

2011 DRAFTING REQUEST

Bill

Received: **02/03/2012**

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **Governor 7-9096**

By/Representing: **Michael Brickman**

May Contact:

Drafter: **pgrant**

Subject: **Education - school boards**
Education - state superintendent
Education - charter schools
Education - choice schools

Addl. Drafters: **tkuczens**

Extra Copies:

Submit via email: **YES**

Requester's email: **michael.brickman@wisconsin.gov**

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

Pre Topic:

No specific pre topic given

Topic:

Teacher education programs, educator effectiveness, school accountability, teacher licensure, screening for reading readiness

Instructions:

Compile 3738, 3740, and 3814

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 02/03/2012			_____			S&L
/P2	pgrant 02/07/2012	csicilia 02/08/2012	jfrantze 02/03/2012	_____	sbasford 02/03/2012		S&L
/1	tkuczens 02/08/2012	kfollett 02/08/2012	jmurphy 02/08/2012	_____	mbarman 02/08/2012		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>
/2			rschluet 02/08/2012	_____	ggodwin 02/08/2012	ggodwin 02/09/2012	S&L

FE Sent For:

*At intro
2/19/2012*

<END>

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/1		12/5/11 2/8	jmurphy 02/08/2012	_____	mbarman 02/08/2012		S&L

Jm

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/?	pgrant 02/03/2012	↑ js 2/8 12	pm 2/8	jm+gf 2/8			S&L
/P2			jfrantze 02/03/2012		sbasford 02/03/2012		S&L

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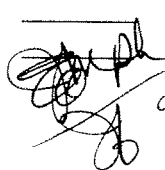
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1?	pgrant		Jb 2/3	-Comp			
FE Sent For:	1/2	qs 2/3	T2 2/3	 2/3			

<END>

SortList:

COMPONENT DRAFT ACTION

- 3738/7 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:
- 3738/7 20.255 (2) (d) of the statutes is created to read:
- 3738/7 20.505 (4) (c) of the statutes, as created by 2011 Wisconsin Act 32, is repealed.
- 3814/P5 115.28 (7) (a) of the statutes is amended to read:
- 3814/P5 115.28 (7) (e) 2. of the statutes is amended to read:
- 3814/P5 115.28 (7g) of the statutes is created to read:
- 3814/P5 115.28 (12) (ag) of the statutes is created to read:
- 3740/5 115.38 (title) of the statutes is amended to read:
- 3740/5 115.38 (1) of the statutes is renumbered 115.38 (1m), and 115.38 (1m) (intro.), (c) and (e), as renumbered, are amended to read:
- 3740/5 115.38 (1e) to (1k) of the statutes are created to read:
- 3740/5 115.38 (1s) of the statutes is created to read:
- 3740/5 115.38 (2) of the statutes is amended to read:
- 3814/P5 115.415 of the statutes is created to read:
- 3738/7 118.016 of the statutes is created to read:
- 3738/7 118.19 (14) of the statutes is created to read:
- 3740/5 118.40 (3) (f) of the statutes is created to read:
- 3740/5 118.40 (5) of the statutes is renumbered 118.40 (5) (a).
- 3740/5 118.40 (5) (b) of the statutes is created to read:
- 3740/5 118.42 (1) (intro.) of the statutes is amended to read:
- 3740/5 118.42 (2) (intro.) of the statutes is amended to read:
- 3740/5 118.42 (3) (a) (intro.) of the statutes is amended to read:
- 3740/5 118.42 (3) (b) (intro.) of the statutes is amended to read:
- 3740/5 118.42 (3m) of the statutes is created to read:
- 3740/5 118.42 (4) of the statutes is amended to read:
- 3740/5 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 85, is amended to read:
- 3814/P5 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 85, is amended to read: ✓
- 3814/P5 120.12 (2m) of the statutes is created to read:
- 3740/5 121.006 (2) (d) of the statutes is amended to read:
- 3738/7 121.02 (1) (c) 3. of the statutes is created to read:
- 3740/5 Section 17. Nonstatutory provisions.
- 3740/5 Section 18. Initial applicability.
- 3740/5 Section 19. Effective dates. This act takes effect on the day after publication, except as follows:
- 3738/7 Section 7. Fiscal changes.
- 3738/7 Section 8. Initial applicability.
- 3814/P5 Section 8. Nonstatutory provisions.

"RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...





 DRAFTING ATTORNEYS: PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: PG) (Date: 2 / 9 / 2012)

Note:

BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR"


(exception: companion bills)

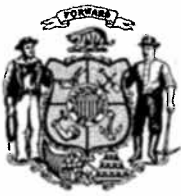
Please transfer the drafting file for
2009 LRB _____ (For: Rep. / Sen. _____)
to the drafting file for
2011 LRB _____ (For: Rep. / Sen. _____)

-----OR-----

Please copy the drafting file^s for
2011 LRB -3738 -3814 / -3746 -3740 / -3476 (include the version) (For: Rep. / Sen. Governor)
and place it in the drafting file for
2011 LRB -4017 (For: Rep. / Sen. Governor)

