

Grant, Peter

From: Archibald, Sarah
Sent: Wednesday, July 17, 2013 2:24 PM
To: Grant, Peter
Cc: Kulow, Chris
Subject: RE: SIS alternatives

Hi Peter,

Would you mind going over this on the phone with me? If you are willing, please call 6-0751.

Thanks,
Sarah

From: Grant, Peter
Sent: Wednesday, July 17, 2013 2:03 PM
To: Archibald, Sarah; Kulow, Chris
Subject: SIS alternatives

Hi Sarah and Chris,

Attached is a document showing the language related to the SIS both in current law (as affected by Act 20) and in LRB-2020 (incorporating DPI's suggested changes). The third part of the document is my attempt at reconciling the two versions. Please review it carefully; I had to make some policy choices that you may not agree with.

Note that there's still what I see as an internal conflict. In the reconciled version, see sub. (1) (c) and (2) and compare them to sub. (3) (b) regarding choice schools. The first two provisions seem to require choice schools to do something when the SIS is established, while in (3) (b), requirements do not kick in for five years after the SIS is established. I think this issue, however, exists in current law and in the bill as well, so maybe it's okay.

After you have a chance to review the reconciled version, please let me know how you'd like me to proceed.

Peter

<< File: Student Information System.docx >>

Student Information System: current law as affected by 2013 Wisconsin Act 20

115.28 The state superintendent shall:

(12) (a) 1. Develop a proposal for a multiple-vendor student information system for the standardized collection of pupil data. The proposal shall allow schools and school districts to use their vendor of choice and include reporting requirements that can reasonably be met by multiple vendors. The state superintendent may not establish a student information system unless the proposal is approved by the joint committee on finance under subd. 2.

2. Submit the proposal to the joint committee on finance for its approval, disapproval, or modification. If the joint committee on finance approves the proposal, or modifies and approves the proposal, the state superintendent shall implement the proposal and the joint committee on finance may release to the state superintendent funds from the appropriation under s. 20.865 (4) (a) for the purpose of paying the costs incurred by schools and school districts to meet the proposal's reporting requirements.

3. If the proposal is approved under subd. 2., the state superintendent shall ensure that information about pupils enrolled in charter schools and about pupils enrolled in private schools participating in a parental choice program under s. 118.60 or 119.23, including their academic performance and demographic information, aggregated by school district, school, and teacher, is collected and maintained in the student information system.

(ag) If the student information system is established under par. (a), each school district, charter school, and private school using the system under par. (a) shall include in the system the following information for each teacher teaching in the school district or school who completed a teacher preparatory program described in sub. (7) (a) and located in this state or 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 completed.

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

(b) If the student information system is established under par. (a), ensure that within 5 years of the establishment of the system under par. (a), every school district and charter school is using the system, and that every private school participating in a parental choice program under s. 118.60 or 119.23 is either using the system under par. (a) or is using a system that is interoperable with the system under par. (a). The state superintendent may promulgate rules authorizing the department to charge a fee to any person that uses the system. All fees shall be credited to the appropriation account under s. 20.255 (1) (jm) (he).

Student Information System: LRB-2020/P4, incorporating DPI's suggested changes

115.383 (1) Working with the office of the governor, the state superintendent shall establish a student information system to collect and maintain information about pupils enrolled in public schools, including charter schools, and private schools participating in a parental choice program under s. 118.60 or 119.23, including their academic performance and demographic information, by school district, school, and teacher.

(2) Beginning in the 2012–13 school year, each school district, charter school, and private school using the system under sub. (1) shall include in the system the following information for each teacher teaching in the school district or school who completed a teacher education program described in s. 115.28 (7) (a) or (e) 2. and located in this state on or after January 1, 2012, or, for each teacher teaching in a private school participating in a parental choice program under s. 118.60 or 119.23, who obtained a bachelor's degree from an institution located in this state on or after July 1, 2010:

(a) The name of the teacher preparatory program or teacher education program the teacher attended and completed or the name of the institution from which the teacher obtained a bachelor's degree.

(b) The term or semester and year in which the teacher completed the program described in par. (a) or obtained a bachelor's degree.

(3) (a) The state superintendent shall ensure that within 5 years of the establishment of the system under sub. (1), every school district and every charter school is using the system.

(b) The state superintendent shall ensure that, beginning in the 2014–15 school year, every private school participating in a parental choice program under s. 118.60 or 119.23 is either using the system under sub. (1) or using a student information system that is commercially available, capable of providing the information required under s. 115.39, able to obtain pupil identification numbers under sub. (5), and compatible with the most recent version of the Schools Interoperability Framework.

(c) The state superintendent may promulgate rules authorizing the department to charge a fee to any person that uses the system under sub. (1). All fees shall be credited to the appropriation account under s. 20.255 (1) (jm).

(4) A private school participating in a parental choice program under s. 118.60 or 119.23 is not required to include information about pupils who are not attending the private school under s. 118.60 or 119.23 in the system it is using under sub. (3).

(5) The state superintendent shall assign to each pupil attending a public school or charter school, and to each pupil attending a private school participating in a parental choice program under s. 118.60 or 119.23 who is attending the private school under s. 118.60 or 119.23, a unique identification number for use in the student information system. The state superintendent shall not assign to any pupil an identification number that is identical to or incorporates the pupil's social security number.

suggested

Student Information System; reconciled version

115.383 (1) The state superintendent shall:

(a) Develop a proposal for a multiple-vendor student information system for the standardized collection of pupil data. The proposal shall allow schools and school districts to use their vendor of choice and include reporting requirements that can reasonably be met by multiple vendors. The state superintendent may not establish a student information system unless the proposal is approved by the joint committee on finance under par. (b).

same as Act 20

(b) Submit the proposal to the joint committee on finance for its approval, disapproval, or modification. If the joint committee on finance approves the proposal, or modifies and approves the proposal, the state superintendent shall implement the proposal and the joint committee on finance may release to the state superintendent funds from the appropriation under s. 20.865 (4) (a) for the purpose of paying the costs incurred by schools and school districts to meet the proposal's reporting requirements.

(c) If the proposal is approved under par. (b), the state superintendent shall ensure that information about pupils enrolled in charter schools and about pupils enrolled in private schools participating in a parental choice program under s. 118.60 or 119.23, including their academic performance and demographic information, aggregated by school district, school, and teacher, is collected and maintained in the student information system.

(2) If the student information system is established under sub. (1), each school district, charter school, and private school using the system under sub. (1) shall include in the system the following information for each teacher teaching in the school district or school who completed a teacher education program described in s. 115.28 (7) (a) or (e) 2. and located in this state on or after January 1, 2012, or, for each teacher teaching in a private school participating in a parental choice program under s. 118.60 or 119.23, who obtained a bachelor's degree from an institution located in this state on or after July 1, 2010:

new, 2012 req. in 12-13

(a) The name of the teacher education program the teacher attended and completed or the name of the institution from which the teacher obtained a bachelor's degree.

(b) The term or semester and year in which the teacher completed the teacher education program or obtained a bachelor's degree.

(3) (a) If the student information system is established under sub. (1), the state superintendent shall ensure that within 5 years of the establishment of the system, every school district and charter school is using the system.

(b) If the student information system is established under sub. (1), the state superintendent shall ensure that within 5 years of the establishment of the system, every private school participating in a parental choice program under s. 118.60 or 119.23 is either using the system under sub. (1) or is using a system that is commercially available, capable of providing the information required under s. 115.39, able to obtain pupil identification numbers under sub. (5), and compatible with the most recent version of the Schools Interoperability Framework.

same as Act 20 except add BA degree & 1995 if

same as Act 20 except for from 2010

in sch. Y. following established minor w/ SIS

delete "beg. in 2014-15 sch. y."

current law

(c) The state superintendent may promulgate rules authorizing the department to charge a fee to any person that uses the system under sub (1). All fees shall be credited to the appropriation account under s. 20.255 (1) (jm) (he).

new,
from
2020

(4) A private school participating in a parental choice program under s. 118.60 or 119.23 is not required to include information about pupils who are not attending the private school under s. 118.60 or 119.23 in the system it is using under sub. (3) (b).

(5) The state superintendent shall assign to each pupil attending a public school or charter school, and to each pupil attending a private school participating in a parental choice program under s. 118.60 or 119.23 who is attending the private school under s. 118.60 or 119.23, a unique identification number for use in the student information system. The state superintendent shall not assign to any pupil an identification number that is identical to or incorporates the pupil's social security number.

7/17/12

TC w/ Sarah Archibald re ^{suggested} reconciled vs :

all ok except :

(a) : Δ to apply only to pub. schools
incl reg. charters. (i.e. exclude (2r) charters)

(b) Δ timing so applies in school
year following establishment of SW

(c) CR new \$ for (2r) charters;
that same as choice schools.

