

# State of Misconsin LEGISLATIVE REFERENCE BUREAU

# RESEARCH APPENDIX - PLEASE DO NOT REMOVE FROM DRAFTING FILE

Date Transfer Requested: 02/09/2011

(Per: PG)

# Compile Draft – Appendix C ... Part I

A F The 2011 drafting file for LRB-3476

C ➡ The 2011 drafting file for LRB-3740

**B** ★ The 2011 drafting file for LRB-3738

**D** ■ The 2011 drafting file for LRB-3814

2011 LRB-3740

has been transferred to the drafting file for

**2011** LRB-4017

# 2011 DRAFTING REQUEST

# Bill

Received	i: <b>01/06/2012</b>		Received By: pgrant Companion to LRB:				
Wanted:	As time perm	nits					
For: Gov	vernor 6-1212	2	By/Representing	Michael Bri	ckman		
	May Contact:				Drafter: pgrant		
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/1	pgrant 01/12/2012 pgrant 01/18/2012	mduchek 01/12/2012 mduchek 01/19/2012	phenry	2	sbasford 01/13/2012		State
/2	pgrant 01/27/2012	mduchek 01/19/2012	phenry 01/19/201	2	mbarman 01/19/2012		State

#### **LRB-3740** 02/03/2012 11:11:16 AM Page 2

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
		mduchek 01/27/2012	phenry 01/19/201	2			
/3	pgrant 02/01/2012	mduchek 02/01/2012	jmurphy 01/27/201	2	lparisi 01/27/2012		State
/4	pgrant 02/02/2012		jfrantze 02/01/201	2	lparisi 02/01/2012		State
/5			phenry 02/03/201	2	sbasford 02/03/2012		

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Wanted	Wanted: As time permits					Companion to LRB:				
For: Go	overnor 6-1212	2		By/Representing	Michael Bri	ckman				
May Co Subject	May Contact: Subject: Education - state superintendent				Drafter: pgrant					
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# 2011 DRAFTING REQUEST

Received By: pgrant

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Wanted: As time permits					Companion to LRB:			
For: Gove	ernor 6-1212				By/Representing: Michael Brickman			
	May Contact: Subject: Education - state superintendent			Drafter: pgrant				
Subject:	Educati	on - charter scl	nools		Addl. Drafters:			
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**LRB-3740** 01/27/2012 02:55:50 PM Page 2

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#### **2012 Education Initiatives**

#### January 2012 Education Package

- I. Educator Effectiveness
  - A. Transparency and Accountability for Teacher Preparation Programs
    - 1. Create a Report Card for each program similar to school and district report cards
      - a) Based on how students of recent graduates perform based on EE System
      - b) Report card must be prominently displayed on school's homepage and offered along with other admissions materials.
  - B. Implement Educator Effectiveness recommendations
    - 50% student outcomes with at least 15% of total coming from WKCE scores (where available). The
      remaining portion will be split equally between local assessments and student learning goals developed
      jointly by teachers and administrators
    - 50% educator practice based on 2011 Interstate Teacher Assessment and Support Consortium (InTASC)
      Model Core Teaching Standards (teachers) and the 2008 Interstate School Leaders Licensure
      Consortium (ISLLC) Educational Leadership Policy Standards (principals).
    - 3. Mandatory reporting to parents if student has a "probationary" teacher three years in a row, otherwise not subject to open records requests.
- II. Read to Lead: implement recommendations
  - A. Require all students to take early childhood screener in 4K and 5K by 2012-13
  - B. Require DPI to update licensure exam for all elementary educators to one based on MTEL by 2013-14
- III. School Accountability
  - A. Description of report card:
    - 1. Must include measures of value added growth and proficiency
    - 2. Must rate schools on 1-100 corresponding to one of five categories (Exemplary, Above Adequate, Adequate, Below Adequate, Failing)
  - B. Report card must be prominently displayed on school homepage and offered along with admissions materials
  - C. If more than 75% of schools are Exemplary or Above Adequate, standards must be raised.
- IV. Other Possible Initiatives
  - A. Alternative Licensure
    - 1. Alternative principal licensure modeled after Colorado's program. Before gaining employment as a principal and enrolling in an alternative preparation program, a candidate must have a bachelor's degree & documented evidence of:
      - a) A traditional teaching degree and 3+ years of teaching experience;
      - b) 3+ years teaching as an unlicensed teacher; or
      - c) 3+ years of other management experience (business, military, etc.)
    - 2. Allow teachers to teach less than full course load if they fulfill other contractual obligations
  - B. End MPS Residency (SB-34/AB-44) bill authored by Kestell/Darling would prevent teacher residency from being a condition of employment

#### Subject: School accountability

Hi Michael,

Some questions about school accountability:

This would be only for public schools, right? Do you want to include charter schools? Independent charter schools?