 Are These "Companion Bills" ?? ... Yes **No**

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: _____



rmNr
P2

LRB-4017/P1
PG. kjf

NOW

STKK

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

med/jld/kjf/cjs

SN

Gen Cat

teacher

1 AN ACT...; relating to: ~~requiring a specific test for initial~~ licensure ^{teacher} as a teacher

2 ~~in the elementary grades or in special education, requiring the~~ screening of

3 kindergarten pupils for reading readiness, ~~providing~~ remedial reading services

4 for certain pupils, ~~and making an appropriation,~~ a school ~~and school district~~

5 accountability system; ~~grading~~ ^{evaluating} teacher preparatory programs ~~evaluating~~

6 educator effectiveness, ~~and~~ requiring the exercise of rule-making authority

and

Analysis by the Legislative Reference Bureau

and making an appropriation

Assessments of reading readiness

*** ANALYSIS FROM -3738/7 ***

This bill directs each school board and each independent charter school annually to assess all pupils in five-year-old kindergarten programs for reading readiness. If the Department of Public Instruction (DPI) determines that sufficient moneys are available, the school board and the charter school must also assess all pupils in four-year-old kindergarten programs. The school board and charter school must use an assessment selected by DPI. The school board and charter school must provide a pupil whose assessment indicates that he or she is at risk of reading difficulty with remedial reading services. The bill appropriates moneys to DPI to provide school districts and independent charter schools with the assessments.

Teacher licensure

Beginning January 1, 2014, the bill prohibits DPI from issuing an initial teaching license that authorizes the holder to teach in grades kindergarten to five or in special education unless the applicant has passed an examination that tests the

applicant's knowledge of specified facets of reading development and reading instruction. The bill provides that any teacher who passes the examination must notify DPI in order to have add a notation added to the teacher's license indicating that he or she passed the examination.

9

School performance reports → ***** ANALYSIS FROM -3740/5 *****

Under current law, ~~the Department of Public Instruction (DPI)~~ must prepare a school and school district performance report for public schools in this state. The report must include various indicators of pupil academic achievement as well as other indicators of performance.

This bill requires DPI to prepare a report for private schools that are participating in a parental choice program (PCP) as well as for public schools. The school performance report for a private school participating in a PCP must be based only on data relating to the pupils attending the private school under the PCP.

10 School = accountability system

Under current law, if DPI determines that a public school or school district has been in need of improvement for a specified period or ranks in the lowest five percent, the school board must engage in certain specified activities designed to improve the performance of the school or school district. If a public school or school district is determined to be in need of improvement for a longer period, DPI may direct the school board to take certain actions, such as implementing a new curriculum, implementing changes in administrative and personnel structures, or implementing a new or modified instructional design.

e 5

This bill modifies the current accountability system for schools. For school districts, the bill makes the directed improvements and interventions mandatory after three years of being in need of improvement instead of after four years.

The bill directs DPI to establish a comprehensive school accountability system beginning in the 2012-13 school year. The system covers public schools, including charter schools, and private schools that are participating in a PCP.

The bill requires that the system include all of the following components:

1. Multiple measures to determine performance, including pupil achievement and growth in reading and mathematics; measures of college and career readiness; and gaps in pupil achievement and rates of graduation, categorized by race, English language proficiency, disability, and income.
2. An index system to identify a school's level of performance and annually place each school into one of six performance categories. The bill requires DPI and each school board, charter school, and parental choice program school to publicize the performance category to which it has been assigned.
3. The production of annual school and school district reports.

Under the new accountability system, if DPI determines that a public school (other than a charter school) is in the lowest performance category, DPI must direct a diagnostic review of the school. Based on the review, DPI must direct the school board to choose to either implement DPI-approved improvement activities or close the school. If the school board chooses to implement the improvement activities, but after three years remains in the lowest performance category, DPI must direct certain specified activities, including annual performance evaluations and the establishment of teacher and principal improvement programs.

If DPI determines that a charter school is in the lowest performance category, the charter school must either implement DPI-approved improvement activities and improve its performance ranking within three years or risk having its charter revoked, or enter into a performance agreement with DPI in which the charter school agrees to meet annual, DPI-approved, performance benchmarks. If the school chooses the latter option and misses a benchmark in any year, DPI must revoke the school's charter. (The bill requires that every charter school's charter include a provision authorizing DPI to revoke the school's charter under these circumstances.)

If DPI determines that a private school participating in a PCP is in the lowest category, it must proceed as described above for charter schools except that, instead of revocation of the school's charter, the private school may be barred from participating in a PCP.

Teacher preparatory programs
preparatory programs

*** ANALYSIS FROM -3814/P5 ***

Under current law, ~~the Department of Public Instruction (department)~~ establishes standards and requirements for and approves education programs leading to licensure as a teacher, including programs leading to licensure as an alternative education program teacher. This bill requires each teacher education program located in this state to, beginning on July 1, 2012, and annually thereafter, provide ~~the department~~ with a list of graduates, and their graduation dates, from each term or semester of the program's most recently completed academic year. The bill requires ~~the department~~ to include this information about graduates of teacher education programs in the statewide student information system.