Grant, Peter

From: Archibald, Sarah
Sent: Wednesday, July 17, 2013 3:57 PM
To: Grant, Peter
Subject: FW: Changes to Accountability Draft

2 of 2 emails...

From: Michelle Kussow [mailto:michelle@capgroupwi.com]
Sent: Wednesday, July 17, 2013 2:04 PM
To: Archibald, Sarah; Kulow, Chris
Cc: cbonkrx@yahoo.com
Subject: Changes to Accountability Draft

Hi Sarah & Chris,

Per your recommendations yesterday, I would like to submit the following amendment on behalf of WI Charter Schools Association for your review/approval.

Our amendment relates to Sec. 118.42 (2m) which details corrective actions that must be put in place if it is determined that a public school is under performing. In the current bill draft, this section excludes a charter school and requires the public school board to implement or modify changes to professional development, administrative and personnel and/or finances. We would like to see similar measures taken by a charter school authorizer when one of their schools is under performing. This could be accomplished in one of the following ways—

1. Create a section that requires the charter school authorizer of a low performing school to provide the following information related to the under performing school:

- a. The operating costs detailed in an audited financial statement;
- b. The services provided to the charter school under contract with it and an itemized accounting of the cost of the services.

**This section could also include the same remedies that are spelled out in 118.42 (2m)(b) 1-5.

2. Add the two requirements to the existing section 118.42 (2m). This would include charter schools in this section (not exclude as indicated in current draft) and require that they produce the financial statements, and services provided and from there they are treated just like an under performing public school having to go through diagnostic reviews and remedial action.

I'm sure this is clear as mud. I'm available to discuss if there are any questions. Thanks!

Michelle



Michelle Kussow
The Capitol Group

33 East Main Street, Suite 701

Madison, WI 53703

www.capgroupwi.com

Phone: 608.244.8460 x304

Cell: 608.225.7477

Grant, Peter

From: Archibald, Sarah
Sent: Wednesday, July 17, 2013 3:56 PM
To: Grant, Peter
Cc: Kulow, Chris
Subject: FW: accountability feedback

One of two emails from charter folks with feedback. As discussed, please wait until we meet on Tuesday to make any changes.

From: Sean Roberts [<mailto:sean@milwaukeecharteradvocates.org>]
Sent: Tuesday, July 16, 2013 4:18 PM
To: Archibald, Sarah
Cc: Todd Ziebarth
Subject: accountability feedback

Hey Sarah- thanks again for the meeting today. A few points of emphasis on the draft:

- Page 5, line 14... We strongly support using value-added methodology WITH the demographic data included. It's the best and most accurate tool we have available. As far as how to message it to other schools, I think the main point is just that it allows schools to see how well they're doing compared to similar students in other schools.
- check* • Page 8, line 6... Just want to confirm that this will eventually include the ACT suite for high schools so they can calculate growth appropriately. 118.30 doesn't currently address that, so I don't want schools to just be stuck using WKCE or whatever the new state test is for the purposes of the report card.
- Page 8, line 17... "pupils **participating** in advanced placement courses" is a bad idea. Florida re-worked their report cards to include this and you had chronically low-performing schools just enrolling all their seniors in at least 1 AP class, and regardless of how those students did, you had "F" schools moving into the "C" range. A better measure would be AP pass rates, where the numerator is the number of students who pass at least 1 AP exam and the denominator is the total number of eligible students in the school. This would encourage more AP participation but also hold schools accountable for those students doing well, not just enrolling. College Board already provides this data to DPI.
- see* *WJ* *1* • Page 11, line 21.... While we're changing the language of the UW-Parkside charter provision, I would be in support of changing it to drop the cap altogether. With current law we're now in a situation where UWM could authorize 100 schools in Racine next year, and 21st Century Prep is still limited to just 480 students and their one school. I realize this may not be the bill to take care of it, but current law is unfairly targeting this one small local school, which doesn't make sense.
- X* • Page 14, line 1....I wonder if it makes sense to also include the teacher evaluations provision here. It's the same problem- a DPI or school board requirement impending a charter contract. The non-instrumentality schools should be allowed to at least apply for the equivalency process in the teacher evaluations so as not to disrupt their current contracts.

I think that's about it for now. Feel free to call with any additional questions or if I can clarify anything further. Thanks again.

Sean Roberts
Executive Director

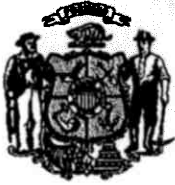


www.milwaukeecharteradvocates.org

(p) 414-219-9076, ext. 1

(c) 414-852-9876

(e) sean@milwaukeecharteradvocates.org



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2020/P4
PG:cjs:ph

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

7/19/13
Ann Jim
Bender / School
Choice Wis

1 **AN ACT** *to repeal* 115.38, 115.385, 118.42 (2), 118.42 (3) (a) (intro.), 118.42 (3) (b)
2 and (c) and 118.42 (4) and (5); *to renumber* 115.28 (12) (title), 118.40 (5), 118.42
3 (1) (a) to (d) and 118.42 (3) (a) 2. to 5.; *to renumber and amend* 115.28 (12)
4 (a), 115.28 (12) (ag), 115.28 (12) (b) and 118.42 (3) (a) 1.; *to amend* 20.255 (1)
5 (e), 115.001 (1), 118.125 (4), 118.40 (2r) (b) 1. (intro.), 118.40 (2r) (b) 2., 118.40
6 (2r) (b) 2m., 118.40 (2r) (b) 4., 118.40 (2r) (bm), 118.40 (2r) (cm), 118.40 (2r) (d)
7 (intro.), 118.40 (3) (e), 118.40 (4) (c), 118.42 (1) (intro.), 118.60 (10) (c), 118.60
8 (10) (d), 119.04 (1), 119.23 (10) (c), 119.23 (10) (d), 121.006 (2) (d) and 121.02 (1)
9 (o); and *to create* 115.383 (4), 115.383 (5), 115.39, 118.40 (3) (f), 118.40 (5) (b),
10 118.42 (1) (am) (intro.) and 1., 118.42 (1) (bm) (intro.), 118.42 (1) (cm), 118.42
11 (2m), 118.60 (9m), 119.23 (9m) and 120.12 (26) of the statutes; **relating to:** the

1 student information system, charter school contracts, and a school and school
2 district accountability system.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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:

3 SECTION 1. 20.255 (1) (e) of the statutes is amended to read:

4 20.255 (1) (e) *Student information system.* Biennially, the amounts in the
5 schedule for the student information system under s. ~~115.28 (12)~~ 115.383.

6 SECTION 2. 115.001 (1) of the statutes is amended to read:


7 115.001 (1) CHARTER SCHOOL. "Charter school" means a school under contract
8 with a school board under s. 118.40 or with ~~one of the entities~~ an entity under s.
9 118.40 (2r) (b), ~~or a school established and operated by one of the entities under s.~~
10 ~~118.40 (2r) (b).~~

11 SECTION 3. 115.28 (12) (title) of the statutes is renumbered 115.383 (title).

12 SECTION 4. 115.28 (12) (a) of the statutes is renumbered 115.383 (1) and
13 amended to read:

14 115.383 (1) Working with the office of the governor, the state superintendent
15 shall establish a student information system to collect and maintain information
16 about pupils enrolled in public schools, including charter schools, and private schools
17 participating in a parental choice program under s. 118.60 or 119.23, including their

SCW: Will every teacher be given an identification number also? Currently, teacher qualifications are audited for PCP, but names are not forwarded to DPI.

1 academic performance and demographic information, aggregated by school district,
2 school, and teacher 

3 SECTION 5. 115.28 (12) (ag) of the statutes is renumbered 115.383 (2) and
4 amended to read:

5 115.383 (2) Beginning in the 2012-13 school year, each school district, charter
6 school, and private school using the system under par-(a) sub. (1) shall include in the
7 system the following information for each teacher teaching in the school district or
8 school who completed a teacher preparatory education program described in sub. s.
9 115.28 (7) (a) or (e) 2. and located in this state or a teacher education program
10 described in sub. (7) (e) 2. and located in this state on or after January 1, 2012, or
11 for each teacher teaching in a private school participating in a parental choice
12 program under s. 118.60 or 119.23, who obtained a bachelor's degree from an
13 institution located in this state on or after July 1, 2010:

14 (a) The name of the teacher preparatory program or teacher education program
15 the teacher attended and completed or the name of the institution from which the
16 teacher obtained a bachelor's degree.

17 (b) The term or semester and year in which the teacher completed the program
18 described in subd. 1 par. (a) or obtained a bachelor's degree.

