



State of Wisconsin
2011 - 2012 LEGISLATURE

Wed



cm/Nr

LRB-4017/P2
PG&TKK:ned/jtd/Rf/cj3/jf

slays inserts

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2/7/12

all

d-note
inserts

SAW

Gen Cat
regh

INS. A

1 AN ACT *to repeal* 20.505 (4) (c); *to renumber* 118.40 (5); *to renumber and*
 2 *amend* 115.38 (1); *to amend* 115.28 (7) (a), 115.28 (7) (e) 2., 115.38 (title),
 3 115.38 (2), 118.42 (1) (intro.), 118.42 (2) (intro.), 118.42 (3) (a) (intro.), 118.42 (3)
 4 (b) (intro.), 118.42 (4), 119.04 (1) and 121.006 (2) (d); and *to create* 20.255 (2)
 5 (d), 115.28 (7g), 115.28 (12) (ag), 115.38 (1e) to (1k), 115.38 (1s), 115.415,
 6 118.016, 118.19 (14), 118.40 (3) (f), 118.40 (5) (b), 118.42 (3m), 120.12 (2m) and
 7 121.02 (1) (c) 3. of the statutes; **relating to** teacher licensure, screening
 8 kindergarten pupils for reading readiness, remedial reading services for
 9 certain pupils, ~~a school accountability system,~~ evaluating teacher preparatory
 10 programs and educator effectiveness, requiring the exercise of rule-making
 11 authority, and making an appropriation.

✓

ⓑ →

Analysis by the Legislative Reference Bureau

Assessments of reading readiness

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.

School performance reports

Under current law, 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.

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 5 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.

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

Under current law, DPI 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 DPI 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 DPI to include this information about graduates of teacher education programs in the statewide student information system.

This bill requires DPI 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 DPI, 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 DPI in consultation with the entities above on the system developed as required in the bill.

Beginning in the 2013-14 school year, each teacher education program must prominently display this information on the program's web site and provide this information to persons receiving admissions information to the program.

for each teacher education program

administered for licensure as a teacher and as an alternative education program teacher,

in the aggregate

The bill also requires DPI

Educator effectiveness evaluations

This bill also requires DPI 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:

4-1 →

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

	2011-12	2012-13
20.255 Public instruction, department of		
(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING		
(d) Assessments of reading readiness	GPR A	-0- 800,000

SECTION 2. 20.255 (2) (d) of the statutes is created to read:

1 20.255 (2) (d) *Assessments of reading readiness*. The amounts in the schedule
2 to provide school districts and independent charter schools with the assessments of
3 reading readiness under s. 118.016.

5-3 → 4 **SECTION 3.** 20.505 (4) (c) of the statutes, as created by 2011 Wisconsin Act 32, ✓
5 is repealed.

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

7 115.28 (7) (a) License all teachers for the public schools of the state; make rules
8 establishing standards of attainment and procedures for the examination and
9 licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.192,
10 and 118.195; prescribe by rule standards, requirements, and procedures for the
11 approval of teacher preparatory programs leading to licensure, including a
12 requirement that, beginning on July 1, 2012, and annually thereafter, each teacher
13 preparatory program located in this state shall submit to the department a list of
14 graduates, together with their date of graduation, from each term or semester of the
15 program's most recently completed academic year; file in the state superintendent's
16 office all papers relating to state teachers' licenses; and register each such license.

5-16 → 17 **SECTION 5.** 115.28 (7) (e) 2. of the statutes is amended to read:

18 115.28 (7) (e) 2. Promulgate rules establishing requirements for licensure as
19 an alternative education program teacher and for the approval of teacher education
20 programs leading to licensure as an alternative education program teacher. The
21 rules shall include a requirement that each teacher education program described in
22 this subdivision and located in this state shall, beginning on July 1, 2012, and
23 annually thereafter, submit to the department a list of graduates, together with their
24 date of graduation, from each term or semester of the program's most recently
25 completed academic year. The rules shall encompass the teaching of multiple

1 subjects or grade levels or both, as determined by the state superintendent. The
2 rules may require teacher education programs to grant credit towards licensure as
3 an alternative education program teacher for relevant experience or demonstrated
4 proficiency in relevant skills and knowledge.

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

6 115.28 (7g) EVALUATION OF TEACHER PREPARATORY PROGRAMS.

7 (a) The department shall, in consultation with the governor's office, the
8 chairpersons of the committees in the assembly and senate whose subject matter is
9 elementary and secondary education and ranking members of those committees, the
10 University of Wisconsin System, the technical college system, and the Wisconsin
11 Association of Independent Colleges and Universities, do all of the following:

12 1. Determine how the performance of recent graduates of teacher preparatory
13 programs described in s. 115.28 (7) (a) and located in this state and teacher education
14 programs described in sub. 115.28 (7) (e) 2. and located in this state will be used to
15 evaluate the teacher preparatory and education programs, including by defining
16 "recent graduate" and identifying measures of performance.