DPI

This bill requires ~~the department~~ to work in consultation with the governor's office, the University or Wisconsin system, chairpersons and ranking members of the senate and assembly education committees, the technical college system, and the Wisconsin Association of Independent Colleges and Universities to determine how the performance of recent graduates of teacher education programs should be used to evaluate the teacher education programs and what measures of performance will be used to evaluate teacher performance and to develop a system through which information about teacher performance and the evaluation of teacher education programs will be made available to the public. The bill requires ~~the department~~, beginning in the 2013-14 school year, to report the rate of passage on licensure examinations of recent graduates of each teacher education program and any other information recommended by ~~the department~~ in consultation with the entities above on the system developed as required in the bill.

DPI

Educator effectiveness evaluations

This bill also requires ~~the department~~ to develop an educator effectiveness evaluation system (state system) and to develop, by rule, an equivalency process aligned with the state system (equivalency process) to assist school districts in the evaluation of the performance of teachers and principals in the district. Under the state system, 50 percent of the total evaluation score assigned to a teacher or principal must be based on measures of student performance, and 50 percent of the total evaluation score must be based upon the extent to which the teacher's or principal's practice meets standards established under the 2011 Interstate Teacher Assessment and Support Consortium or under the 2008 Interstate School Leaders Licensure Consortium Educational Leadership Policy Standards, respectively. The

equivalency process must be based upon the same interstate standards as the state system and must evaluate the teacher or principal with reference to the following four domains: planning and preparation, the classroom environment, instruction, and professional responsibilities and development. Teachers and principals evaluated under both the state system and the equivalency process must be placed in one of multiple performance categories. Each school district must begin evaluating teachers and principals using either the state system or the equivalency process in the 2014-15 school year.

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.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

	2011-12	2012-13
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4 **20.255 Public instruction, department of**

5 (2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

6 (d) Assessments of reading readi-

ness	GPR	A	-0-	800,000
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8 **SECTION 2.** 20.255 (2) (d) of the statutes is created to read:

9 20.255 (2) (d) *Assessments of reading readiness.* The amounts in the schedule
10 to provide school districts and independent charter schools with the assessments of
11 reading readiness under s. 118.016.

12 **SECTION 3.** 20.505 (4) (c) of the statutes, as created by 2011 Wisconsin Act 32,
13 is repealed.

14 **SECTION 4.** 115.28 (7) (a) of the statutes is amended to read:

15 115.28 (7) (a) License all teachers for the public schools of the state; make rules
16 establishing standards of attainment and procedures for the examination and

1 licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.192,
2 and 118.195; prescribe by rule standards, requirements, and procedures for the
3 approval of teacher preparatory programs leading to licensure, including a
4 requirement that, beginning on July 1, 2012, and annually thereafter, each teacher
5 preparatory program located in this state shall submit to the department a list of
6 graduates, together with their date of graduation, from each term or semester of the
7 program's most recently completed academic year; file in the state superintendent's
8 office all papers relating to state teachers' licenses; and register each such license.

9 **SECTION 5.** 115.28 (7) (e) 2. of the statutes is amended to read:

10 115.28 (7) (e) 2. Promulgate rules establishing requirements for licensure as
11 an alternative education program teacher and for the approval of teacher education
12 programs leading to licensure as an alternative education program teacher. The
13 rules shall include a requirement that each teacher education program described in
14 this subdivision and located in this state shall, beginning on July 1, 2012, and
15 annually thereafter, submit to the department a list of graduates, together with their
16 date of graduation, from each term or semester of the program's most recently
17 completed academic year. The rules shall encompass the teaching of multiple
18 subjects or grade levels or both, as determined by the state superintendent. The
19 rules may require teacher education programs to grant credit towards licensure as
20 an alternative education program teacher for relevant experience or demonstrated
21 proficiency in relevant skills and knowledge.

22 **SECTION 6.** 115.28 (7g) of the statutes is created to read:

23 115.28 (7g) EVALUATION OF TEACHER PREPARATORY PROGRAMS.

24 (a) The department shall, in consultation with the governor's office, the
25 chairpersons of the committees in the assembly and senate whose subject matter is

1 elementary and secondary education and ranking members of those committees, the
2 University of Wisconsin System, the technical college system, and the Wisconsin
3 Association of Independent Colleges and Universities, do all of the following:

4 1. Determine how the performance of recent graduates of teacher preparatory
5 programs described in s. 115.28 (7) (a) and located in this state and teacher education
6 programs described in sub. 115.28 (7) (e) 2. and located in this state will be used to
7 evaluate the teacher preparatory and education programs, including by defining
8 “recent graduate” and identifying measures of performance.

9 2. Determine how the measures of performance of recent graduates identified
10 as required under subd. 1. will be made accessible to the public.

11 3. Develop a system to publicly report the measures of performance identified
12 as required under subd. 1. for each teacher preparatory and education program
13 identified in subd. 1.

14 (b) Beginning in the 2013-14 school year, the department shall use the system
15 developed under par. (a) 3. to report the rate of passage of recent graduates on
16 examinations administered for licensure under s. 115.28 (7) and any other
17 information required to be reported under par. (a) 1.

18 (c) Beginning in the 2013-14 school year, the department shall require each
19 teacher preparatory and education program to prominently display and annually
20 update the rate of passage of recent graduates of the program on examinations
21 administered for licensure under s. 115.28 (7) and any other information required to
22 be reported under par. (a) 1. on the program’s Web site and to provide this
23 information to persons receiving admissions materials to the program.