All publically funded students in public, choice, and charter. The wording is tricky but the report card would include all students in public and charter schools and all of the choice kids in each choice school. This would exclude private schools not in the choice program and private-pay students in choice schools. Does that makes sense?

DPI would do this annually, right?

What is the report card supposed to be evaluating? On the outline, I don't know what "Must include measures of value added growth and proficiency" means. Also, do you want the evaluation of the school to include any other measures, such as attendance and retention rates, truancy rates, college admission rates, scores on statewide assessments, etc.? Or do you want to leave all of that up to DPI, as long as the report card includes measures of "value added growth and proficiency"?

I don't think we want to list them all. Maybe something like, "...a small number of student outcome metrics focused on college and career readiness including but not limited to attainment and value added growth scores based on the annual state assessment." Not sure if that works exactly but hopefully that helps.

I know "small number" leaves flexibility but there we just need to trust DPI now and in the future will honor the intent.

Regarding displaying the report card on the school homepage, do you mean that each school district must display the report card of each public school in the district on the school district's web site? Also, do public schools have "admission materials"?

I would say each school on the district homepage and each school on its own homepage. Not every school has its own site but would at least have its own page on the district site. If for some reason they don't, there are plenty of ways to create one for free.

Maybe there is a better word than "admission" but whatever forms, etc. a parent gets when enrolling their child in a new school (or even a new school year).

Thanks,

Peter

#### Grant, Peter

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

Sent: Wednesday, January 04, 2012 3:06 PM

To: Grant, Peter

Subject: RE: School accountability

See below. Thanks.

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]

Sent: Wednesday, January 04, 2012 1:56 PM

**To:** Brickman, Michael - DOA **Subject:** RE: School accountability

If DPI does a school report card on only the publicly funded students at a choice school, would it say something like, "if the enrollment at this school consisted of only the publicly funded pupils, the school's grade would be..."? (If you heard that, wouldn't the first question that would pop into your mind be, "Wonder what the grade would be if the private-pay pupils were included"?)

Perhaps, but if we look at those students, why wouldn't we look at totally private schools? What I described was the agreement of the accountability design team. Keep in mind, these schools are private schools that simply decide (if eligible) whether or not to participate in this particular program.

School districts are required to provide DPI with any information that the department needs. Does DPI have enough information on each choice school to grade the school? Do we need to direct the choice schools to provide any additional info to DPI for this purpose?

Yes. Can we add choice (students not schools) and charter to the existing public school requirements.

Can you tell me what a student outcome metric is? Is it a measure of student academic achievement? It could be a measure of academic achievement but some people might feel that would not be sufficient to cover student growth.

I'm not sure that "small number" does anything that "number" alone doesn't do.

Probably true but while 1,000 is a number, most reasonable people would not say it is a small number.

Do you want to repeal s. 115.38, relating to school and school district performance reports? Or do you want DPI to do annual report cards in addition to doing school and school district performance reports?

We can probably amend but let's make sure we aren't deleting anything of value

Peter

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

Sent: Wednesday, January 04, 2012 12:05 PM

To: Grant, Peter

Subject: RE: School accountability

See below (in my answers I am assuming "this" means the report card). Thanks...

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]

Sent: Wednesday, January 04, 2012 10:54 AM

To: Brickman, Michael - DOA

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DPI would do this annually, right?

Yes

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Maybe there is a better word than "admission" but whatever forms, etc. a parent gets when enrolling their child in a new school (or even a new school year).

Thanks,

Peter

#### Grant, Peter

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

Sent: Thursday, January 05, 2012 10:32 AM

To: Grant, Peter

Subject: RE: School accountability

Yes, specifically early developmental skills.

From: Grant, Peter [Peter.Grant@legis.wisconsin.gov]

Sent: Thursday, January 05, 2012 10:31 AM

To: Brickman, Michael - DOA

Subject: RE: School accountability

You mean that the grants may be awarded for literacy programs or for other programs that help children develop certain skills?

----Original Message----

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

Sent: Thursday, January 05, 2012 10:21 AM

To: Grant, Peter

Subject: RE: School accountability

Public private partnership. I just want to ensure the mission of the entity is broad enough that it would be able to promote literacy and other early childhood developmental skills. Is that too broad?