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

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

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

For each program identified in par. (a) 1.

in the aggregate

23

***NOTE: Please review this paragraph carefully to ensure that in the aggregate captures the meaning is clear - does it mean the aggregate of all years for which examinations have been administered to graduates of the program?

1
2
3
4
5

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

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

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

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

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

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

~~115.38 (title) School accountability system; performance report; educational program review.~~

SECTION 9. 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:

~~115.38 (1m) (intro.) The Annually, the state superintendent shall develop prepare a school and school district performance report for use by school districts~~

1 ~~under sub. (2).~~ The report shall include all of the following by school and by school
2 district:

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

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

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

10 115.38 (1e) In this section, "school" means a public school, including a charter
11 school, and a private school participating in a parental choice program under s.
12 118.60 or 119.23.

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

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

- 18 1. Pupil achievement and growth in reading and mathematics.
- 19 2. Measures of college and career readiness for high school pupils and measures
20 indicative of being on track for college and career readiness in the elementary grades.
- 21 3. Gaps in pupil achievement and rates of graduation, categorized by race,
22 English language proficiency, disability, and income level.

23 (b) An index system to identify a school's level of performance and annually
24 place each school into one of 6 performance categories ~~based on data derived from~~

25 ~~multiple school years.~~ The department shall collect and disseminate the best

1 practices from the schools placed in the highest performance category. For schools
2 placed in the lowest performance category, the department shall identify
3 opportunities to provide support and shall intervene as provided in pars. (d) to (f).
4 As part of that intervention, the department shall establish performance
5 improvement benchmarks, which shall reflect the annual improvement necessary to
6 remove the school from the lowest performance category within 3 years.
7 Performance improvement benchmarks shall be as uniform as reasonably possible
8 for all schools other than those serving predominantly children at risk, as defined in
9 s. 118.153 (1) (a).

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

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

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

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

22 3. If the school board chooses to implement department-approved
23 improvement activities under subd. 2. but after 3 school years remains in the lowest
24 performance category, direct the activities of the school in a manner consistent with

25 s. 118.42

(3) (b)

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

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

5 1. After participating in a department-approved, on-site, diagnostic review,
6 implement department-approved improvement activities. After 3 years, if the
7 charter school remains in the lowest performance category, the department shall
8 ~~revoke the school's charter.~~ *be revoked under s. 118.40 (5)(b)* ^{school's charter}

9 2. Enter into a performance agreement with the department in which the
10 charter school agrees to meet annual, department-approved, performance
11 benchmarks. *10-11 the third-year benchmarks are*
12 ~~If a benchmark is not met in any year, the department shall revoke the~~
~~school's charter.~~ *shall be revoked under s. 118.40 (5)(b)*

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

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

21 2. Enter into a performance agreement with the department in which the
22 private school agrees to meet annual, department-approved, performance
23 benchmarks. *10-23 the third-year benchmarks are*
24 ~~If a benchmark is not met in any year, the department shall bar the~~
~~school from participating in the program under s. 118.60 or 119.23.~~

1 **(1i)** In establishing the accountability system under sub. (1g), the department
2 shall consult with all of the following:

3 (a) The governor.

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

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

7 (d) Members of education groups representing school boards, school
8 administrators, and teachers.

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

10 **(1k)** (a) The department shall annually report to the appropriate standing
11 committees of the legislature under s. 13.172(3) the performance category to which
12 each school has been assigned.

13 (b) Each school board, the governing body of each charter school under s. 118.40
14 (2r), and the governing body of each private school participating in a program under
15 s. 118.60 or 119.23 shall annually report to the parent of each pupil enrolled in the
16 school or school district the performance category to which the school has been
17 assigned.

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

19 115.38 **(1s)** The governing body of a private school participating in a parental
20 choice program under s. 118.60 or 119.23 shall provide the state superintendent with
21 any information he or she requests for the purpose of preparing the school
22 performance report under sub. (1m). The state superintendent shall prepare the
23 report for each private school participating in a parental choice program under s.
24 118.60 or 119.23 using only information relating to the pupils who are attending the
25 private school under s. 118.60 or 119.23.

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

2 115.38 (2) (a) Annually by January 1, each school board shall notify the parent
3 or guardian of each pupil enrolled in the school district of the right to request a school
4 and school district performance report under this subsection. Except as provided in
5 par. (b), annually by May 1, each school board shall, upon request, distribute to the
6 parent or guardian of each pupil enrolled in the school district, including pupils
7 enrolled in charter schools located in the school district, or give to each pupil to bring
8 home to his or her parent or guardian, a school and school district performance report
9 that includes the information specified by the state superintendent under sub. (1)
10 (1m). The report shall also include a comparison of the school district's performance
11 under sub. (1) (1m) (a) and (b) with the performance of other school districts in the
12 same athletic conference under sub. (1) (1m) (a) and (b). If the school district
13 maintains an Internet site, the report shall be made available to the public at
14 prominently displayed on that site.