19 SECTION 6. 115.28 (12) (b) of the statutes is renumbered 115.383 (3) and
20 amended to read:

21 115.383 (3) Ensure The state superintendent shall ensure that within 5 years
22 of the establishment of the system under par-(a) sub. (1), every school district and
23 every charter school is using the system and that, beginning in the 2014-15 school
24 year, every private school participating in a parental choice program under s. 118.60
25 or 119.23 is either using the system under sub. (1) or using a system that is

SCW: Is EVERY commercially available student data system capable or only the big brands?

SCW: We favor assigning pupil identification numbers ASAP.

SCW: If the system is mandated per the state report cards, then the state should cover this cost. It is difficult to agree to an undefinable, yet mandated fee.

SCW: Concern that data for non-choice students at a private school be protected from the state. We've been told that DPI will not have the ability to grab info; they only get what a school chooses to send them. Additionally, DPI has requested that lines 13-18 be deleted due to Act 20

SCW: Could there be clarification added that "each pupil participating in the parental choice program" rather than "each pupil...attending a private school participating...?"

SCW: We understand that this unique ID will be issued in 2013-14.

1 commercially available, capable of providing the information required under s.
2 115.39, able to obtain pupil identification numbers under sub. (5), and compatible
3 with the most recent version of the Schools Interoperability Framework. The state
4 superintendent may promulgate rules authorizing the department to charge a fee to
5 any person that uses the system. All fees shall be credited to the appropriation
6 account under s. 20.255 (1) (jm).

7 SECTION 7. 115.38 of the statutes, as affected by 2013 Wisconsin Act 20, is
8 repealed.

9 SECTION 8. 115.383 (4) of the statutes is created to read:

10 115.383 (4) A private school participating in a parental choice program under
11 s. 118.60 or 119.23 is not required to include information about pupils who are not
12 attending the private school under s. 118.60 or 119.23 in the system it is using under
13 sub. (3). Information included in the system by a private school participating in a
14 parental choice program under s. 118.60 or 119.23 may be used by the department
15 only to issue school reports under s. 115.39, make information available to parents
16 and to the public via the Internet in the same fashion as information about public
17 schools is made available, and identify and share best practices from schools that
18 significantly exceed expectations under s. 115.39.

19 SECTION 9. 115.383 (5) of the statutes is created to read:

20 115.383 (5) The state superintendent shall assign to each pupil attending a
21 public school, charter school, or private school participating in a parental choice
22 program under s. 118.60 or 119.23 a unique identification number for use in the
23 student information system. The state superintendent shall not assign to any pupil
24 an identification number that is identical to or incorporates the pupil's social security
25 number.

SCW: We understand that this unique ID will be issued in 2013-14.

1 **SECTION 10.** 115.385 of the statutes, as created by 2013 Wisconsin Act 20, is
2 repealed.

3 **SECTION 11.** 115.39 of the statutes is created to read:

4 **115.39 School and school district accountability system.** (1) In this
5 section, "school" means a public school, including a charter school, and a private
6 school participating in a parental choice program under s. 118.60 or 119.23.

7 (2) The department shall establish a comprehensive school and school district
8 accountability system beginning in the 2014-15 school year that includes all of the
9 following components:

10 (a) Multiple measures to determine a school's and school district's performance
11 under s. 118.42, including all of the following categorized by English language
12 proficiency, disability, income level, and race or ethnicity:

13 1. Pupil achievement in reading and mathematics.

14 2. Growth in pupil achievement in reading and mathematics, calculated using
15 a value-added methodology.

16 3. College and career readiness for high school pupils and being on track for
17 college and career readiness in the elementary grades.

18 4. Gaps in pupil academic achievement and rates of graduation.

19 5. Pupil engagement in school.

20 (b) Measures to ensure that all data elements collected and calculations
21 performed are done consistently and in a uniform manner for all schools. The
22 department shall uniformly adjust the weighting of scores for schools that do not
23 generate all of the data elements.

24 (c) An index system to rate a school's and a school district's level of performance
25 as one of the following:

SCW: 1) ELL Identification in MIW is good. Is there data to verify how complete Title III identification is for outstate private schools? 2) Disability - special needs identification for private school children is currently understated due to the cumbersome process and lack of available service plan dollars, thus lack of motivation for parents or schools to pursue the identification process.

SCW: We recognize the added work involved, but believe value-added data will more accurately reflect the performance of the schools and provide a fairer measure for accountability.

SCW: Is there a standard definition for this?

SCW: The measures for this are not currently collected.

1 1. Significantly exceeds expectations.

2 2. Exceeds expectations.

3 3. Meets expectations.

4 4. Meets few expectations.

5 5. Fails to meet expectations.


6 (3) The department shall do all the following:

7 (a) Except as provided in sub. (6), based on data derived from multiple school
8 years, unless there is insufficient data to do so, annually rate the performance of each
9 school and school district under sub. (2) (c) and issue an accountability report for the
10 school or school district that is clear and easily understandable.

11 (b) 1. Collect and disseminate the best practices from the schools that
12 significantly exceed expectations, except that the department may not collect
13 information for this purpose from a private school participating in a parental choice
14 program under s. 118.60 or 119.23 without the private school's consent.

15 2. Identify opportunities to support and intervene in the public schools and
16 school districts that fail to meet expectations.

17 (c) Specify in the report for a private school participating in a parental choice
18 program under s. 118.60 or 119.23 the percentage of pupils attending the school who
19 are attending under the parental choice program.

20  (d) Ensure that a subgroup with a sufficient number of pupils within a school
21 or school district is compared to the statewide performance of pupils who are not in
22 that subgroup.

23 (4) The department may use only the following information for each measure
24 specified in sub. (2) (a):

SCW: We favor a PCP comparison to local (MPS) schools vs statewide. This might be wrong section since referring to closing gaps.

1 (a) For measuring pupil achievement in reading and mathematics under sub.

2 (2) (a) 1.:

3 1. Scores on the reading and mathematics examinations administered under
4 s. 118.30, other than the scores under subd. 2.

5 2. Scores on the alternate reading and mathematics examinations
6 administered under s. 118.30 to children with significant cognitive disabilities.

7 3. The disability status of pupils taking the examinations under s. 118.30.


8 4. The grade level of pupils taking the examinations under s. 118.30.


9 5. The race or ethnicity of pupils taking the examinations under s. 118.30.

10 6. The English proficiency status of pupils taking the examinations under s.
11 118.30.

12 7. The eligibility for a free or reduced-price lunch under 42 USC 1758 (b) of
13 pupils taking the examinations under s. 118.30.

14 8. The United States residency status of pupils taking the examinations under
15 s. 118.30.

16  9. The enrollment status and history of pupils attending the school or school
17 district.

18 (b) For measuring growth in pupil achievement in reading and mathematics
19 under sub. (2) (a) 2., the information under par. (a) 1. and 3. to 9. for at least 2 
20 consecutive school years.

21 (c) For measuring college and career readiness under sub. (2) (a) 3.:

22 1. The information under par. (a).

23 2. The number of pupils who are dropouts, as defined in s. 118.153 (1) (b).

SCW: History becomes more difficult to report without SIS.

SCW: Why 2 years here but 3 years for everything else?


SCW: DPI said they do not need the number of pupils, rather the individual pupil data reported.

1 3. The number of pupils who graduate from high school with a regular diploma
2 within 4 school years and the number of pupils who graduate from high school with
3 a regular diploma within 5 or 6 school years.

4 4. Of those pupils who are eligible to take the examinations administered under
5 s. 118.30, the number who take them.

6 5. Scores on the examinations administered to pupils under s. 118.30.

***NOTE: Should this subdivision refer only to scores on the reading and mathematics examinations? See sub. (4) (a) 1., (b), (c) 1., and (d) 1. Note that subd. 1. specifies that the department may use information under par. (a), which includes scores on the reading and mathematics examinations administered under s. 118.30.

7  6. The number of pupils who are suspended or expelled from school.

8 7. The number of pupils and the number of high school graduates enrolled in
9 postsecondary educational programs.

10 8. The number of pupils participating in advanced placement courses.

11 9. The number of high school graduates entering the workforce.

12 (d) For measuring gaps in pupil academic achievement under sub. (2) (a) 4.:


13 1. The information under par. (a) for at least 3 consecutive school years.


14 2. The information under par. (c) 3. and 6.

15 (e) For measuring pupil engagement in school under sub. (2) (a) 5.:

16 1. The information under pars. (a) 9. and (c) 2.

17 2. The number of pupils participating in advanced placement courses.

18 3. The number of pupils who are suspended or expelled, the reasons for the
19 suspension or expulsion, and the educational services and programs provided to
20 expelled pupils. 

21  4. The number of pupils participating in art and music classes.


22 5. The number of pupils who attain industry-recognized certifications.

23 6. The number of habitual truants, as defined in s. 118.16 (1) (a).