24 **SECTION 7.** 115.28 (12) (ag) of the statutes is created to read:

1 115.28 (12) (ag) Beginning in the 2012-13 school year, each school district
2 using the system under par. (a) shall include in the system the following information
3 for each teacher teaching in the school district who graduated from a teacher
4 preparatory program described in sub. (7) (a) and located in this state or from a
5 teacher education program described in sub. (7) (e) 2. and located in this state on or
6 after January 1, 2012:

7 1. The name of the teacher preparatory program or teacher education program
8 the teacher attended and from which the teacher graduated.

9 2. The term or semester and year in which the teacher graduated from the
10 program described in subd. 1.

11 **SECTION 8.** 115.38 (title) of the statutes is amended to read:

12 **115.38 (title) School accountability system; performance report;**
13 **educational program review.**

14 **SECTION 9.** 115.38 (1) of the statutes is renumbered 115.38 (1m), and 115.38
15 (1m) (intro.), (c) and (e), as renumbered, are amended to read:

16 115.38 (1m) (intro.) ~~The Annually, the~~ state superintendent shall develop
17 ~~prepare~~ a school and school district performance report ~~for use by school districts~~
18 ~~under sub. (2).~~ The report shall include all of the following by school and by school
19 district:

20 (c) Staffing and financial data information, as determined by the state
21 superintendent, not to exceed 10 items. The state superintendent may not request
22 a school or school board to provide information solely for the purpose of including the
23 information in the report under this paragraph.

24 (e) The method of reading instruction used in the school or school district and
25 the textbook series used to teach reading in the school or school district.

1 **SECTION 10.** 115.38 (1e) to (1k) of the statutes are created to read:

2 115.38 (1e) In this section, "school" means a public school, including a charter
3 school, and a private school participating in a parental choice program under s.
4 118.60 or 119.23.

5 **(1g)** The department shall establish a comprehensive school and school district
6 accountability system beginning in the 2012-13 school year that includes all of the
7 following components:

8 (a) Multiple measures to determine a school's performance or a school district's
9 improvement status under s. 118.42, including all of the following:

10 1. Pupil achievement and growth in reading and mathematics.

11 2. Measures of college and career readiness for high school pupils and measures
12 indicative of being on track for college and career readiness in the elementary grades.

13 3. Gaps in pupil achievement and rates of graduation, categorized by race,
14 English language proficiency, disability, and income level.

15 (b) An index system to identify a school's level of performance and annually
16 place each school into one of 6 performance categories based on data derived from
17 multiple school years. The department shall collect and disseminate the best
18 practices from the schools placed in the highest performance category. For schools
19 placed in the lowest performance category, the department shall identify
20 opportunities to provide support and shall intervene as provided in pars. (d) to (f).

21 As part of that intervention, the department shall establish performance
22 improvement benchmarks, which shall reflect the annual improvement necessary to
23 remove the school from the lowest performance category within 3 years.

24 Performance improvement benchmarks shall be as uniform as reasonably possible

1 for all schools other than those serving predominantly children at risk, as defined in
2 s. 118.153 (1) (a).

3 (c) The production of annual school and school district reports that are timely,
4 useful, and understandable. Each school and school district shall display
5 prominently on the school's and school district's Internet sites the reports produced
6 by the department under this section and make copies available upon request in the
7 school's office.

8 (d) If the department determines that a public school other than a charter
9 school is in the lowest performance category, the department shall do all of the
10 following:

11 1. Direct a department-approved, on-site, diagnostic review of the school to
12 determine the cause of the school's poor performance.

13 2. Direct the school board to implement department-approved improvement
14 activities, based on the diagnostic review, within 3 school years or close the school.

15 3. If the school board chooses to implement department-approved
16 improvement activities under subd. 2. but after 3 school years remains in the lowest
17 performance category, direct the activities of the school in a manner consistent with
18 s. 118.42.

19 4. If the diagnostic review under subd. 1. reveals that the school district has
20 been in need of improvement for 3 consecutive school years, s. 118.42 applies.

21 (e) If the department determines that a charter school is in the lowest
22 performance category, the charter school shall do one of the following:

23 1. After participating in a department-approved, on-site, diagnostic review,
24 implement department-approved improvement activities. After 3 years, if the

1 charter school remains in the lowest performance category, the department shall
2 revoke the school's charter.

3 2. Enter into a performance agreement with the department in which the
4 charter school agrees to meet annual, department-approved, performance
5 benchmarks. If a benchmark is not met in any year, the department shall revoke the
6 school's charter.

7 (f) If the department determines that a private school participating in a
8 program under s. 118.60 or 119.23 is in the lowest performance category, the private
9 school shall do one of the following:

10 1. After participating in a department-approved, on-site, diagnostic review
11 paid for by the private school, pay for and implement department-approved
12 improvement activities. After 3 years, if the private school remains in the lowest
13 performance category, the department shall bar the school from participating in the
14 program under s. 118.60 or 119.23.

15 2. Enter into a performance agreement with the department in which the
16 private school agrees to meet annual, department-approved, performance
17 benchmarks. If a benchmark is not met in any year, the department shall bar the
18 school from participating in the program under s. 118.60 or 119.23.

19 (ii) In establishing the accountability system under sub. (1g), the department
20 shall consult with all of the following:

21 (a) The governor.