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

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

22 **115.415 Educator effectiveness.** (1) The department shall develop an
23 educator effectiveness evaluation system and an equivalency process aligned with
24 the department's evaluation system for the evaluation of teachers and principals as
25 provided in this section, and shall require each school district to evaluate teachers

1 and principals in the district beginning in the 2014-15 school year ~~and annually~~

2 ~~thereafter.~~

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

5 (a) Fifty percent of the total evaluation score assigned to a teacher or principal
6 shall be based upon measures of student performance, including performance on
7 state assessments, district-wide assessments, student learning objectives,
8 school-wide reading at the elementary and middle-school levels, and graduation
9 rates at the high school level.

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

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

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

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

20 (3) (a) The department shall promulgate by rule an equivalency process
21 aligned with the evaluation system established under sub. (2) for school districts
22 seeking to utilize an alternative process for the evaluation of teacher and principal
23 practice. The process under this subsection shall be based on the criteria established
24 in the 2011 Interstate Teacher Assessment and Support Consortium and the 2008
25 Interstate School Leaders Licensure Consortium Educational Leadership Policy

1 Standards, and a school district that uses the process under this subsection shall
2 evaluate the performance of teachers and principals in the following 4 domains:

- 3 1. Planning and preparation.
- 4 2. The classroom environment.
- 5 3. Instruction.
- 6 4. Professional responsibilities and development.

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

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

10 **118.016 Assessments of reading readiness. (1)** Beginning in the 2012–13
11 school year, each school board and the governing body of each charter school
12 established under s. 118.40 (2r) shall, using the appropriate assessment of literacy
13 fundamentals selected by the department, annually assess each pupil enrolled in
14 5–year–old kindergarten in the school district or in the charter school for reading
15 readiness. If the department determines that sufficient moneys are available, the
16 school board and governing body shall also assess each pupil enrolled in 4–year–old
17 kindergarten.

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

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

23 118.19 (14) (a) The department may not issue an initial teaching license that
24 authorizes the holder to teach in grades kindergarten to 5 or in special education
25 unless the applicant has passed an examination that evaluates the applicant's

1 knowledge of reading development and scientifically based reading instruction;
 2 integration of knowledge and understanding phonological and phonemic awareness;
 3 concepts of print and the alphabetic principles; the role of phonics in promoting
 4 reading development; word analysis skills and strategies; vocabulary development;
 5 the application of reading comprehension skills and strategies to imaginative,
 6 literary, informational, and expository texts; formal and informal methods of
 7 assessing reading development; multiple approaches to reading instruction;
 8 development of reading curricula; and the evaluation of the results of instruments
 9 used to screen pupils for reading acquisition skills.

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

13 **SECTION 16.** 118.40 (3) (f) of the statutes is created to read:
 14 118.40 (3) (f) No charter school may be established by contract unless the
 15 contract ~~authorizes~~ ^{requires} the department ^{school board or the entity under sub. (2v) that} to revoke the ~~contract~~ ^{school's charter} under sub. (5) (b). ^{contracted with the charter school}
 16 **SECTION 17.** 118.40 (5) of the statutes is renumbered 118.40 (5) (a).
 17 **SECTION 18.** 118.40 (5) (b) of the statutes is created to read:
 18 118.40 (5) (b) A charter ~~may~~ ^{shall} be revoked by the department ~~under s. 115.38 (1g)~~
 19 ~~15-19~~
 20 **SECTION 19.** 118.42 (1) (intro.) of the statutes is amended to read:
 21 118.42 (1) (intro.) If the state superintendent determines that a school district
 22 has been in need of improvement for ~~4~~ 3 consecutive school years, the school board
 23 shall do all of the following:
 24 **SECTION 20.** 118.42 (2) (intro.) of the statutes is amended to read:

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

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

9 118.42 (3) (a) (intro.) If the state superintendent determines that a school
10 district has been in need of improvement for ~~4~~ 3 consecutive school years, the state
11 superintendent may, after consulting with the school board, the school district
12 superintendent, and representatives of each labor organization representing school
13 district employees, direct the school board to do one or more of the following in the
14 school district:

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

16 118.42 (3) (b) (intro.) If the state superintendent determines that a public
17 school is located in a school district that has been in need of improvement for 4
18 consecutive school years, prior to the 2012-13 school year or in a school district that
19 has been in need of improvement for 3 consecutive school years beginning in the
20 2012-13 school year; and that the school has been in need of improvement for 5
21 consecutive school years prior to the 2012-13 school year or was among the lowest
22 performing 5 percent of all public schools in the state in the previous school year,
23 prior to the 2012-13 school year, or was in the lowest performance category under
24 s. 115.38 (1g) (b) in the 2012-13 school year or any school year thereafter; the state
25 superintendent may, after consulting with the school board, the school district

1 superintendent, and representatives of each labor organization representing school
2 district employees, direct the school board to do one or more of the following in the
3 school. or close the school

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

5 118.42 (3m) (a) The department shall report annually to the appropriate
6 standing committees of the legislature under s. 13.172 (3) the improvement status
7 of each school district under this section.