SCW: This is not relevant for private schools.

SCW: This section mandates data points not currently included in the report card. Though they might be helpful in future enhancements to the report card, mandating the collection of data now is burdensome and should be delayed.


SCW: Even public schools do not currently track community involvement information. If a student has a job, does that count as community activity?

1  7. The number of pupils participating in extracurricular and community
2 activities.

3 8. The number of pupils taking the military readiness examination.

4 (4m) For a private school participating in a parental choice program under s.
5 118.60 or 119.23, the department may use for each measure specified in sub. (2) (a)
6 only the information specified in sub. (4) that pertains to pupils attending the private
7 school under the program.

8 (5) Each school and school district shall display prominently on the home page
9 of its Internet site the reports issued by the department under this section.

10 (6) A school board, a charter school established under s. 118.40 (2r), or a private
11 school participating in a parental choice program under s. 118.60 or 119.23 may
12 request the department not to rate a school under sub. (3) (a) because the school is
13  an alternative education school. If the department determines that the school offers
14 an alternative educational program that would not be accurately reflected in its
15 rating, the department may approve the request. The department shall nevertheless
16 issue an accountability report for the school.

SCW: DPI has Alternate School Accountability Determination form=New schools, those without students in testing grades, those with fewer than 20 students in tested grades, and the at-risk population described in 118.153.

17 SECTION 12. 118.125 (4) of the statutes is amended to read:

18 118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district, a
19 charter school established under s. 118.40 (2r), and a private school participating in
20 the a parental choice program under s. 118.60 or in the program under s. 119.23 shall
21 transfer to another school, including a private, charter, or tribal school, or school
22 district all pupil records relating to a specific pupil if the transferring school district
23 or private school has received written notice from the pupil if he or she is an adult
24 or his or her parent or guardian if the pupil is a minor that the pupil intends to enroll
25 in the other school or school district or written notice from the other school or school

1 district that the pupil has enrolled or from a court that the pupil has been placed in
2 a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured residential
3 care center for children and youth, as defined in s. 938.02 (15g). In this subsection,
4 "school" and "school district" include any juvenile correctional facility, secured
5 residential care center for children and youth, adult correctional institution, mental
6 health institute, or center for the developmentally disabled that provides an
7 educational program for its residents instead of or in addition to that which is
8 provided by public, private, and tribal schools.

9 SECTION 13. 118.40 (2r) (b) 1. (intro.) of the statutes is amended to read:

10 118.40 (2r) (b) 1. (intro.) ~~All~~ Any of the following ~~entities~~ may establish by
11 ~~charter and operate a charter school or, on behalf of their respective entities, may~~
12 ~~initiate a~~ contract with ~~an individual or group~~ a person to operate ~~a school as a~~
13 charter school:

14 SECTION 14. 118.40 (2r) (b) 2. of the statutes is amended to read:

15 118.40 (2r) (b) 2. ~~A charter shall include all of the provisions specified under~~
16 ~~sub. (1m) (b) 3. to 14.~~ A contract shall include all of the provisions specified under
17 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter
18 school on the liability of the contracting entity under this paragraph. The contract
19 may include other provisions agreed to by the parties. The chancellor of the
20 University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may
21 not ~~establish or~~ enter into a contract for the establishment of a charter school under
22 this paragraph without the approval of the board of regents of the University of
23 Wisconsin System.

24 SECTION 15. 118.40 (2r) (b) 2m. of the statutes is amended to read:

1 118.40 (2r) (b) 2m. a. A ~~charter or~~ contract may include grounds for expelling
2 a pupil from the charter school.

3 b. If the ~~charter or~~ contract includes grounds for expelling a pupil from the
4 charter school as permitted under subd. 2m. a., the ~~charter or~~ contract shall include
5 the procedures to be followed by the charter school prior to expelling a pupil.

6 **SECTION 16.** 118.40 (2r) (b) 4. of the statutes is amended to read:

7 118.40 (2r) (b) 4. No ~~chartering or~~ contracting entity under subd. 1. may
8 ~~establish or~~ enter into a contract for the establishment of a virtual charter school.

9 **SECTION 17.** 118.40 (2r) (bm) of the statutes, as affected by 2013 Wisconsin Act
10 20, is amended to read:

11 118.40 (2r) (bm) The common council of the city of Milwaukee and the
12 Milwaukee area technical college district board may ~~establish or enter into a~~
13 contract for the establishment of a charter school located only in the school district
14 operating under ch. 119. The chancellor of the University of Wisconsin-Milwaukee
15 may ~~establish or enter into a~~ contract for the establishment of a charter school
16 located only in Milwaukee County or in an adjacent county. The chancellor of the
17 University of Wisconsin-Parkside may only ~~establish or enter into a~~ contract for the
18 establishment of a charter school located in a unified school district that is located
19 in the county in which the University of Wisconsin-Parkside is situated or in an
20 adjacent county.

21 **SECTION 18.** 118.40 (2r) (cm) of the statutes is amended to read:

22 118.40 (2r) (cm) The chancellor of the University of Wisconsin-Parkside may
23 ~~establish or enter into a~~ contract for the establishment of only one charter school
24 under this subsection, which may not operate high school grades and which may not
25 accommodate more than 480 pupils.

1 **SECTION 19.** 118.40 (2r) (d) (intro.) of the statutes is amended to read:

2 118.40 (2r) (d) (intro.) The ~~chartering or~~ contracting entity under par. (b) shall
3 do all of the following:

4 **SECTION 20.** 118.40 (3) (e) of the statutes is amended to read:

5 118.40 (3) (e) When ~~establishing or~~ contracting for the establishment of a
6 charter school under this section, a school board or entity specified under sub. (2r)
7 (b) shall consider the principles and standards for quality charter schools established
8 by the National Association of Charter School Authorizers.

9 **SECTION 21.** 118.40 (3) (f) of the statutes is created to read:

10 118.40 (3) (f) 1. A contract with a school board or an entity under sub. (2r) (b)
11 shall specify that if the department determines under s. 115.39 (3) that the charter
12 school has performed at the lowest performance level for 3 consecutive school years,
13 the school board or entity under sub. (2r) (b) shall require that a remediation plan,
14 approved by the school board or entity, be implemented by the charter school
15 operator.

16 2. The school board or entity under sub. (2r) (b) shall provide the department
17 with a copy of any remediation plan approved under subd. 1.

18 **SECTION 22.** 118.40 (4) (c) of the statutes is amended to read:

19 118.40 (4) (c) *Single-sex schools and courses.* A school board ~~may enter into a~~
20 ~~contract for, and an~~ or entity under sub. (2r) may ~~establish or enter into a~~ contract
21 for, the establishment of a charter school that enrolls only one sex or that provides
22 one or more courses that enroll only one sex if the school board or entity under sub.
23 (2r) makes available to the opposite sex, under the same policies and criteria of
24 admission, schools or courses that are comparable to each such school or course.

25 **SECTION 23.** 118.40 (5) of the statutes is renumbered 118.40 (5) (a).

1 **SECTION 24.** 118.40 (5) (b) of the statutes is created to read:

2 118.40 (5) (b) A school board or entity under sub. (2r) that has contracted for
3 the establishment of a charter school shall revoke the school's charter if the operator
4 of the charter school implemented a remediation plan under sub. (3) (f) 1. but the
5 school failed to improve to at least the performance level specified in s. 115.39 (2) (c)
6 4. within 3 school years. If a charter school that has had its charter revoked under
7 this paragraph reopens as a private school, it may not participate in a parental choice
8 program under s. 118.60 or 119.23.

9 **SECTION 25.** 118.42 (1) (intro.) of the statutes is amended to read:

10 118.42 (1) (intro.) If the state superintendent determines that a school district
11 ~~has been in need of improvement performed at the lowest performance level under~~
12 ~~s. 115.39 for 4 3 consecutive school years, the school board shall do all of the following~~
13 ~~apply:~~

14 **SECTION 26.** 118.42 (1) (a) to (d) of the statutes are renumbered 118.42 (1) (am)
15 2. to 5.

16 **SECTION 27.** 118.42 (1) (am) (intro.) and 1. of the statutes are created to read:

17 118.42 (1) (am) (intro.) The school board shall do all of the following:

18 1. Complete a department-approved diagnostic review of the school district to
19 determine the causes of the school district's poor performance and relevant
20 mitigating factors.

21 **SECTION 28.** 118.42 (1) (bm) (intro.) of the statutes is created to read:

22 118.42 (1) (bm) (intro.) After consulting with the school board, the school
23 district administrator, and school district employees, the state superintendent shall
24 direct the school board to do one or more of the following in the school district:

25 **SECTION 29.** 118.42 (1) (cm) of the statutes is created to read:

1 118.42 (1) (cm) Nothing in this subsection authorizes the department to
2 require, or a school board to implement, an action that would result in an impairment
3 of the school board's contract with a charter school operator.