From: Grant, Peter [Peter.Grant@legis.wisconsin.gov]

Sent: Thursday, January 05, 2012 10:04 AM

To: Brickman, Michael - DOA

Subject: RE: School accountability

What's the PPP? And what are "early childhood skills"?

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

Sent: Thursday, January 05, 2012 10:01 AM

To: Grant, Peter

Subject: RE: School accountability

Sounds good on 115.38. Also on the reading PPP can we make sure it clarifies the purpose is to support both literacy and early childhood skills? I don't remember the exact language we discussed but since the two are so intertwined I want to make sure we don't accidently limit ourselves. Thanks for your help.

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]

Sent: Thursday, January 05, 2012 9:41 AM

To: Brickman, Michael - DOA

Subject: RE: School accountability

I think the answer to your question regarding why we wouldn't look at totally private schools might depend on what your goal is. But I think the reason we wouldn't look at totally private schools is that the state does not financially support totally private schools.

#### Grant, Peter

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

Sent: Friday, January 06, 2012 12:33 PM

To: Grant, Peter

Subject: RE: School accountability

I see what you're saying but I think those decisions need to be made by the design team still.

From: Grant, Peter [Peter.Grant@legis.wisconsin.gov]

Sent: Friday, January 06, 2012 11:00 AM

To: Brickman, Michael - DOA

Subject: RE: School accountability

I'm not sure what you mean or who you're referring to.

As an example of what I mean, say DPI rates all the schools and when they have the results, they realize that 80% of the schools are in the top 2 categories. Couldn't they redo the standards on the spot so that only 75% are in the top 2 categories? Or do you want them to redo the standards for the following year? What happens in the following year if, even with the new standards, 82% of the schools are in the top 2 categories?

----Original Message----

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

Sent: Friday, January 06, 2012 10:34 AM

To: Grant, Peter

Subject: RE: School accountability

Good point but I think we want to give the benefit of the doubt to the system set up by the design team.

From: Grant, Peter [Peter.Grant@legis.wisconsin.gov]

Sent: Friday, January 06, 2012 9:05 AM

To: Brickman, Michael - DOA

Subject: RE: School accountability

Michael, on the school accountability draft, your outline reads "If more than 75% of schools are Exemplary or Above Adequate, standards must be raised." I assume this means that standards must be raised so that in the following year, no more than 75% of schools are rated exemplary or above average. But why not simply prohibit DPI from rating more than 75% of schools as exemplary or above adequate, so it never happens?

Peter

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

Sent: Thursday, January 05, 2012 10:01 AM

To: Grant, Peter

Subject: RE: School accountability

Sounds good on 115.38. Also on the reading PPP can we make sure it clarifies the purpose is to support both literacy and early childhood skills? I don't remember the exact language we discussed but since the two are so intertwined I want to make sure we don't accidently limit ourselves. Thanks for your help.

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]

Sent: Thursday, January 05, 2012 9:41 AM

To: Brickman, Michael - DOA

BII	
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Date (time) needed FR1. 1/13

LRB - 3740,1

Use the appropriate components and routines developed for bills.

AN ACT. [generate catalog] to repeal...; to renumber ...; to consolidate and renumber ...; to renumber and amend ...; to consolidate, renumber and amend ...; to amend ...; to repeal and recreate ...; and to create ... of the statutes; relating to: passibling ... report cand ... for every private school ... pasticipating ... and for every private school ... participating ... in a passental choice ... program:

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

#### Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

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For the text paragraph, execute: ..... create  $\rightarrow$  anal:  $\rightarrow$  text

(see attached)

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

SECTION #.



ANALYSIS

Under current law, the Department of Public Instruction (DPI) must prepare school and school district genformance report for public schools in this state. The report must include various indicators of facademic achievement as well as other indicators of Appelormance. (A) (wiThe bill provides that the indicators must include measures of value-alled growth, as shown by scores on the statemide assessments. I The bill directs DO) to use the ichael patermana report to create an annual report and for each school. The report and must grade each school on a scale of one to 100 rate each school as exemplany, above

dequate, adequate below adequate, and failing. DP) must softwardly adjust its scoring itandands so that no more than 15 percent of the schools are rated exemplary or above adequate.

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TE-S

If it any school year more than 75 percent of the schools are rated exemplary or above adequate, in the following school year

## STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608 - 266 - 3561)

LRB



Al This hill requires DDI to be prepare report or charge private schools that one participating in a parental charie program as were as for public schools.