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

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

11 118.42 (4) The state superintendent shall promulgate rules establishing
12 criteria and procedures for determining whether a school or school district is in need
13 of improvement and whether a school is among the lowest performing 5 percent of
14 all public schools in the state, prior to the 2012-13 school year for the purposes of this
15 section. Beginning in the 2012-13 school year, the state superintendent shall
16 promulgate rules establishing criteria and procedures for determining whether a
17 school district is in need of improvement for purposes of this section.

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

20 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
21 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
22 115.345, 115.365 (3), 115.38 (2), plain 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06,
23 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15,
24 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225,
25 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292,

1 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (2m), (4m), (5), and (15) to
2 (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m),
3 and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district
4 and board.

5 **SECTION 26.** 120.12 (2m) of the statutes is created to read:

6 120.12 (2m) EDUCATOR EFFECTIVENESS. (a) Beginning in the 2014–15 school
7 year, annually evaluate the effectiveness of each teacher and principal employed by
8 the school district using either the system established under s. 115.415 (2) or the
9 equivalency process established by rule under s. 115.415 (3).

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

12 **SECTION 27.** 121.006 (2) (d) of the statutes is amended to read:

13 121.006 (2) (d) Comply with a directive issued by the state superintendent
14 under s. 115.38 (1g) (d) or 118.42 (3) (a) or (b). ✓

15 **SECTION 28.** 121.02 (1) (c) 3. of the statutes is created to read:

16 121.02 (1) (c) 3. The pupil's reading assessment under s. 118.016 indicates that
17 the pupil is at risk of reading difficulty. If this subdivision applies, the services
18 provided the pupil shall be evidence-based and shall address all areas in which the
19 pupil is deficient in a manner consistent with the state standards in reading and
20 language arts.

21 **SECTION 29. Nonstatutory provisions.**

22 (1) ACCOUNTABILITY SYSTEM. Notwithstanding section 16.42 (1) (e) of the
23 statutes, in submitting information under section 16.42 of the statutes for purposes
24 of the 2013–15 biennial budget bill, the department of public instruction shall submit
25 information concerning the cost of implementing the school and school district ✓

1 ~~accountability system under section 115.38 (1g) to (1k) of the statutes, as created by~~
2 ~~this act.~~

3 ~~#~~ (2) EDUCATOR EFFECTIVENESS EVALUATION SYSTEM. Notwithstanding section
4 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the
5 statutes for purposes of the 2013-15 biennial budget bill, the department of public
6 instruction shall submit information concerning the cost of developing and
7 implementing the educator effectiveness evaluation system and equivalency process
8 under section 115.415 of the statutes, as created by this act.

19-8 →

9 **SECTION 30. Initial applicability.**

10 ~~(1) CHARTER SCHOOL CONTRACTS. The treatment of sections 115.38 (1g) (e) and~~
11 ~~118.40 (3) (f) and (5) (b) of the statutes first applies to a contract for the establishment~~
12 ~~of a charter school that is entered into, modified, or renewed on the effective date of~~
13 ~~this subsection.~~

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

17 ~~**SECTION 31. Effective dates.** This act takes effect on the day after publication,~~
18 ~~except as follows:~~

19 ~~(1) The treatment of sections 115.38 (1), (1e) to (1k), (1s) and (2) of the statutes~~
20 ~~takes effect on September 1, 2012.~~

21 (END)

d-note



2011 BILL

SAL

A

1
2
3
4
5
6
7
8

AN ACT *to renumber and amend* 14.20 (2); *to amend* 14.20 (title) and 20.525 (1) (f); *to repeal and recreate* 14.20 (1); and *to create* 14.017 (5), 14.20 (1m), 14.20 (2) (b) and (c), 20.255 (2) (q), 20.525 (1) (q), 25.17 (1) (ge) and 25.79 of the statutes; **relating to: ~~establishing~~ the governor's read to lead development fund, ~~creating~~ the Read to Lead Development Council, ~~authorizing the governor and state superintendent of public instruction to award~~ grants in support of literacy and early childhood development programs, and making an appropriation.**

(4) Flush left

Read to lead

Analysis by the Legislative Reference Bureau

This bill creates the Read to Lead Development Council in the Office of the Governor. The council consists of the governor, the state superintendent of public instruction, four legislators, and 15 additional members appointed by the governor.

The bill creates a segregated fund, designated the governor's read to lead development fund, consisting of all contributions made to the fund. The bill appropriates moneys in the fund to the governor and to the state superintendent to award grants in support of literacy and early childhood development programs. The governor may award a grant to any person other than a school board. The state superintendent may award a grant only to a school board. The governor and the state

B

BILL

B — superintendent jointly determine the amount of each grant. The bill directs the Read to Lead Development Council to advise the governor and state superintendent on grant recipients.

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.** 14.017 (5) of the statutes is created to read:

2 14.017 (5) READ TO LEAD DEVELOPMENT COUNCIL. (a) There is created in the office
3 of the governor a read to lead development council consisting of all of the following:

4 1. The governor or his or her designee, who shall serve as chairperson of the
5 council.

6 2. The state superintendent of public instruction or his or her designee, who
7 shall serve as vice-chair of the council.