4 SECTION 30. 118.42 (2) of the statutes is repealed.

5 SECTION 31. 118.42 (2m) of the statutes is created to read:

6 118.42 (2m) If the state superintendent determines that a public school,
7 excluding a charter school, has performed at the lowest performance level under s.
8 115.39 for 3 consecutive school years, all of the following apply:

9 (a) The school board shall do all of the following:

10 1. Complete a department-approved, on-site, diagnostic review of the school
11 to determine the causes of the school's poor performance and relevant mitigating
12 factors.

13 2. Based on the results of the diagnostic review under subd. 1., implement
14 department-approved improvement activities that are consistent with federal
15 improvement requirements or close the school. 

16 (b) After consulting with the school board, the school district administrator,
17 and school district employees, the state superintendent shall direct the school board
18 to do one or more of the following in the school:

19 1. Implement or modify activities described in par. (a).

20 2. Implement a new or modified instructional design, which may include
21 expanded school hours or additional pupil supports and services.

22 3. Implement professional development programs that focus on improving
23 pupil academic achievement.

24 4. Implement changes in administrative and personnel structures.

SCW: The word "or" means a falling public school might never be closed/reconstituted. This is inequitable to the treatment of PCP and charter schools who are falling and closed/removed from the program.

*and that the school is significantly transformed,
closed, or converted to a charter
school*

1 5. Adopt accountability measures to monitor the school district's finances or to
2 monitor other interventions directed by the state superintendent under subs. 1. to
3 4.

4 **SECTION 32.** 118.42 (3) (a) (intro.) of the statutes is repealed.

5 **SECTION 33.** 118.42 (3) (a) 1. of the statutes is renumbered 118.42 (1) (bm) 1.
6 and amended to read:

7 118.42 (1) (bm) 1. Implement ~~or modify~~ activities described in sub. (1) (a) to (d)
8 par. (am).

9 **SECTION 34.** 118.42 (3) (a) 2. to 5. of the statutes are renumbered 118.42 (1) (bm)
10 2. to 5.

11 **SECTION 35.** 118.42 (3) (b) and (c) of the statutes are repealed.

12 **SECTION 36.** 118.42 (4) and (5) of the statutes are repealed.

13 **SECTION 37.** 118.60 (9m) of the statutes is created to read:

14 118.60 (9m) (a) If the department determines under s. 115.39 (3) that a private
15 school participating in the program under this section has performed at the lowest
16 performance level for 3 consecutive school years, the private school shall ~~request its~~
17 ~~accrediting agency to review the school's accreditation. If the accrediting agency~~
18 ~~refuses to do so, or if the accrediting agency agrees to do so and as a result revokes~~
19 ~~the private school's accreditation, the state superintendent shall issue an order,~~
20 ~~effective on the succeeding July 1, permanently barring the private school from~~
21 ~~participating in the program under this section.~~


22 (b) ~~If the accrediting agency agrees to review the private school's accreditation~~
23 ~~and develops a plan that will enable the private school to maintain its accreditation,~~
24 ~~the private school shall implement the plan. The state superintendent shall issue~~
25 ~~an order, effective on the succeeding July 1, permanently barring the private school~~

SCW: Add the language to line 16 in red box.



notify the accreditation agency of the determination and request a review of the accreditation by the agency.

SCW: In line 3, add (after the 4), "or the state superintendent shall issue an order, effective on the succeeding July 1, permanently barring the private school from participating in the program under this section."

1 from participating in the program under this section unless, within 3 school years,
2 the accrediting agency reaffirms the private school's accreditation and the private
3 school ^{shall} improves to at least the performance level specified in s. 115.39 (2) (c) 4. 

4 (c) A private school that has been barred from participating in the program
5 under this section under par. (a) or (b) may not reopen as a charter school.

6 SECTION 38. 118.60 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
7 20, is amended to read:

8 118.60 (10) (c) Whenever the state superintendent issues an order under par.
9 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
10 guardian of each pupil attending the private school under this section.

11 SECTION 39. 118.60 (10) (d) of the statutes is amended to read:


12 118.60 (10) (d) The state superintendent may withhold payment from a private
13 school under subs. (4) and (4m) if the private school violates this section or fails to
14 participate in the student information system as required under s. 115.383 (3).


15 SECTION 40. 119.04 (1) of the statutes, as affected by 2013 Wisconsin Act 20,
16 is amended to read:

17 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
18 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
19 115.345, 115.363, 115.365 (3), ~~115.38 (2), 115.383, 115.39~~, 115.415, 115.445, 118.001
20 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to
21 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
22 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245,
23 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52,
24 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2)

1 (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),
2 and 120.25 are applicable to a 1st class city school district and board.

3 SECTION 41. 119.23 (9m) of the statutes is created to read:

4 119.23 (9m) (a) If the department determines under s. 115.39 (3) that a private
5 school participating in the program under this section has performed at the lowest
6 performance level for 3 consecutive school years, the private school shall request its
7  accrediting agency to review the school's accreditation. If the accrediting agency
8 refuses to do so, or if the accrediting agency agrees to do so and as a result revokes
9 the private school's accreditation, the state superintendent shall issue an order,
10 effective on the succeeding July 1, permanently barring the private school from
11 participating in the program under this section.

12 (b) If the accrediting agency agrees to review the private school's accreditation
13 and develops a plan that will enable the private school to maintain its accreditation,
14 the private school shall implement the plan. The state superintendent shall issue
15 an order, effective on the succeeding July 1, permanently barring the private school
16 from participating in the program under this section unless, within 3 school years,
17  the accrediting agency reaffirms the private school's accreditation and the private
18 school improves to at least the performance level specified in s. 115.39 (2) (c) 4.

19 (c) A private school that has been barred from participating in the program
20 under this section under par. (a) or (b) may not reopen as a charter school.

21 SECTION 42. 119.23 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
22 20, is amended to read:

23 119.23 (10) (c) Whenever the state superintendent issues an order under par.
24 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
25 guardian of each pupil attending the private school under this section.

SCW: Same addition/changes as 118.60
(9m) on page 15.

SCW: add the word "shall", so line 16-18
reads, "Within 3 school years, the private
school shall improve to at least the
performance level specified"....."or the
state superintendent shall issue an
order, effective on the succeeding July 1,
permanently barring the private school
from participating in the program under
this section."

1 **SECTION 43.** 119.23 (10) (d) of the statutes is amended to read:

2 119.23 (10) (d) The state superintendent may withhold payment from a private
3 school under subs. (4) and (4m) if the private school violates this section or fails to
4 participate in the student information system as required under s. 115.383 (3).

5 **SECTION 44.** 120.12 (26) of the statutes is created to read:

6 120.12 (26) STAFFING AND FINANCIAL DATA. Upon request, provide to the
7 department any staffing or financial data that the department needs to comply with
8 state or federal reporting requirements.

9 **SECTION 45.** 121.006 (2) (d) of the statutes is amended to read:

10 121.006 (2) (d) Comply with a directive issued by the state superintendent
11 under s. 118.42 (3) ~~(a)~~ or (1) ~~(bm)~~ or (2m) (b).

12 **SECTION 46.** 121.02 (1) (o) of the statutes is amended to read:

13 121.02 (1) (o) Annually comply with the requirements of s. 115.38 (2). The
14 school board may include additional information in the report under s. 115.38 (2)
15 115.39 (5).

16 **SECTION 47. Nonstatutory provisions.**

17 (1) MILWAUKEE PUBLIC SCHOOLS. Notwithstanding section 118.42 (1) (intro.) and
18 (am) of the statutes, as affected by this act, for the purpose of section 118.42 of the
19 statutes, as affected by this act, the department of public instruction shall treat the
20 school district operating under chapter 119 of the statutes as if it performed at the
21 lowest performance level under section 115.39 of the statutes, as created by this act,
22 for the 3 consecutive school years immediately preceding the school year in which
23 this subsection takes effect.

24 **SECTION 48. Initial applicability.**

SCW: Please explain this section.



1 (1) CHARTER SCHOOL CONTRACTS. The treatment of section 118.40 (3) (f) of the
2 statutes and the creation of section 118.40 (5) (b) of the statutes first apply to a
3 contract for the establishment of a charter school that is entered into, modified, or
4 renewed on the effective date of this subsection.

5

(END)

7/23/13

mtg w/ Sarah Archibald
& Chris Kulow

changes to PY based on DPI, charter, &
Charter suggestions:

① p.