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#### STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

(B)

(nut) The school performance report for a sochool

participating in a parental choice program

be based only on

must any data relating to the popits

attending the private school under the

parental choice program.

Section #. 115.38 (1) (intro.) of the statutes is renumbered 115.38(1m) (intro.) and amended to read:

(c) gand (e), 65

(c) gand (e), 65

(c) gand (e), 65

115.38 (1m) (intro.) The state superintendent shall develop a school and school district performance report for use by school districts under sub. (2). The report shall include all of the following by school and by school district:

**History:** 1991 a. 39, 269; 1993 a. 16; 1995 a. 27 s. 9145 (1); 1997 a. 27, 244; 1999 a. 9; 2001 a. 16; 2005 a. 62; 2009 a. 28.

Section #. 115.88 (1) (a) of the statutes is amended to read:

tests administered under s. 121.02 (1) (r) and the performance of pupils, by subject area, on the state-wide assessment examinations administered under s. 118.30.

History: 1991 a. 39, 269; 1993 a. 16; 1995 a. 27 s. 9145 (1); 1997 a. 27, 244; 1999 a. 9; 2001 a. 16; 2005 a. 62; 2009 a. 28.

The indicators I shall include measures of value-added growth.

#### Section # 115.38 (1) (e) of the statutes is amended to read:

not to exceed 10 items. The state superintendent may not request a school board to provide information solely for the purpose of including the information in the report under this paragraph.

**History:** 1991 a. 39, 269; 1993 a. 16; 1995 a. 27 s. 9145 (1); 1997 a. 27, 244; 1999 a. 9; 2001 a. 16; 2005 a. 62; 2009 a. 28.

#### Section #. 115.38 (1) (c) of the statutes is amended to read:

1138(1) (e) The method of reading instruction used in the school district and the textbook series used to teach reading in the school district.

History: 1991 a 30 360 1002

**History:** 1991 a. 39, 269; 1993 a. 16; 1995 a. 27 s. 9145 (1); 1997 a. 27, 244; 1999 a. 9; 2001 a. 16; 2005 a. 62; 2009 a. 28.

SEC. CR. 115.38 (1e)

115.38 (1e) In this rection, "school"

reans public school, a

charter school and a private

school participating in a parental choice

program under : 118.60 or 119.23.

SEC (B) CR. 115.38(15) 115-38 (1s) The governing body of a that short wester and so 118.40 (20) and the private school participating in a parental chuice program under 1. 118-60 or shall provide the state superentendent with any information he or she requests un motion to preparing the prepart under cub. (Im). The state openitentent shall prepare the constructions report for each school participating in a parental charie program under s. 118.60 av 119.23 using only data relating to the pupils who are attending the private school under 5. 118.60 W 119.23.

Section #. 115.38 (2) of the statutes is amended to read:

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

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

(Im)

**History:** 1991 a. 39, 269; 1993 a. 16; 1995 a. 27 s. 9145 (1); 1997 a. 27, 244; 1999 a. 9; 2001 a. 16; 2005 a. 62; 2009 a. 28.

sec. 3 (2m) 115.38(2m)(a) The state superinterless shall use the school performance report prepared under sub. (Im) to create an annual report cand for each school. The report cand shall grade ouch school on a scale of one to 100 and rate each school as exemplany, above adiquate, adequate, below stablish and periodically modify regular standards on that, the total number of schools rated exemplary or above adequate, tops of excess 75 percent of the total number of schools rated, the state superintendent shall raise the standards so that in the subsequent ichool of the ichools rated year no more than 75 percent & are rated exemplay or above adequate.

#### STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

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## STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

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# State of Misconsin (c)

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# **2011 BILL**

Probationary, didoping)
effective, and exemplary

AN ACT to renumber and amend 115.38 (1); to amend 115.38 (2); and to create

115.38 (1e), 115.38 (1s) and 115.38 (2m) of the statutes; **relating to:** providing

a report card for every public school and for every private school participating

in a parental choice program.

trackers y identified school with that school

Analysis by the Legislative Reference Bureau

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 as well as for public schools. The bill provides that the indicators must include measures of value-added growth, as shown by scores on the statewide assessments. The school performance report for a private school participating in a parental choice program must be based only on data relating to the pupils attending the private school under the parental choice program.