8 3. The chairpersons of the committees in the assembly and the senate whose
9 subject matter is elementary and secondary education or members of those
10 committees designated by those chairpersons.

11 4. The ranking minority members of each of the committees under subd. 3. or
12 members of those committees designated by the ranking minority members.

13 5. The following members appointed by and serving at the pleasure of the
14 governor:

15 a. Two practicing elementary and secondary education teachers or principals.

16 b. One practicing preschool teacher.

17 c. Three persons representing this state's philanthropic community.

18 d. Three persons representing this state's business community.

19 e. One person representing the Wisconsin State Reading Association.

4-1



BILL

- 1 f. One person representing the Wisconsin Reading Coalition.
- 2 g. One person representing the International Dyslexia Association.
- 3 h. One person representing Wisconsin Literacy, Inc.
- 4 i. One person representing the Wisconsin Library Association.
- 5 j. One person representing this state's research community.

6 (b) Section 15.09 applies to the read to lead development council.

7 **SECTION 2.** 14.20 (title) of the statutes is amended to read:

8 **14.20** (title) **Literacy ~~improvement aids~~ and early childhood**
9 **development grants.**

10 **SECTION 3.** 14.20 (1) of the statutes is repealed and recreated to read:

11 14.20 (1) In this section:

12 (a) "Council" means the read to lead development council.

13 (b) "State superintendent" means the state superintendent of public
14 instruction.

15 **SECTION 4.** 14.20 (1m) of the statutes is created to read:

16 14.20 (1m) The council shall make recommendations to the governor and state
17 superintendent regarding recipients of grants under sub. (2). The amount of each
18 grant awarded shall be determined jointly by the governor and the state
19 superintendent. In addition to reports required under s. 15.09 (7), annually the
20 council shall submit a report on its operation to the appropriate standing committees
21 of the legislature under s. 13.172 (3).

22 **SECTION 5.** 14.20 (2) of the statutes is renumbered 14.20 (2) (a) and amended
23 to read:

4/1

BILL

SECTION 5

1 14.20 (2) (a) From the appropriation under s. 20.525 (1) (f), the governor may
 2 ~~provide award~~ a grant to any ~~local governmental unit or nonprofit organization~~
 3 ~~person other than a school board~~ for support of a literacy improvement program.

4 **SECTION 6.** 14.20 (2) (b) and (c) of the statutes are created to read:

5 14.20 (2) (b) From the appropriation under s. 20.525 (1) (q), the governor may
 6 award a grant to any person other than a school board for support of a literacy or early
 7 childhood development program.

8 (c) From the appropriation under s. 20.255 (2) (q), the state superintendent
 9 may award a grant to a school board for support of a literacy or early childhood
 10 development program.

11 **SECTION 7.** 20.255 (2) (q) of the statutes is created to read:

12 20.255 (2) (q) *Grants for literacy and early childhood development programs.*
 13 From the governor's read to lead development fund, a sum sufficient for grants to
 14 support literacy and early childhood development programs under s. 14.20 (2) (c).

15 **SECTION 8.** 20.525 (1) (f) of the statutes is amended to read:

16 20.525 (1) (f) *Literacy improvement aids.* The amounts in the schedule for the
 17 ~~governor to provide grants for~~ to support literacy improvement under s. 14.20 (2) (a).

18 **SECTION 9.** 20.525 (1) (q) of the statutes is created to read:

19 20.525 (1) (q) *Grants for literacy and early childhood development programs.*
 20 From the governor's read to lead development fund, a sum sufficient for grants to
 21 support literacy and early childhood development programs under s. 14.20 (2) (b).

22 **SECTION 10.** 25.17 (1) (ge) of the statutes is created to read:

23 25.17 (1) (ge) Governor's read to lead development fund.

24 **SECTION 11.** 25.79 of the statutes is created to read:

4-1

5-3

5-16

BILL

1
2
3
4
5
6
7
8
9
10

25.79 Governor's read to lead development fund. There is established a separate nonlapsible trust fund, designated the governor's read to lead development fund, consisting of all gifts, grants, bequests, and other contributions made to the fund.

SECTION 12. Fiscal changes.

(1) TRANSFER TO GOVERNOR'S READ TO LEAD DEVELOPMENT FUND. There is transferred from the general fund to the governor's read to lead development fund \$400,000 in the first fiscal year of the fiscal biennium in which this subsection takes effect.

(END)

5-16

19-8

D-N

LRB-4017/1 dn
TKK : gjs : ...

- late -

Please review proposed s. 115.28
(7g)(b) to ensure that the
phrase "in the aggregate" captures
your intent. I'm not sure
whether the meaning is clear

△ does it mean the aggregate of
emdash all years for which
examinations have been administered
to graduates of the program?

TKK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4017/1dn
TKK:cjs:jm

February 8, 2012

Please review proposed s. 115.28 (7g) (b) to ensure that the phrase “in the aggregate” captures your intent. I’m not sure whether the meaning is clear — does it mean the aggregate of all years for which examinations have been administered to graduates of the program?