22 (b) The chairpersons of the committees in the assembly and the senate whose
23 subject matter is elementary and secondary education.

24 (c) The ranking minority members of each of the committees under par. (b).

1 (d) Members of education groups representing school boards, school
2 administrators, and teachers.

3 (e) Members of organizations representing pupils and parents.

4 **(1k)** (a) The department shall annually report to the appropriate standing
5 committees of the legislature under s. 13.172 (3) the performance category to which
6 each school has been assigned.

7 (b) Each school board, the governing body of each charter school under s. 118.40
8 (2r), and the governing body of each private school participating in a program under
9 s. 118.60 or 119.23 shall annually report to the parent of each pupil enrolled in the
10 school or school district the performance category to which the school has been
11 assigned.

12 **SECTION 11.** 115.38 (1s) of the statutes is created to read:

13 115.38 **(1s)** The governing body of a private school participating in a parental
14 choice program under s. 118.60 or 119.23 shall provide the state superintendent with
15 any information he or she requests for the purpose of preparing the school
16 performance report under sub. (1m). The state superintendent shall prepare the
17 report for each private school participating in a parental choice program under s.
18 118.60 or 119.23 using only information relating to the pupils who are attending the
19 private school under s. 118.60 or 119.23.

20 **SECTION 12.** 115.38 (2) of the statutes is amended to read:

21 115.38 **(2)** (a) Annually by January 1, each school board shall notify the parent
22 or guardian of each pupil enrolled in the school district of the right to request a school
23 and school district performance report under this subsection. Except as provided in
24 par. (b), annually by May 1, each school board shall, upon request, distribute to the
25 parent or guardian of each pupil enrolled in the school district, including pupils

1 enrolled in charter schools located in the school district, or give to each pupil to bring
2 home to his or her parent or guardian, a school and school district performance report
3 that includes the information specified by the state superintendent under sub. (1)
4 (1m). The report shall also include a comparison of the school district's performance
5 under sub. (1) (1m) (a) and (b) with the performance of other school districts in the
6 same athletic conference under sub. (1) (1m) (a) and (b). If the school district
7 maintains an Internet site, the report shall be ~~made available to the public at~~
8 prominently displayed on that site.

9 (b) If a school board enters into an agreement with a federally recognized
10 American Indian tribe or band in this state to establish a charter school, that school
11 board shall, upon request, distribute to the parent or guardian of each pupil enrolled
12 in the charter school a school and school district performance report that includes the
13 information specified by the state superintendent under sub. (1) (1m), regardless of
14 the location of the charter school.

15 **SECTION 13.** 115.415 of the statutes is created to read:

16 **115.415 Educator effectiveness.** (1) The department shall develop an
17 educator effectiveness evaluation system and an equivalency process aligned with
18 the department's evaluation system for the evaluation of teachers and principals as
19 provided in this section, and shall require each school district to evaluate teachers
20 and principals in the district beginning in the 2014-15 school year and annually
21 thereafter.

22 (2) The department shall develop an educator effectiveness evaluation system
23 according to the following framework:

24 (a) Fifty percent of the total evaluation score assigned to a teacher or principal
25 shall be based upon measures of student performance, including performance on

1 state assessments, district-wide assessments, student learning objectives,
2 school-wide reading at the elementary and middle-school levels, and graduation
3 rates at the high school level.

4 (b) Fifty percent of the total evaluation score assigned to a teacher or principal
5 shall be based upon one of the following:

6 1. For a teacher, the extent to which the teacher's practice meets the core
7 teaching standards adopted by the 2011 Interstate Teacher Assessment and Support
8 Consortium.

9 2. For a principal, the extent to which the principal's practice meets the 2008
10 Interstate School Leaders Licensure Consortium Educational Leadership Policy
11 Standards.

12 (c) A teacher or principal evaluated under this subsection shall be placed in one
13 of multiple performance categories.

14 (3) (a) The department shall promulgate by rule an equivalency process
15 aligned with the evaluation system established under sub. (2) for school districts
16 seeking to utilize an alternative process for the evaluation of teacher and principal
17 practice. The process under this subsection shall be based on the criteria established
18 in the 2011 Interstate Teacher Assessment and Support Consortium and the 2008
19 Interstate School Leaders Licensure Consortium Educational Leadership Policy
20 Standards, and a school district that uses the process under this subsection shall
21 evaluate the performance of teachers and principals in the following 4 domains:

22 1. Planning and preparation.

23 2. The classroom environment.

24 3. Instruction.

25 4. Professional responsibilities and development.

1 (b) A teacher or principal evaluated under this subsection shall be placed in one
2 of multiple performance categories.

3 **SECTION 14.** 118.016 of the statutes is created to read:

4 **118.016 Assessments of reading readiness.** (1) Beginning in the 2012-13
5 school year, each school board and the governing body of each charter school
6 established under s. 118.40 (2r) shall, using the appropriate assessment of literacy
7 fundamentals selected by the department, annually assess each pupil enrolled in
8 5-year-old kindergarten in the school district or in the charter school for reading
9 readiness. If the department determines that sufficient moneys are available, the
10 school board and governing body shall also assess each pupil enrolled in 4-year-old
11 kindergarten.