The bill directs DPI to use the school performance report to create an annual report card for each school. The report card must grade each school on a scale of one to 100 and rate each school as exemplary, above adequate, adequate, below adequate, or failing. If in any school year more than 75 percent of the schools are rated exemplary or above adequate, in the following school year DPI must adjust its

of projet academic achievement on the report

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lau each in me of 9 Portamanu six 9 Pertagones 2011 - 2012 Legislature LRB-3740/1 PG:med:ph requires Lischael district and school report cares be displayed prominently BILL scoring standards so that no more than 75 percent of the schools are rated exemplary school district's and or above adequate. The bill directs each school to display its report eard on the school's Web site and provide it to the parents of pupils at the beginning of each school term. For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill. The people of the state of Wisconsin, represented in senate and assembly, do enact as follows: **Section 1.** 115.38 (1) of the statutes is renumbered 115.38 (1m), and 115.38 (1m) (intro.), (a), (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 under sub. (2). The report shall include all of the following by school and by school district: (a) Indicators of academic achievement, including the performance of pupils on the tests administered under s. 121.02 (1) (r) and the performance of pupils, by subject area, on the statewide assessment examinations administered under s. 118.30. The indicators under this paragraph shall include measures of value-added growth. Staffing and financial data information, as determined by the state superintendent, not to exceed 10 items. The state superintendent may not request a <u>school or</u> school board to provide information solely for the purpose of including the information in the report under this paragraph. (e) The method of reading instruction used in the school or school district and the textbook series used to teach reading in the school or school district.

**Section 2.** 115.38 (1e) of the statutes is created to read:

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115.38 (1e) In this section, "school" means a public school, a charter school are	nc
a private school participating in a parental choice program under s. 118.60 or 119.2	23

**SECTION 3.** 115.38 (1s) of the statutes is created to read:

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

**SECTION 4.** 115.38 (2) of the statutes is amended to read:

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

(b) It a school board effects into all agreement with a rederanty recognized	
American Indian tribe or band in this state to establish a charter school, that school	
board shall, upon request, distribute to the parent or guardian of each pupil enrolled	
in the charter school a school and school district performance report that includes the	
information specified by the state superintendent under sub. $(1)$ $(1m)$ , regardless of	
the location of the charter school.	ard
the location of the charter school.  SECTION 5. 115.38 (2m) of the statutes is created to read:	
115.38 (2m) (a) The state superintendent shall use the performance report	
prepared under sub. (1m) to create an annual report card for each school. The report card shall grade each school on a scale of one to 100 and rate each school as	performana
exemplary above adequate, adequate, below adequate, or failing. If the total numbers	categovies
of schools rated exemplate or above adequate exceeds 15 percent of the total pumber	
of schools rated, the state superintendent shall raise the standards so that in the	P-(4-11)
subsequent school year no more than 75 percent of the schools rated are rated	
examplary or above adequate.	
The governing body of each school shall ensure that the school's report card	
is dieptaged on the school. Web site and provided to the parents of pupils at the	
beginning of each school torm available upon request in the school's office	

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Section #. 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 10, 32, and amended to read:

n Aci 10, 32, and 85, is

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.365 (3), 115.38  $-\frac{(2)}{3}$ , 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board. History: 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 89 s. 20 (1); 1973 c. 90; 1973 c. 188 s. 6; 1973 c. 243, 254, 290, 307, 333; 1975 c. 39, 41, 95, 220, 379, 395, 422; 1977 c. 29; 1977 c. 203 s. 106; 1977 c. 206, 284, 447; 1979 c. 20; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221, 298, 331; 1979 c. 346 s. 15; 1979 c. 355; 1981 c. 59; 1981 c. 241 s. 4; 1983 a. 193; 1983 a. 339 s. 10; 1983 a. 374 s. 12; 1983 a. 412, 489, 538; 1985 a. 29 s. 3202 (43); 1985 a. 56 s. 43; 1985 a. 214 s. 4; 1985 a. 225, 332; 1987 a. 27, 187, 285, 386, 403; 1989 a. 31, 120, 121, 122, 201, 209, 359; 1991 a. 39, 42, 189, 269; 1993 a. 16, 334, 377, 491; 1995 a. 27, 225; 1997 a. 27, 77, 113, 240, 252, 335; 1999 a. 9, 32, 73; 1999 a. 150 ss. 631, 672; 1999 a. 186; 2005 a. 99, 290, 346; 2007 a. 20, 97, 220, 222; 2009 a. 28, 60, 96, 215, 273, 305, 309; 2011 a. 10, 32, 85.