Tracy K. Kuczenski
Legislative Attorney
Phone: (608) 266-9867
E-mail: tracy.kuczenski@legis.wisconsin.gov

Basford, Sarah

From: Basford, Sarah
Sent: Wednesday, February 08, 2012 2:08 PM
To: Brickman, Michael - DOA; Archibald, Sarah; Kulow, Chris
Subject: LRB -4017/1 & d-note (attached)

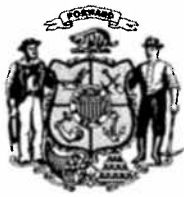
Attachments: 11-4017/1; 11-4017/1dn

Sarah Basford

Senior Program Assistant
Legislative Reference Bureau
1 East Main St., Suite 200
Madison, WI 53703
(608) 266-3561



11-40171.pdf (70 KB) 11-40171dn.pdf (14 KB)



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-4017/1-2
PG&TKK:all:jm

RMAKZ

2011 BILL

2/8/12

TODAY

(see changes p. 8
and in analysis)

Regen

1 AN ACT to repeal 20.505 (4) (c); to renumber and amend 14.20 (2); to amend
 2 14.20 (title), 20.525 (1) (f), 115.28 (7) (a), 115.28 (7) (e) 2. and 119.04 (1); to
 3 repeal and recreate 14.20 (1); and to create 14.017 (5), 14.20 (1m), 14.20 (2)
 4 (b) and (c), 20.255 (2) (d), 20.255 (2) (q), 20.525 (1) (q), 25.17 (1) (ge), 25.79,
 5 115.28 (7g), 115.28 (12) (ag), 115.415, 118.016, 118.19 (14), 120.12 (2m) and
 6 121.02 (1) (c) 3. of the statutes; relating to: the governor's read to lead
 7 development fund, the Read to Lead Development Council, grants in support
 8 of literacy and early childhood development programs, teacher licensure,
 9 screening kindergarten pupils for reading readiness, remedial reading services
 10 for certain pupils, evaluating teacher preparatory programs and educator
 11 effectiveness, requiring the exercise of rule-making authority, and making an
 12 appropriation.

Can this be closed up?

Analysis by the Legislative Reference Bureau

Read to lead

BILL

This bill creates the Read to Lead Development Council in the Office of the Governor. The council consists of the governor, the state superintendent of public instruction, four legislators, and 15 additional members appointed by the governor.

The bill creates a segregated fund, designated the governor's read to lead development fund, consisting of all contributions made to the fund. The bill appropriates moneys in the fund to the governor and to the state superintendent to award grants in support of literacy and early childhood development programs. The governor may award a grant to any person other than a school board. The state superintendent may award a grant only to a school board. The governor and the state superintendent jointly determine the amount of each grant. The bill directs the Read to Lead Development Council to advise the governor and state superintendent on grant recipients.

Assessments of reading readiness

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.

Teacher preparatory programs

Under current law, DPI 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 DPI 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 DPI to include this information about graduates of teacher education programs in the statewide student information system.

This bill requires DPI 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

BILL

used to evaluate teacher performance. The bill also requires DPI 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 DPI, beginning in the 2013-14 school year, to report for each teacher education program the rate of passage in the aggregate on examinations administered for licensure as a teacher and as an alternative education program teacher, and any other information recommended by DPI in consultation with the entities above, on the system developed as required in the bill. Beginning in the 2013-14 school year, each teacher education program must prominently display this information on the program's web site and provide this information to persons receiving admissions information to the program.

Educator effectiveness evaluations

This bill also requires DPI 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 a teacher 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.** 14.017 (5) of the statutes is created to read:
- 2 14.017 (5) READ TO LEAD DEVELOPMENT COUNCIL. (a) There is created in the office
- 3 of the governor a read to lead development council consisting of all of the following:
- 4 1. The governor or his or her designee, who shall serve as chairperson of the
- 5 council.

BILL

1 2. The state superintendent of public instruction or his or her designee, who
2 shall serve as vice-chair of the council.

3 3. The chairpersons of the committees in the assembly and the senate whose
4 subject matter is elementary and secondary education or members of those
5 committees designated by those chairpersons.

6 4. The ranking minority members of each of the committees under subd. 3. or
7 members of those committees designated by the ranking minority members.

8 5. The following members appointed by and serving at the pleasure of the
9 governor:

10 a. Two practicing elementary and secondary education teachers or principals.

11 b. One practicing preschool teacher.

12 c. Three persons representing this state's philanthropic community.

13 d. Three persons representing this state's business community.

14 e. One person representing the Wisconsin State Reading Association.

15 f. One person representing the Wisconsin Reading Coalition.

16 g. One person representing the International Dyslexia Association.

17 h. One person representing Wisconsin Literacy, Inc.

18 i. One person representing the Wisconsin Library Association.

19 j. One person representing this state's research community.

20 (b) Section 15.09 applies to the read to lead development council.