12 (2) The school board of the school district or governing body of the charter
13 school in which the pupil is enrolled shall provide a pupil whose assessment under
14 sub. (1) indicates that he or she is at risk of reading difficulty with remedial reading
15 services, as described under s. 121.02 (1) (c).

16 **SECTION 15.** 118.19 (14) of the statutes is created to read:

17 **118.19 (14)** (a) The department may not issue an initial teaching license that
18 authorizes the holder to teach in grades kindergarten to 5 or in special education
19 unless the applicant has passed an examination that evaluates the applicant's
20 knowledge of reading development and scientifically based reading instruction;
21 integration of knowledge and understanding phonological and phonemic awareness;
22 concepts of print and the alphabetic principles; the role of phonics in promoting
23 reading development; word analysis skills and strategies; vocabulary development;
24 the application of reading comprehension skills and strategies to imaginative,
25 literary, informational, and expository texts; formal and informal methods of

1 assessing reading development; multiple approaches to reading instruction;
2 development of reading curricula; and the evaluation of the results of instruments
3 used to screen pupils for reading acquisition skills.

4 (b) Any teacher who passes the examination under par. (a) shall notify the
5 department, which shall add a notation to the teacher's license indicating that he or
6 she passed the examination.

7 **SECTION 16.** 118.40 (3) (f) of the statutes is created to read:

8 118.40 (3) (f) No charter school may be established by contract unless the
9 contract authorizes the department to revoke the contract under sub. (5) (b).

10 **SECTION 17.** 118.40 (5) of the statutes is renumbered 118.40 (5) (a).

11 **SECTION 18.** 118.40 (5) (b) of the statutes is created to read:

12 118.40 (5) (b) A charter may be revoked by the department under s. 115.38 (1g)
13 (e).

14 **SECTION 19.** 118.42 (1) (intro.) of the statutes is amended to read:

15 118.42 (1) (intro.) If the state superintendent determines that a school district
16 has been in need of improvement for ~~4~~ 3 consecutive school years, the school board
17 shall do all of the following:

18 **SECTION 20.** 118.42 (2) (intro.) of the statutes is amended to read:

19 118.42 (2) (intro.) If the state superintendent determines that a public school
20 was in the lowest performing 5 percent of all public schools in the state in the
21 previous school year prior to the 2012-13 school year, or was in the lowest
22 performance category under s. 115.38 (1g) (b) in the 2012-13 school year or any
23 school year thereafter, and is located in a school district that has been in need of
24 improvement for ~~4~~ 3 consecutive school years, the school board shall do all of the
25 following in the school:

1 **SECTION 21.** 118.42 (3) (a) (intro.) of the statutes is amended to read:

2 118.42 (3) (a) (intro.) If the state superintendent determines that a school
3 district has been in need of improvement for ~~4~~ 3 consecutive school years, the state
4 superintendent may, after consulting with the school board, the school district
5 superintendent, and representatives of each labor organization representing school
6 district employees, direct the school board to do one or more of the following in the
7 school district:

8 **SECTION 22.** 118.42 (3) (b) (intro.) of the statutes is amended to read:

9 118.42 (3) (b) (intro.) If the state superintendent determines that a public
10 school is located in a school district that has been in need of improvement for 4
11 consecutive school years, prior to the 2012-13 school year or in a school district that
12 has been in need of improvement for 3 consecutive school years beginning in the
13 2012-13 school year; and that the school has been in need of improvement for 5
14 consecutive school years prior to the 2012-13 school year or was among the lowest
15 performing 5 percent of all public schools in the state in the previous school year;
16 prior to the 2012-13 school year, or was in the lowest performance category under
17 s. 115.38 (1g) (b) in the 2012-13 school year or any school year thereafter; the state
18 superintendent may, after consulting with the school board, the school district
19 superintendent, and representatives of each labor organization representing school
20 district employees, direct the school board to do one or more of the following in the
21 school:

22 **SECTION 23.** 118.42 (3m) of the statutes is created to read:

23 118.42 (3m) (a) The department shall report annually to the appropriate
24 standing committees of the legislature under s. 13.172 (3) the improvement status
25 of each school district under this section.

1 (b) Each school board shall annually report to the parent of each pupil enrolled
2 in the school district the improvement status of the school district under this section.

3 **SECTION 24.** 118.42 (4) of the statutes is amended to read:

4 118.42 (4) The state superintendent shall promulgate rules establishing
5 criteria and procedures for determining whether a school or school district is in need
6 of improvement and whether a school is among the lowest performing 5 percent of
7 all public schools in the state, prior to the 2012-13 school year for the purposes of this
8 section. Beginning in the 2012-13 school year, the state superintendent shall
9 promulgate rules establishing criteria and procedures for determining whether a
10 school district is in need of improvement for purposes of this section.

11 **SECTION 25.** 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 85,
12 is amended to read:

13 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
14 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
15 115.345, 115.365 (3), 115.38 (2), 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07,
16 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,
17 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225, 118.24
18 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292, 118.30
19 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (4m), (5), and (15) to (27), 120.125,
20 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38),
21 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and
22 board.

23 **SECTION 26.** 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 85,
24 is amended to read:

1 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
 2 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
 3 115.345, 115.365 (3), 115.38 ^{strike} (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06,
 4 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15,
 5 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225,
 6 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292,
 7 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 ^{(2m) ↑} (4m), (5), and (15) to (27),
 8 120.12 (2m) 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37),
 9 (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school
 10 district and board.