(End)

# STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

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SEC. # CR. 115.38 (1) (f)  For public achoelss  115.38 (1) (f) (the presentage of teachers
SEC. # CR, 115.38 (1) (1) For public achods
in each category under 5. 120,12 (2m) (c).

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-3740/2dn PG: med:

Michael .

I america 5.119.04(1) to ensure that school are the 1 school district mezerated report card applies to MPS. Okay?

PG

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-3740/2dn PG:med:ph

January 19, 2012

#### Michael:

I amended s.  $119.04\,(1)$  to ensure that the school and school district report card applies to MPS. Okay?

Peter R. Grant Managing Attorney Phone: (608) 267-3362

E-mail: peter.grant@legis.wisconsin.gov

# 2005

# Nonstat File Sequence: ${f F} \, {f F} \, {f F}$

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## State of Misconsin 2011 - 2012 LEGISLATURE





# 2011 BILL



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ACT to renumber and amend 115.38 (1); to amend 115.38 (2) and 119.04

2 (1); and to create 115.38 (1) (f), 115.38 (1e), 115.38 (1s) and 115.38 (2m) of the

statutes; relating to: providing a report card for every public school and for

every private school participating in a parental choice program.

### Analysis by the Legislative Reference Bureau

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 as well as for public schools. The school performance report for a private school participating in a parental choice program must be based only on data relating to the pupils attending the private school under the parental choice program. The bill provides that the indicators of pupil academic achievement on the report must include measures of value-added growth, as shown by scores on the statewide assessments. The bill also regaines the report for each school district and public school inidentify the percentage of teachers in that school district and school identified as probationary, developing, effective, and exemplary.

The bill directs DPI to use the school performance report to create an annual report card for each school district and school. The report card must grade each school district and school on a scale of one to 100 and place each in one of six performance categories.

provided that p beginning in the 2013-14 16hood years

The bill requires that school district and school report cards be displayed prominently on the school district's and school's Web sites. The report cards must also be made available in the school's office.

For further information see the *state* 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:

<b>Section 1.</b> 115.38 (1) of the statutes is renumbered 115.38 (1m), and 115.38
(1m) (intro.), (a), (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
under sub. (2). The report shall include all of the following by school and by school
district:
(a) Indicators of academic achievement, including the performance of pupils on
the tests administered under s. 121.02 (1) (r) and the performance of pupils, by
subject area, on the statewide assessment examinations administered under s.
118.30. The indicators under this paragraph shall include measures of value-added
growth.
(c) Staffing and financial data information, as determined by the state
superintendent, not to exceed 10 items. The state superintendent may not request
a school or school board to provide information solely for the purpose of including the

(e) The method of reading instruction used in the <u>school or</u> school district and the <u>textbook series used to teach reading in the school or</u> school district.

**SECTION 2.** 115.38(1)(f) of the statutes is created to read:

information in the report under this paragraph.

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115.38(1)(f) For public schools and school districts, the percentage of teachers in each category under s. 120.12 (2m) (c)

**SECTION 3.** 115.38 (1e) of the statutes is created to read:

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

**SECTION 4.** 115.38 (1s) of the statutes is created to read:

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

**Section 5.** 115.38 (2) of the statutes is amended to read:

115.38 (2) (a) Annually by January 1, each school board shall notify the parent or guardian of each pupil enrolled in the school district of the right to request a school and school district performance report under this subsection. Except as provided in par. (b), annually by May 1, each school board shall, upon request, distribute to the parent or guardian of each pupil enrolled in the school district, including pupils enrolled in charter schools located in the school district, or give to each pupil to bring home to his or her parent or guardian, a school and school district performance report that includes the information specified by the state superintendent under sub. (1) (1m). The report shall also include a comparison of the school district's performance under sub. (1) (1m) (a) and (b) with the performance of other school districts in the same athletic conference under sub. (1) (1m) (a) and (b). If the school district

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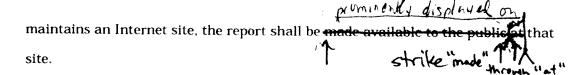
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(b) If a school board enters into an agreement with a federally recognized American Indian tribe or band in this state to establish a charter school, that school board shall, upon request, distribute to the parent or guardian of each pupil enrolled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

**SECTION 6.** 115.38 (2m) of the statutes is created to read:

115.38 (2m) (a) The state superintendent shall use the performance report prepared under sub. (1m) to create an annual report card for each school district and each school. The report card shall grade each school district and each school on a scale of one to 100 and place each in one of 6 performance categories.