21 **SECTION 2.** 14.20 (title) of the statutes is amended to read:

22 **14.20** (title) **Literacy improvement aids and early childhood**
23 **development grants.**

24 **SECTION 3.** 14.20 (1) of the statutes is repealed and recreated to read:

25 **14.20 (1)** In this section:

BILL

1 (a) "Council" means the read to lead development council.

2 (b) "State superintendent" means the state superintendent of public
3 instruction.

4 **SECTION 4.** 14.20 (1m) of the statutes is created to read:

5 14.20 (1m) The council shall make recommendations to the governor and state
6 superintendent regarding recipients of grants under sub. (2). The amount of each
7 grant awarded shall be determined jointly by the governor and the state
8 superintendent. In addition to reports required under s. 15.09 (7), annually the
9 council shall submit a report on its operation to the appropriate standing committees
10 of the legislature under s. 13.172 (3).

11 **SECTION 5.** 14.20 (2) of the statutes is renumbered 14.20 (2) (a) and amended
12 to read:

13 14.20 (2) (a) From the appropriation under s. 20.525 (1) (f), the governor may
14 provide award a grant to any ~~local governmental unit or nonprofit organization~~
15 person other than a school board for support of a literacy improvement program.

16 **SECTION 6.** 14.20 (2) (b) and (c) of the statutes are created to read:

17 14.20 (2) (b) From the appropriation under s. 20.525 (1) (q), the governor may
18 award a grant to any person other than a school board for support of a literacy or early
19 childhood development program.

20 (c) From the appropriation under s. 20.255 (2) (q), the state superintendent
21 may award a grant to a school board for support of a literacy or early childhood
22 development program.

23 **SECTION 7.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
24 the following amounts for the purposes indicated:

BILL

2011-12 2012-13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

20.255 Public instruction, department of

(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

(d) Assessments of reading readi-
ness

GPR A -0- 800,000

SECTION 8. 20.255 (2) (d) of the statutes is created to read:

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

SECTION 9. 20.255 (2) (q) of the statutes is created to read:

20.255 (2) (q) *Grants for literacy and early childhood development programs.* From the governor's read to lead development fund, a sum sufficient for grants to support literacy and early childhood development programs under s. 14.20 (2) (c).

SECTION 10. 20.505 (4) (c) of the statutes, as created by 2011 Wisconsin Act 32, is repealed.

SECTION 11. 20.525 (1) (f) of the statutes is amended to read:

20.525 (1) (f) *Literacy improvement aids.* The amounts in the schedule for the ~~governor to provide grants for~~ to support literacy improvement under s. 14.20 (2) (a).

SECTION 12. 20.525 (1) (q) of the statutes is created to read:

20.525 (1) (q) *Grants for literacy and early childhood development programs.* From the governor's read to lead development fund, a sum sufficient for grants to support literacy and early childhood development programs under s. 14.20 (2) (b).

SECTION 13. 25.17 (1) (ge) of the statutes is created to read:

25.17 (1) (ge) Governor's read to lead development fund.

BILL

1 **SECTION 14.** 25.79 of the statutes is created to read:

2 **25.79 Governor's read to lead development fund.** There is established a
3 separate nonlapsible trust fund, designated the governor's read to lead development
4 fund, consisting of all gifts, grants, bequests, and other contributions made to the
5 fund.

6 **SECTION 15.** 115.28 (7) (a) of the statutes is amended to read:

7 115.28 (7) (a) License all teachers for the public schools of the state; make rules
8 establishing standards of attainment and procedures for the examination and
9 licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.192,
10 and 118.195; prescribe by rule standards, requirements, and procedures for the
11 approval of teacher preparatory programs leading to licensure, including a
12 requirement that, beginning on July 1, 2012, and annually thereafter, each teacher
13 preparatory program located in this state shall submit to the department a list of
14 graduates, together with their date of graduation, from each term or semester of the
15 program's most recently completed academic year; file in the state superintendent's
16 office all papers relating to state teachers' licenses; and register each such license.

17 **SECTION 16.** 115.28 (7) (e) 2. of the statutes is amended to read:

18 115.28 (7) (e) 2. Promulgate rules establishing requirements for licensure as
19 an alternative education program teacher and for the approval of teacher education
20 programs leading to licensure as an alternative education program teacher. The
21 rules shall include a requirement that each teacher education program described in
22 this subdivision and located in this state shall, beginning on July 1, 2012, and
23 annually thereafter, submit to the department a list of graduates, together with their
24 date of graduation, from each term or semester of the program's most recently
25 completed academic year. The rules shall encompass the teaching of multiple

BILL

1 subjects or grade levels or both, as determined by the state superintendent. The
2 rules may require teacher education programs to grant credit towards licensure as
3 an alternative education program teacher for relevant experience or demonstrated
4 proficiency in relevant skills and knowledge.

5 **SECTION 17.** 115.28 (7g) of the statutes is created to read:

6 115.28 (7g) EVALUATION OF TEACHER PREPARATORY PROGRAMS.