11 **SECTION 27.** 120.12 (2m) of the statutes is created to read:

12 120.12 (2m) EDUCATOR EFFECTIVENESS. (a) Beginning in the 2014-15 school
 13 year, annually evaluate the effectiveness of each teacher and principal employed by
 14 the school district using either the system established under s. 115.415 (2) or the
 15 equivalency process established by rule under s. 115.415 (3).

16 (b) Ensure that the results of evaluations conducted under this subsection are
 17 not subject to public inspection, copying, or disclosure under s. 19.35.

18 **SECTION 28.** 121.006 (2) (d) of the statutes is amended to read:

19 121.006 (2) (d) Comply with a directive issued by the state superintendent
 20 under s. 115.38 (1g) (d) or 118.42 (3) (a) or (b).

21 **SECTION 29.** 121.02 (1) (c) 3. of the statutes is created to read:

22 121.02 (1) (c) 3. The pupil's reading assessment under s. 118.016 indicates that
 23 the pupil is at risk of reading difficulty. If this subdivision applies, the services
 24 provided the pupil shall be evidence-based and shall address all areas in which the

1 pupil is deficient in a manner consistent with the state standards in reading and
2 language arts.

3 **SECTION 30. Nonstatutory provisions.**

4 (1) ACCOUNTABILITY SYSTEM. Notwithstanding section 16.42 (1) (e) of the
5 statutes, in submitting information under section 16.42 of the statutes for purposes
6 of the 2013-15 biennial budget bill, the department of public instruction shall submit
7 information concerning the cost of implementing the school and school district
8 accountability system under section 115.38 (1g) to (1k) of the statutes, as created by
9 this act.

10 ~~**SECTION 31. Fiscal changes.**~~
11 ~~(1) TRANSFER TO GOVERNOR'S READ TO LEAD DEVELOPMENT FUND. There is~~
12 ~~transferred from the general fund to the governor's read to lead development fund~~
13 ~~\$400,000 in the first fiscal year of the fiscal biennium in which this subsection takes~~
14 ~~effect.~~

15 **SECTION 32. Initial applicability.**

16 (1) CHARTER SCHOOL CONTRACTS. The treatment of sections 115.38 (1g) (e) and
17 118.40 (3) (f) and (5) (b) of the statutes first applies to a contract for the establishment
18 of a charter school that is entered into, modified, or renewed on the effective date of
19 this subsection.

20 (2) TEACHING LICENSE. The treatment of section 118.19 (14) (a) of the statutes
21 first applies to an application for a teaching license received by the department of
22 public instruction on January 1, 2014.

23 ~~**(B)**~~ ~~**EDUCATOR EFFECTIVENESS EVALUATION SYSTEM.**~~ Notwithstanding section
24 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the
25 statutes for purposes of the 2013-15 biennial budget bill, the department of public

Change to non stat component

1 instruction shall submit information concerning the cost of developing and
2 implementing the educator effectiveness evaluation system and equivalency process
3 under section 115.415 of the statutes, as created by this act.

4 **SECTION 33. Effective dates.** This act takes effect on the day after publication,
5 except as follows:

6 (1) The treatment of sections 115.38 (1), (1e) to (1k), (1s) and (2) and 119.04 (1)
7 of the statutes takes effect on September 1, 2012.

8 (END)

2/7/12

mtg w/

Sen Olson, Rep Kestell & aides
Michael Brickman, gov. etc.

charter school rep.

choice school rep

Kimberly Liedl - gov. etc.

Anne Sappenfield, leg. council

- discussion of ^{school} accountability portion of draft
- conclusion: better to delete it from draft;
no agreement on it at this point.

compile other three drafts (w/changes)

3476

3738

3814

Mtg w/ DPI Gov. office, ~~Legisl~~/Olson (M. Thompson, K. Licht, M. Brockman, C. Klaw, J. Kamborid, M. Grant, S. Archibald) 1/30/2012
 LRB - 3814/P2

Changes: 1. Teacher Evaluation

- Move requirement that teachers be evaluated from Ch. 120 to Ch. 115
- * require DPI to consult w/ UW, Gov's office, Technical college system, chairs & ranking members of Assembly & Senate education committees to develop teacher evaluation system and equivalency process
- * For system equivalency process, require DPI to establish process by rule
 - see email and attachment from S. Archibald
 - * require domains and components of state model in equivalency process

2. Teacher Education Program Evaluation

- require DPI to develop system to make information about teacher prep programs available to public
- require DPI to work w/ Gov's office, UW, tech. college system, chairs & ranking members of Senate & Assembly education committees to determine:
 - how performance of graduates will be used to evaluate teacher prep. programs (including reporting of licensure exam passage rates)
- require DPI to include information about passage rates of licensure exams on Student Information Systems.