1 ① p. 5 l. 15: add "that includes demographic controls"

✓ ② CHARTER -

see Michelle Kucsuw's email -

for (2x) authorizers: if school lowest
performing for 3 years, must report to DPI
info in email - annually, until school moves
up in perf, or closes, or is revoked, or
nonrenewed.

✓ ③ re 4-b - increase of sch. year following establishment
of SIS, A to beg. in 14-15
sch. year.

5. base fee is - but re, re SIS approval
to change the fee

DPI A's

- ① p 7 l. 4-5 - see dpi email
- ② include under 3 & 5 (parent engage + c+c review)
of mins of instruction provided in
math, LA, sci, soc. studies
' K-12'
- ③ p. 13 l 23 & p. 14 l 7: keep "shall"

CHANGES

- ① p. 3 l 2? Sarah will check re teacher ID's
- ② p. 4 l. 4-6: leave, but require JFC
approval
- ③ p. 8 l 19-20: "ed services & programs provided"
not for choice schools.
- ④ p. 9 l 1 delete "community"
- ⑤ p. 14 l 5 - "... such that school is
significantly transformed, closed, or
converted to charter"

Grant, Peter

From: Archibald, Sarah
Sent: Tuesday, July 23, 2013 1:43 PM
To: Kulow, Chris; Grant, Peter
Subject: RE: question

Yes

From: Kulow, Chris
Sent: Tuesday, July 23, 2013 1:41 PM
To: Grant, Peter; Archibald, Sarah
Subject: RE: question

That looks right. Our intent is to have the choice (and 2Rs) data reported for the 14-15 school year whether a SIS has been established or not. We do not want everything held hostage to the JFC/DPI data RFP process.

They would have the option then of remaining on their commercially available product or being a part of a state system in the future correct?

From: Grant, Peter
Sent: Tuesday, July 23, 2013 1:31 PM
To: Kulow, Chris; Archibald, Sarah
Subject: RE: question

I thought the requirement only kicked in if the SIS were established. So if I understand you correctly, this is the way it would read (abbreviated):

- (a) If the state SIS is established, the state superintendent shall ensure that within 5 years, every school district and charter school (except (2rs) is using it.
- (b) The state superintendent shall ensure that, beginning in the 2014-15 school year, every (2r) charter school and every choice school is either using the state system or is using a system that is commercially available, etc.

Is that right?

Peter

From: Kulow, Chris
Sent: Tuesday, July 23, 2013 1:20 PM
To: Grant, Peter; Archibald, Sarah
Subject: RE: question

Then they need to use a commercially available product to report their data until a SIS is implemented (if one is at all). Correct?

From: Grant, Peter
Sent: Tuesday, July 23, 2013 1:07 PM
To: Archibald, Sarah

Cc: Kulow, Chris
Subject: question

Sarah, at the meeting this morning, you decided that (2r) charters and choice schools must use the state SIS (or a commercially available, etc., system) beginning in the 2014-15 school year instead of ~~within 5 years of the~~ establishment of the SIS. But what if the SIS is not established in time for the charters and choice schools to comply with this requirement?

Peter

begin next yr following

Grant, Peter

From: Kulow, Chris
Sent: Tuesday, July 23, 2013 2:26 PM
To: Archibald, Sarah; Grant, Peter
Subject: RE: question about the fee and appropriation

Agree

From: Archibald, Sarah
Sent: Tuesday, July 23, 2013 2:26 PM
To: Grant, Peter; Kulow, Chris
Subject: RE: question about the fee and appropriation

Good idea. And make JFC approve the fee charged all schools, including choice.

From: Grant, Peter
Sent: Tuesday, July 23, 2013 2:25 PM
To: Archibald, Sarah; Kulow, Chris
Subject: question about the fee and appropriation

This morning, you decided to strike the language on p. 4 about charging a fee for the SIS. This necessitates striking the next sentence, regarding the appropriation to which the fees are to be credited, as well. Do you also want to repeal the appropriation, which was created in the budget? The appropriation, 20.255 (1) (he), provides to DPI all moneys received from the fees, to be used for SIS costs.

One of the factors in your decision, if I remember correctly, was that DPI has to go to joint finance to submit its SIS proposal, and the committee could deal with the fee at that time. But if I eliminate the language and repeal the appropriation, there may be a problem since there would then be no authorization to charge a fee and no appropriation to DPI of the moneys received if it did charge a fee. Another bill would need to be enacted.

One option is to allow DPI to charge a fee only if approved by joint finance. Under this option, I could leave the framework for the fee in place, so assuming the committee approves, it could go into effect without another bill being enacted.

Peter



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2020/P4
PG:cjs:ph

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

DPI
/

1 **AN ACT** *to repeal* 115.38, 115.385, 118.42 (2), 118.42 (3) (a) (intro.), 118.42 (3) (b)
2 and (c) and 118.42 (4) and (5); *to renumber* 115.28 (12) (title), 118.40 (5), 118.42
3 (1) (a) to (d) and 118.42 (3) (a) 2. to 5.; *to renumber and amend* 115.28 (12)
4 (a), 115.28 (12) (ag), 115.28 (12) (b) and 118.42 (3) (a) 1.; *to amend* 20.255 (1)
5 (e), 115.001 (1), 118.125 (4), 118.40 (2r) (b) 1. (intro.), 118.40 (2r) (b) 2., 118.40
6 (2r) (b) 2m., 118.40 (2r) (b) 4., 118.40 (2r) (bm), 118.40 (2r) (cm), 118.40 (2r) (d)
7 (intro.), 118.40 (3) (e), 118.40 (4) (c), 118.42 (1) (intro.), 118.60 (10) (c), 118.60
8 (10) (d), 119.04 (1), 119.23 (10) (c), 119.23 (10) (d), 121.006 (2) (d) and 121.02 (1)
9 (o); and *to create* 115.383 (4), 115.383 (5), 115.39, 118.40 (3) (f), 118.40 (5) (b),
10 118.42 (1) (am) (intro.) and 1., 118.42 (1) (bm) (intro.), 118.42 (1) (cm), 118.42
11 (2m), 118.60 (9m), 119.23 (9m) and 120.12 (26) of the statutes; **relating to:** the

1 student information system, charter school contracts, and a school and school
2 district accountability system.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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:

3 SECTION 1. 20.255 (1) (e) of the statutes is amended to read:

4 ~~20.255 (1) (e) Student information system. Biennially, the amounts in the~~
5 ~~schedule for the student information system under s. 115.28 (12) 115.383~~ >

6 SECTION 2. 115.001 (1) ***Act 20 changes the appropriate schedule, which***
7 ***likely will require legislative action to resolve.***
8 115.001 (1) CHARTER SCHOOL. Charter school means a school under contract
9 with a school board under s. 118.40 or with ~~one of the entities~~ an entity under s.
10 ~~118.40 (2r) (b), or a school established and operated by one of the entities under s.~~
~~118.40 (2r) (b).~~

11 SECTION 3. 115.28 (12) (title) of the statutes is renumbered 115.383 (title).

12 SECTION 4. 115.28 (12) (a) of the statutes is renumbered 115.383 (1) and
13 amended to read:

14 115.383 (1) Working with the office of the governor, the state superintendent
15 shall establish a student information system to collect and maintain information
16 about pupils enrolled in public schools, including charter schools, and private schools
17 participating in a parental choice program under s. 118.60 or 119.23, including their

1 academic performance and demographic information, aggregated by school district,
2 school, and teacher.

3 SECTION 5. 115.28 (12) (ag) of the statutes is renumbered 115.383 (2) and
4 amended to read:

5 115.383 (2) Beginning in the 2012-13 school year, each school district, charter
6 school, and private school using the system under ~~par. (a) sub. (1)~~ shall include in the
7 system the following information for each teacher teaching in the school district or
8 school who completed a teacher preparatory education program described in sub. s.
9 115.28 (7) (a) or (e) 2. and located in this state ~~or a teacher education program~~
10 ~~described in sub. (7) (e) 2.~~ and located in this state on or after January 1, 2012, or,
11 for each teacher teaching in a private school participating in a parental choice
12 program under s. 118.60 or 119.23, who obtained a bachelor's degree from an
13 institution located in this state on or after July 1, 2010:

14 (a) The name of the teacher preparatory program or teacher education program
15 the teacher attended and completed or the name of the institution from which the
16 teacher obtained a bachelor's degree.

17 (b) The term or semester and year in which the teacher completed the program
18 described in ~~sub. 1 par. (a)~~ or obtained a bachelor's degree.

19 SECTION 6. 115.28 (12) (b) of the statutes is renumbered 115.383 (3) and
20 amended to read:

21 115.383 (3) ~~Ensure~~ The state superintendent shall ensure that within 5 years
22 of the establishment of the system under ~~par. (a) sub. (1), every school district and~~ ✓
23 every charter school is using the system and that, beginning in the 2014-15 school
24 year, every private school participating in a parental choice program under s. 118.60
25 or 119.23 ~~is~~ either using the system under sub. (1) or using a system that is ✓

"must"

"student information"

"(4) Beginning..."