7 (a) The department shall, in consultation with the governor's office, the
8 chairpersons of the committees in the assembly and senate whose subject matter is
9 elementary and secondary education and ranking members of those committees, the
10 University of Wisconsin System, the technical college system, and the Wisconsin
11 Association of Independent Colleges and Universities, do all of the following:

12 1. Determine how the performance of recent graduates of teacher preparatory
13 programs described in s. 115.28 (7) (a) and located in this state and teacher education
14 programs described in sub. 115.28 (7) (e) 2. and located in this state will be used to
15 evaluate the teacher preparatory and education programs, including by defining
16 "recent graduate" and identifying measures of performance.

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

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

22 (b) Beginning in the 2013-14 school year, the department shall use the system

23 developed under par. (a) 3. to ^{annually} report for each program identified in par. (a) 1. the rate^e
24 ^{of} passage in the aggregate ^{rate on first attempt of students and graduates of} on examinations administered for licensure under s. ^{the}
25 115.28 (7) and any other information required to be reported under par. (a) 1. ^{program}

BILL

1 (c) Beginning in the 2013-14 school year, each teacher preparatory and
2 education program shall prominently display and annually update the rate of
3 passage of recent graduates of the program on examinations administered for
4 licensure under s. 115.28 (7) and any other information required to be reported under
5 par. (a) 1. on the program's Web site and provide this information to persons receiving
6 admissions materials to the program.

7 **SECTION 18.** 115.28 (12) (ag) of the statutes is created to read:

8 115.28 (12) (ag) Beginning in the 2012-13 school year, each school district
9 using the system under par. (a) shall include in the system the following information
10 for each teacher teaching in the school district who graduated from a teacher
11 preparatory program described in sub. (7) (a) and located in this state or from a
12 teacher education program described in sub. (7) (e) 2. and located in this state on or
13 after January 1, 2012:

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

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

18 **SECTION 19.** 115.415 of the statutes is created to read:

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

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

BILL

1 (a) Fifty percent of the total evaluation score assigned to a teacher or principal
2 shall be based upon measures of student performance, including performance on
3 state assessments, district-wide assessments, student learning objectives,
4 school-wide reading at the elementary and middle-school levels, and graduation
5 rates at the high school level.

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

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

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

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

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

24 1. Planning and preparation.

25 2. The classroom environment.

BILL

1 3. Instruction.

2 4. Professional responsibilities and development.

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

5 **SECTION 20.** 118.016 of the statutes is created to read:

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

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

18 **SECTION 21.** 118.19 (14) of the statutes is created to read:

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

BILL

1 the application of reading comprehension skills and strategies to imaginative,
2 literary, informational, and expository texts; formal and informal methods of
3 assessing reading development; multiple approaches to reading instruction;
4 development of reading curricula; and the evaluation of the results of instruments
5 used to screen pupils for reading acquisition skills.

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

9 **SECTION 22.** 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 85,
10 is amended to read:

11 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
12 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
13 115.345, 115.365 (3), 115.38(2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06,
14 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15,
15 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225,
16 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292,
17 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (2m), (4m), (5), and (15) to
18 (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m),
19 and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district
20 and board.

21 **SECTION 23.** 120.12 (2m) of the statutes is created to read:

22 120.12 (2m) EDUCATOR EFFECTIVENESS. (a) Beginning in the 2014-15 school
23 year, evaluate the effectiveness of each teacher and principal employed by the school
24 district using either the system established under s. 115.415 (2) or the equivalency
25 process established by rule under s. 115.415 (3).

BILL

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

3 **SECTION 24.** 121.02 (1) (c) 3. of the statutes is created to read:

4 121.02 (1) (c) 3. The pupil's reading assessment under s. 118.016 indicates that
5 the pupil is at risk of reading difficulty. If this subdivision applies, the services
6 provided the pupil shall be evidence-based and shall address all areas in which the
7 pupil is deficient in a manner consistent with the state standards in reading and
8 language arts.

9 **SECTION 25. Nonstatutory provisions.**

10 (1) **EDUCATOR EFFECTIVENESS EVALUATION SYSTEM.** Notwithstanding section
11 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the
12 statutes for purposes of the 2013-15 biennial budget bill, the department of public
13 instruction shall submit information concerning the cost of developing and
14 implementing the educator effectiveness evaluation system and equivalency process
15 under section 115.415 of the statutes, as created by this act.

16 **SECTION 26. Fiscal changes.**

17 (1) **TRANSFER TO GOVERNOR'S READ TO LEAD DEVELOPMENT FUND.** There is
18 transferred from the general fund to the governor's read to lead development fund
19 \$400,000 in the first fiscal year of the fiscal biennium in which this subsection takes
20 effect.

21 **SECTION 27. Initial applicability.**

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

25 (END)

Godwin, Gigi

From: Brickman, Michael - DOA [Michael.Brickman@wisconsin.gov]

Sent: Thursday, February 09, 2012 11:10 AM

To: LRB.Legal

Subject: Draft Review: LRB 11-4017/2 Topic: Teacher education programs, educator effectiveness, school accountability, teacher licensure, screening for reading readiness

Please Jacket LRB 11-4017/2 for the SENATE.