T. Conf. w/ Michael Brickman 2/1/12

CRB - 3814/P3

p. 3 line 1 : change UW- Madison to del System

p. 3 ln. 16 and 19: license examinations administered by licensee

p. 4 ~~****~~ NOTE: keep principal (not administrator)

p. 5 components are established by INTASC (as parts of domains);
redraft to reflect stds of INTASC & ISLLCE

p. 6 ~~****~~ NOTE: Yes, place in multiple performance categories

Kuczenski, Tracy

From: Grant, Peter
Sent: Monday, February 06, 2012 9:38 AM
To: Kuczenski, Tracy
Subject: FW: Follow-up to Friday

Attachments: Picture (Device Independent Bitmap); Picture (Device Independent Bitmap); Picture (Device Independent Bitmap); Picture (Device Independent Bitmap); Picture (Device Independent Bitmap)

From: Kammerud, Jennifer DPI [<mailto:Jennifer.Kammerud@dpi.wi.gov>]
Sent: Monday, February 06, 2012 9:34 AM
To: Brickman, Michael - DOA
Cc: Grant, Peter; Archibald, Sarah; Kulow, Chris; Liedl, Kimberly - GOV
Subject: Follow-up to Friday

Michael,

I'm back in and Mike Thompson updated me on the last conversations from Friday. There are two follow-up items he discussed with you regarding 3814/P5 (educator effectiveness) that we want to make sure get made.

- 1) Under section 5, 115.415(3)(a), there is on p.6, line 13 a reference to the performance of teachers and principals in the four domains. The words "and principals" need to be removed as those domains don't apply to principals.
- 2) We need to remove references to annual evaluations as we do not annually evaluate all teachers and principals. Those references are found under section 5, p.5, lines 10 and 11 and section 7, p.7 line 9.

Additionally, we saw the e-mail from Sarah to Peter Grant from this morning. I just wanted to reconfirm we will see and approve the final draft before it goes out publically so that it is right when it goes out. We are not interested in doing cleanup through amendments.

Jennifer

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707
(608) 266-7073 - jennifer.kammerud@dpi.wi.gov

<http://dpi.wi.gov>



Kuczenski, Tracy

From: Kammerud, Jennifer DPI [Jennifer.Kammerud@dpi.wi.gov]
Sent: Monday, February 06, 2012 11:27 AM
To: Kuczenski, Tracy
Cc: Grant, Peter; Brickman, Michael - DOA; Archibald, Sarah; Kulow, Chris; Thompson, Michael
DPI
Subject: FW: Follow-up to Friday
Importance: High

Tracy,

1. Our conversation on Friday afternoon was with Michael. I assume so.
2. Yes.
3. No.
4. Okay.

From: Kuczenski, Tracy [mailto:Tracy.Kuczenski@legis.wisconsin.gov]
Sent: Monday, February 06, 2012 10:57 AM
To: Grant, Peter
Cc: Brickman, Michael - DOA; Archibald, Sarah; Kulow, Chris; Liedl, Kimberly - GOV; Kammerud, Jennifer DPI
Subject: RE: Follow-up to Friday

Jennifer, Michael et al.:

I received these instructions for revisions to 3814/P5. I have four questions:

1. Is there agreement from all parties about making these changes?
2. If I eliminate "and principals" from p. 6, line 13, is the reference to the 2008 Interstate School Leaders Licensure Consortium Education Leadership Policy sufficient information for the development of criteria for evaluating principals under the equivalency process?
3. Do you want to specify when teacher/principal evaluations must be (if not annually)?
4. Unless you want to see the educator effectiveness piece as an individual draft again, I don't plan to make these changes on LRB-3814/P5, but instead will incorporate them into the final compile draft (LRB-4017). Okay?

Tracy

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Grant, Peter
Sent: Monday, February 06, 2012 9:38 AM
To: Kuczenski, Tracy
Subject: FW: Follow-up to Friday

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]
Sent: Monday, February 06, 2012 9:34 AM
To: Brickman, Michael - DOA
Cc: Grant, Peter; Archibald, Sarah; Kulow, Chris; Liedl, Kimberly - GOV
Subject: Follow-up to Friday

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- 2) We need to remove references to annual evaluations as we do not annually evaluate all teachers and principals. Those references are found under section 5, p.5, lines 10 and 11 and section 7, p.7 line 9.

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Jennifer

Jennifer Kammerud
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Kuczenski, Tracy

From: Archibald, Sarah
Sent: Tuesday, February 07, 2012 4:00 PM
To: Grant, Peter; Kuczenski, Tracy; Kulow, Chris; Liedl, Kimberly - GOV; Brickman, Michael - DOA; Kammerud, Jennifer DPI (Jennifer.Kammerud@dpi.wi.gov); Justman, Jessica C - DPI; 'Thompson, Michael DPI'
Subject: FW: bill

Hi All,

Anne made the discovery listed below, and we are requesting that the draft be changed to reflect it.

Just wanted to let you all know – please let me know if you see any problem with it.

Thanks!
Sarah

From: Sappenfield, Anne
Sent: Tuesday, February 07, 2012 3:48 PM
To: Archibald, Sarah
Subject: bill

Hi Sarah,

For some reason I can't find the other email, so I will have to let you forward it.

Language on the top of page 7 provides that DPI must require each teacher preparatory and education program to prominently display information regarding its recent graduates on its website. I do not believe DPI has the authority to require these programs to do so, so I would suggest simply requiring the programs to post the information on their websites.

Let me know if you have any questions.

Anne

Anne Sappenfield
Senior Staff Attorney
WI Legislative Council
(608) 267-9485