- (b) The school board shall ensure that the school district's report card and the report cards of all public schools in the school district are displayed prominently on the school district's Web site and that each public school's report card is displayed prominently on the public school's Web site. The governing body of each private school participating in a parental choice program under s. 118.60 or 119.23 shall display its report card prominently on its Web site.
- (c) The governing body of each school shall ensure that the school's report card is available upon request in the school's office.
- SECTION 7. 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 85, is amended to read:
- 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c). 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,

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- 1 115.345, 115.365 (3), 115.38 (2), 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07,
- 2 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,
- 3 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225, 118.24
- 4 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292, 118.30
- 5 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (4m), (5), and (15) to (27), 120.125,
- 6 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38),
- 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and

8 board.

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#### 2011-2012 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

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**SECTION 1. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 115.38 (1), (1e), (1m) (f), (1s), (2), and (2m) and 119.04 (1) of the statutes takes effect on September 1, 2012.

(END)



#### **Under 115.38**

- (1) PURPOSE AND INTENT. It is declared to be the policy of this state that a school and district accountability system is driven by a desire to raise achievement and learning among all the state's pupils to world-class levels and that the state should be obligated to provide adequate support and resources as the foundation of such an accountability system. It is further declared there should exist an accountability system using multiple measures of the growth and attainment of all pupils, including those in public schools, charter schools, and private school choice programs, to ensure that every child in the state has the opportunity to graduate ready to succeed in college or a career. Parents and guardians of pupils share with the state, school boards and schools the responsibility for pupils meeting the goals and expectations of an accountability system. It is the purpose of this subchapter to cause the state superintendent to establish a comprehensive school and school district accountability system along with adequate supports and assistance to meet these goals.
- (2) The State Superintendent shall implement a comprehensive school and school district, accountability system beginning in the 2012-13 school year.
  - (a) The system shall:
    - 1. Utilize, but is not limited to, the following multiple measures to determine a level of performance:
      - a. Student performance and growth in reading and math.
      - b. Measures of college and career readiness.
      - c. Dropout rates
      - d. Graduation rates.
      - e. Gaps in student achievement disaggregated by race, English language proficiency, disability, and a measure of poverty
    - 2. Designate schools and school districts as falling into one of multiple performance categories that shall be developed utilizing an index system.
      - . Allow the state superintendent to
        - a. Direct schools or school districts to perform a diagnostic review
        - b. Direct action based on the outcome of the diagnostic review including:
          - i. State interventions
          - 7 ii. State support
            - iii. Time-frame for improvement
          - Recognition of high performing schools including, but not limited to, the dissemination of best practices.
    - 4. Apply to all public schools, including charter schools created under s.118.40, and schools participating in the choice program under s.118.60 and s.119.23.\*\*
      - a. The state superintendent may also remove schools from the choice program under (2)(a)3b.
      - b. The state superintendent may require the revocation of charters for charter schools under (2)(a)3b.



#### Grant, Peter

From:

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

Sent: To

Tuesday, January 31, 2012 5:37 PM

Grant, Peter; Kuczenski, Tracy

Cc:

Archibald, Sarah; Kulow, Chris; Liedl, Kimberly - GOV

Subject:

FW: Ed Package

Peter and Tracy,

I've tried to summarize our back and forth to help preserve your sanity (anyone else please feel free to speak up if I messed up). Thank you all for your continued hard work on this, especially today.

#### Read to Lead Screener and Test

Should be good to go on this.

#### **Educator Effectiveness**

- The language under 115.28 sould read, "The state superintendent shall develop an equivalency process for schools or school districts who wish to use an alternate model of teacher practice. In evaluating any alternative model the state superintendent shall ensure that it is aligned with the INTASC standards and the domains and components of the state model."
- Each traditional and alternative preparation program shall report a list of its recent graduates to DPI beginning in 2012. DPI shall measure the performance of recent graduates to evaluate and improve teacher preparation programs beginning in 2013-14. This performance information should be easily accessible to the public by making it prominently available on the homepage of each program's website.

#### Read to Lead Public Private Partnership

Change the distribution of grants so the State Superintendent and Governor have joint authority over the size of grants to be awarded but the Superintendent has ultimate authority over grants to public schools and the Governor has ultimate authority for awarding other grants.