1 ~~commercially available, capable of providing the information required under s.~~
 2 ~~115.39, able to obtain pupil identification numbers under sub. (5), and compatible~~
 3 ~~with the most recent version of the Schools Interoperability Framework.~~ The state
 4 superintendent may promulgate rules authorizing the department **SIF standard unnecessary.**
 5 any person that uses the system. All fees shall be credited to **Commercial products**
 6 account under s. 20.255 (1) (jm). **already meet this standard.**

OK
13
SST

7 SECTION 7. 115.38 of the statutes, as affected by 2013 Wisconsin Act 20, is
 8 repealed.

9 SECTION 8. 115.383 (4) of the statutes is created to read:

10 115.383 (4) A private school participating in a parental choice program under
 11 s. 118.60 or 119.23 ~~is not required to include information about pupils who are not~~
 12 attending the private school under s. 118.60 or 119.23 in the system it is using under
 13 sub. (3). ~~Information included in the system by a private school participating in a~~
 14 ~~parental choice program under s. 118.60 or 119.23 may be used by the department~~
 15 ~~only to issue school reports under s. 115.39, make information available to parents~~
 16 ~~and to the public via the Internet in the same fashion as information about public~~
 17 ~~schools is made available, and identify and share best practices from schools that~~
 18 ~~significantly exceed expectations under s. 115.39.~~

Unnecessary - Act 20 already addressed this.

19 SECTION 9. 115.383 (5) of the statutes is created to read:

20 115.383 (5) The state superintendent shall assign to each pupil attending a
 21 public school, charter school, or private school participating in a parental choice
 22 program under s. 118.60 or 119.23 a unique identification number for use in the
 23 student information system. The state superintendent shall not assign to any pupil
 24 an identification number that is identical to or incorporates the pupil's social security
 25 number.

1 **SECTION 10.** 115.385 of the statutes, as created by 2013 Wisconsin Act 20, is
2 repealed.

3 **SECTION 11.** 115.39 of the statutes is created to read:

4 **115.39 School and school district accountability system.** (1) In this
5 section, "school" means a public school, including a charter school, and a private
6 school participating in a parental choice program under s. 118.60 or 119.23.

7 (2) The department shall establish a comprehensive school and school district
8 accountability system beginning in the 2014-15 school year that includes all of the
9 following components:

10 (a) Multiple measures to determine a school's and school district's performance
11 under s. 118.42, including all of the following categorized by English language
12 proficiency, disability, income level, and race or ethnicity:

13 1. Pupil achievement in reading and mathematics.

14 2. Growth in pupil achievement in reading and mathematics, ~~calculated using~~
15 ~~a value-added methodology.~~ ← **DPI continues to oppose. Cannot use demographic**
16 **controls based on Federal guidance. Will provide**
17 **additional information separately.**

17 college and career readiness in the elementary grades.

✓ 18 4. Gaps in pupil academic achievement and rates of graduation.

19 5. Pupil [↑] **"closure"** ~~engagement~~ in school.

20 (b) Measures to ensure that all data elements collected and calculations
21 performed are done consistently and in a uniform manner for all schools. The
22 department shall uniformly adjust the weighting of scores for schools that do not
23 generate all of the data elements.

24 (c) An index system to rate a school's and a school district's level of performance
25 as one of the following:

- 1 1. Significantly exceeds expectations.
- 2 2. Exceeds expectations.
- 3 3. Meets expectations.
- 4 4. Meets few expectations.
- 5 5. Fails to meet expectations.

6 **(3) The department shall do all the following:**

7 (a) Except as provided in sub. (6), based on data derived from multiple school
8 years, unless there is insufficient data to do so, annually rate the performance of each
9 school and school district under sub. (2) (c) and issue an accountability report for the
10 school or school district that is clear and easily understandable.

11 (b) 1. Collect and disseminate the best practices from the schools ~~that~~
 12 ~~significantly exceed expectations~~, except that the department may not collect
 13 information for this purpose from **Unnecessary. What about best** in a parental choice
 14 program under s. 118.60 or 119.23 **practices from focus or rapidly**
 15 **improving schools?** consent.

16 2. Identify opportunities to support and intervene in the public schools and
17 school districts that fail to meet expectations.

18 (c) Specify in the report for a private school participating in a parental choice
19 program under s. 118.60 or 119.23 the percentage of pupils attending the school who
20 are attending under the parental choice program.

21 (d) ~~Ensure that a subgroup with a sufficient number of pupils within a school~~
 22 ~~or school district is compared to the statewide performance of pupils who are not in~~
 23 ~~that subgroup~~ ← **Probably makes more sense in the Gap Closing Section**

24 (4) The department may use only the following information for each measure
specified in sub. (2) (a):

*what's the
mean?*

where?

1 (a) For measuring pupil achievement in reading and mathematics under sub.

2 (2) (a) 1.:

3 1. Scores on the reading and mathematics examinations administered under
4 s. 118.30, other than the scores under subd. 2.

5 2. Scores on the alternate reading and mathematics examinations
6 administered under s. 118.30 to children with significant cognitive disabilities.

7 3. The disability status of pupils taking the examinations under s. 118.30.

8 4. The grade level of pupils taking the examinations under s. 118.30.

9 5. The race or ethnicity of pupils taking the examinations under s. 118.30.

10 6. The English proficiency status of pupils taking the examinations under s.
11 118.30.

12 7. The eligibility for a free or reduced-price lunch under 42 USC 1758 (b) of
13 pupils taking the examinations under s. 118.30.

14 8. The United States residency status of pupils taking the examinations under
15 s. 118.30.

16 9. The enrollment status and history of pupils attending the school or school
17 district.

18 (b) For measuring growth in pupil achievement in reading and mathematics
19 under sub. (2) (a) 2., the information under par. (a) 1. and 3. to 9. for at least 2
20 consecutive

Make this subsection "(d)" and then merge the 'student engagement' data elements

21 (e) For measuring college and career readiness under sub. (2) (a) 3.:

22 1. The information under par. (a).

23 2. ~~The number of~~ pupils who are dropouts, as defined in s. 118.153 (1) (b).

~~Data about~~

Pupil-level data about

(do globally)

1 3. ~~The number of~~ pupils who graduate from high school with a regular diploma
2 within 4 school years and the number of pupils who graduate from high school with
3 a regular diploma within 5 or 6 school years.

4 4. ~~Of those pupils who are eligible to take the examinations administered under~~
5 ~~s. 118.30, the number who take them.~~

5. Scores on the examinations administered to pupils under s. 118.30.

****NOTE: ~~Should this subdivision refer only to scores on the reading and
mathematics examinations? See sub. (4) (a) 1., (b), (c) 1., and (d) 1. Note that subd. 1.
specifies that the department may use information under par. (a), which includes scores
on the reading and mathematics examinations administered under s. 118.30.~~

6. ~~The number of~~ pupils who are suspended or expelled from school.

7 7. ~~The number of~~ pupils and the number of high school graduates enrolled in
8 postsecondary educational programs.

"courses in which they can earn postsecondary credit and their performance in those courses."

8. ~~The number of~~ pupils participating in ~~adva~~

9. ~~The number of~~ high school graduates entering the workforce.

Make this subsection "(c)"

(a) For measuring gaps in pupil academic achievement under sub. (2) (a) 4.:

- 1. The inf **Merge with new subsection "(d)" - combining the 'student engagement' and 'college and career readiness' data elements into one subsection. Include both headers.**
- 2. The inf

(e) For measuring pupil engagement in school under sub. (2) (a) 5.:

- 1. The information under pars. (a) 9. and (c) 2.
- 2. The number of pupils participating in advanced placement courses.

3. ~~The number of~~ pupils who are suspended or expelled, the reasons for the suspension or expulsion, and the educational services and programs provided to expelled pupils.

"physical education"

- 4. ~~The number of~~ pupils participating in art and music classes.
- 5. ~~The number of~~ pupils who attain industry-recognized certifications.
- 6. ~~The number of~~ habitual truants, as defined in s. 118.16 (1) (a).

9. Pupils who are career and technical education (CTE) concentrators.
10. Student performance on postsecondary entrance or placement exams.

Jeff
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delete P. 5
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1 7. The number of pupils participating in extracurricular and community
2 activities.

3 8. The number of pupils taking the military readiness examination.

4 (4m) For a private school participating in a parental choice program under s.
5 118.60 or 119.23, the department may use for each measure specified in sub. (2) (a)
6 only the information specified in sub. (4) that pertains to pupils attending the private
7 school under the program.

