment of section 118.43 (4) (d) 2. of the statutes first applies to an
20 achievement guarantee contract entered into or renewed on the effective date of this
21 subsection.

INS. AAI-2

(END)



**ASSEMBLY AMENDMENT 1,
TO 2009 ASSEMBLY BILL 808**

April 15, 2010 - Offered by Representative DEXTER.

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

2 1. Page 4, line 17: after that line insert:

3 **SECTION 8g.** 118.43 (6) (b) 9. of the statutes is amended to read:

4 118.43 (6) (b) 9. In the 2005-06 and 2006-07 school years, \$2,000 multiplied
5 by the number of low-income pupils enrolled in grades eligible for funding in each
6 school in the school district covered by renewals of contracts under sub. (2) (g); and
7 in the 2007-08, 2008-09, and 2009-10 school year and any subsequent school year
8 years, \$2,250 multiplied by the number of low-income pupils enrolled in grades
9 eligible for funding in each school in the school district covered by renewals of
10 contracts under sub. (2) (g).

11 **SECTION 8r.** 118.43 (6) (b) 10. of the statutes is created to read:

12 118.43 (6) (b) 10. In the 2010-11 school year and any subsequent school year,
13 \$2,250 multiplied by the number of low-income pupils enrolled in grades eligible for

AA1-1

1 funding in each school in the school district covered by contracts under sub. (3) (at)
2 and by renewals of contracts under sub. (2) (g)."

3 **2.** Page 4, line 21: after that line insert:

4 "(2) This act first applies to state aid distributed under section 118.43 (6) (b)
5 of the statutes, as affected by this act, in the 2010-11 school year".

6 (END)

AA1-2