#### School Accountability

- A. Implement DPI's changes as agreed to in the Monday morning meeting.
- B. Add the following:
  - 1. Allows DPI to identify schools (all types) that are not meeting benchmarks\*
    - i. Allows DPI to intervene in public schools and direct corrective action based on a diagnostic

- ii. Allow choice and charter schools to (if they choose) work internally within the set timeframe\* to meet performance targets (cite section that outlines "multiple measures to determine level of performance")\*
- 2. Allows DPI to close charter or public schools or remove choice schools from their program if they do not meet goals within the timeframe outlined in B.1.
- C. All parties will work together to draft an amendment that would hold charter authorizers and choice accrediting bodies to new accountability and responsibilities within this framework.
- \* = Must be as uniform as reasonably possible across all schools and sectors with the exception of schools serving gredominately at-risk pupils as defined by statute.

From: Brickman, Michael - DOA

Sent: Tuesday, January 31, 2012 4:07 PM

To: 'Kammerud, Jennifer DPI'

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Cc: Justman, Jessica C - DPI; Thompson, Michael DPI; Archibald, Sarah - LEGIS; Kulow, Chris - LEGIS; Liedl, Kimberly -

Subject: RE: Ed Package

Looks good but I don't think we want to say "components". Can we delete that word? If so we are good on both of those drafts.

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]

Sent: Tuesday, January 31, 2012 3:17 PM

To: Brickman, Michael - DOA

Cc: Justman, Jessica C - DPI; Thompson, Michael DPI; Archibald, Sarah - LEGIS; Kulow, Chris - LEGIS; Liedl, Kimberly -

Subject: RE: Ed Package

To my knowledge, these are the only remaining items in these two drafts.

#### **Educator Effectiveness**

The language on the prep program that you have offered below looks good from our end.

I thought we had given you equivalency language earlier, but it must have gotten lost in the midst of everything else. The language under 115.28 could read, "The state superintendent shall develop an equivalency process for schools or school districts who wish to use an alternate model of teacher practice. In evaluating any alternative model the state superintendent shall ensure that it is aligned with the INTASC standards and the domains and components of the state model."

#### Read to Lead Council

We are fine with Tony and the Governor jointly agreeing to the size of each grant but if the grant was for a public school purpose Tony would get ultimate say on where that went.

As with all the changes above we'll need to see the final language. I'm assuming once that's done you'll be releasing these drafts. Is that correct?

Jennifer

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

Sent: Tuesday, January 31, 2012 2:38 PM

To: Kammerud, Jennifer DPI

Cc: Justman, Jessica C. DPI; Thompson, Michael DPI; Archibald, Sarah - LEGIS; Kulow, Chris

Subject: RE: Ed Package

Read to Lead Screener and Test: Yep.

Educator Effectiveness: Could you please send us something on equivalency?

- Prep program language based very closely to R2L report language: "Each traditional and alternative preparation program shall report a list of its recent graduates to DPI beginning in 2012. DPI shall measure the performance of recent graduates to evaluate and improve teacher preparation programs beginning in 2013-14. This performance information should be easily accessible to the public by making it prominently available on the homepage of each program's website."
- Read to Lead P3: I think we are open to a number of options here, we just think it would be better if there was some mechanism for joint decision making so either party didn't have a motivation to use up all of the

resources as quickly as possible. Maybe Tony and the Governor would jointly agree to the size of each grant but if the grant was for a public school purpose Tony would get ultimate say on where that went? I guess we are just asking for a bit of flexibility here since every other attorney (including the nonpartisan ones) felt there was no constitutional issue. What do you think?

#### Thanks.

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]

Sent: Tuesday, January 31, 2012 12:14 PM

To: Brickman, Michael - DOA

Cc: Justman, Jessica C - DPI; Thompson, Michael DPI

Subject: Ed Package

I talked with Tony, we are looking forward to the changes you will be proposing to allow us to move forward with you on the accountability draft. I also wanted to check in on the other drafts.

#### Read to Lead Screener and Test

The language looked fine from our end, so I think we are done with that one, correct?

#### **Educator Effectiveness**

I believe changes are being made to put in the language we suggested in s. 115, the requirement for districts to adopt in s. 118, and the requirement for DPI to develop a budget proposal. Additionally, we agreed to the equivalency process based on the INTASC standards and the four domains and components of the state model. Once we see that language I'll run it by Tony and Mike to make sure it looks good on our end. I think the only other language that we've yet to see is the reference to the two lines from the Read to Lead Task Force regarding institutions of higher education and a related public reporting requirement.

### Read to Lead Public Private Partnership

You were going to check from your end if there was better language to offer to address our concern regarding constitutionality.

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