8 (5) Each school and school district shall display prominently on the home page
9 of its Internet site the reports issued by the department under this section.

10 (6) A school board, a charter school established under s. 118.40 (2r), or a private
11 school participating in a parental choice program under s. 118.60 or 119.23 may

12 receive an alternate rating if there is insufficient student data or if the school serves an
13 at-risk population under s. 118.153

14
15 ~~rating, the department may approve the request.~~ The department shall nevertheless
16 issue an accountability report for the school with a rating of satisfactory or needs
17 improvement.

18 SECTION 12. 118.125 (4) of the statutes is amended to read:

19 118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district, a
20 charter school established under s. 118.40 (2r), and a private school participating in
21 the a parental choice program under s. 118.60 or in the program under s. 119.23 shall
22 transfer to another school, including a private, charter, or tribal school, or school
23 district all pupil records relating to a specific pupil if the transferring school district
24 or private school has received written notice from the pupil if he or she is an adult
25 in the other school or school district or written notice from the other school or school

*DP? divides
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receives
this?*

what's this?

KST

1 district that the pupil has enrolled or from a court that the pupil has been placed in
2 a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured residential
3 care center for children and youth, as defined in s. 938.02 (15g). In this subsection,
4 "school" and "school district" include any juvenile correctional facility, secured
5 residential care center for children and youth, adult correctional institution, mental
6 health institute, or center for the developmentally disabled that provides an
7 educational program for its residents instead of or in addition to that which is
8 provided by public, private, and tribal schools.

9 SECTION 13. 118.40 (2r) (b) 1. (intro.) of the statutes is amended to read:

10 118.40 (2r) (b) 1. (intro.) ~~All~~ Any of the following entities may establish by
11 ~~charter and operate a charter school or, on behalf of their respective entities, may~~
12 ~~initiate a~~ contract with ~~an individual or group~~ a person to operate ~~a school as a~~
13 charter school:

14 SECTION 14. 118.40 (2r) (b) 2. of the statutes is amended to read:

15 118.40 (2r) (b) 2. ~~A charter shall include all of the provisions specified under~~
16 ~~sub. (1m) (b) 3. to 14.~~ A contract shall include all of the provisions specified under
17 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter
18 school on the liability of the contracting entity under this paragraph. The contract
19 may include other provisions agreed to by the parties. The chancellor of the
20 University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may
21 ~~not establish or enter into a contract for the establishment of a charter school under~~
22 this paragraph without the approval of the board of regents of the University of
23 Wisconsin System.

24 SECTION 15. 118.40 (2r) (b) 2m. of the statutes is amended to read:

1 118.40 (2r) (b) 2m. a. A ~~charter or~~ contract may include grounds for expelling
2 a pupil from the charter school.

3 b. If the ~~charter or~~ contract includes grounds for expelling a pupil from the
4 charter school as permitted under subd. 2m. a., the ~~charter or~~ contract shall include
5 the procedures to be followed by the charter school prior to expelling a pupil.

6 **SECTION 16.** 118.40 (2r) (b) 4. of the statutes is amended to read:

7 118.40 (2r) (b) 4. No ~~chartering or~~ contracting entity under subd. 1. may
8 ~~establish or~~ enter into a contract for the establishment of a virtual charter school.

9 **SECTION 17.** 118.40 (2r) (bm) of the statutes, as affected by 2013 Wisconsin Act
10 20, is amended to read:

11 118.40 (2r) (bm) The common council of the city of Milwaukee and the
12 Milwaukee area technical college district board may ~~establish or enter into a~~
13 contract for the establishment of a charter school located only in the school district
14 operating under ch. 119. The chancellor of the University of Wisconsin-Milwaukee
15 may ~~establish or enter into a~~ contract for the establishment of a charter school
16 located only in Milwaukee County or in an adjacent county. The chancellor of the
17 University of Wisconsin-Parkside may only ~~establish or enter into a~~ contract for the
18 establishment of a charter school located in a unified school district that is located
19 in the county in which the University of Wisconsin-Parkside is situated or in an
20 adjacent county.

21 **SECTION 18.** 118.40 (2r) (cm) of the statutes is amended to read:

22 118.40 (2r) (cm) The chancellor of the University of Wisconsin-Parkside may
23 ~~establish or enter into a~~ contract for the establishment of only one charter school
24 under this subsection, which may not operate high school grades and which may not
25 accommodate more than 480 pupils.

1 **SECTION 19.** 118.40 (2r) (d) (intro.) of the statutes is amended to read:

2 118.40 (2r) (d) (intro.) The ~~chartering or~~ contracting entity under par. (b) shall
3 do all of the following:

4 **SECTION 20.** 118.40 (3) (e) of the statutes is amended to read:

5 118.40 (3) (e) When ~~establishing or~~ contracting for the establishment of a
6 charter school under this section, a school board or entity specified under sub. (2r)
7 (b) shall consider the principles and standards for quality charter schools established
8 by the National Association of Charter School Authorizers.

9 **SECTION 21.** 118.40 (3) (f) of the statutes is created to read:

10 118.40 (3) (f) 1. A contract with a school board or an entity under sub. (2r) (b)
11 shall specify that if the department determines under s. 115.39 (3) that the charter
12 school has performed at the lowest performance level for 3 consecutive school years,
13 the school board or entity under sub. (2r) (b) shall require that a remediation plan,
14 approved by the school board or entity, be implemented by the charter school
15 operator.

16 2. The school board or entity under sub. (2r) (b) shall provide the department
17 with a copy of any remediation plan approved under subd. 1.

18 **SECTION 22.** 118.40 (4) (c) of the statutes is amended to read:

19 118.40 (4) (c) *Single-sex schools and courses.* A school board ~~may enter into a~~
20 ~~contract for, and an~~ or entity under sub. (2r) may ~~establish or enter into a~~ contract
21 for, the establishment of a charter school that enrolls only one sex or that provides
22 one or more courses that enroll only one sex if the school board or entity under sub.
23 (2r) makes available to the opposite sex, under the same policies and criteria of
24 admission, schools or courses that are comparable to each such school or course.

25 **SECTION 23.** 118.40 (5) of the statutes is renumbered 118.40 (5) (a).

1 **SECTION 24.** 118.40 (5) (b) of the statutes is created to read:

2 118.40 (5) (b) A school board or entity under sub. (2r) that has contracted for
3 the establishment of a charter school shall revoke the school's charter if the operator
4 of the charter school implemented a remediation plan under sub. (3) (f) 1. but the
5 school failed to improve to at least the performance level specified in s. 115.39 (2) (c)
6 4. within 3 school years. If a charter school that has had its charter revoked under
7 this paragraph reopens as a private school, it may not participate in a parental choice
8 program under s. 118.60 or 119.23.

9 **SECTION 25.** 118.42 (1) (intro.) of the statutes is amended to read:

10 118.42 (1) (intro.) If the state superintendent determines that a school district
11 ~~has been in need of improvement performed at the lowest performance level under~~
12 ~~s. 115.39 for 4 3 consecutive school years, the school board shall do~~ all of the following
13 ~~apply:~~


14 **SECTION 26.** 118.42 (1) (a) to (d) of the statutes are renumbered 118.42 (1) (am)
15 2. to 5.

16 **SECTION 27.** 118.42 (1) (am) (intro.) and 1. of the statutes are created to read:

17 118.42 (1) (am) (intro.) The school board shall do all of the following:

18 1. Complete a department-approved diagnostic review of the school district to
19 determine the causes of the school district's poor performance and relevant
20 mitigating factors.

21 **SECTION 28.** 118.42 (1) (bm) (intro.) of the statutes is created to read:

22 118.42 (1) (bm) (intro.) After consulting with the school board "may"  the school
23 district administrator, and school district employees, the state superintendent ~~shall~~
24 direct the school board to do one or more of the following in the school district:

25 **SECTION 29.** 118.42 (1) (cm) of the statutes is created to read:

1 118.42 (1) (cm) Nothing in this subsection authorizes the department to
2 require, or a school board to implement, an action that would result in an impairment
3 of the school board's contract with a charter school operator.

4 **SECTION 30.** 118.42 (2) of the statutes is repealed.

5 **SECTION 31.** 118.42 (2m) of the statutes is created to read:

6 118.42 (2m) If the state superintendent determines that a public school,
7 excluding a charter school, has performed at the lowest performance level under s.
8 115.39 for 3 consecutive school years, all of the following apply:

9 (a) The school board shall do all of the following:

10 1. Complete a department-approved, on-site, diagnostic review of the school
11 to determine the causes of the school's poor performance and relevant mitigating
12 factors.

13 2. Based on the results of the diagnostic review under subd. 1., implement
14 department-approved improvement activities that are consistent with federal
15 improvement requirements ~~or~~ close the school.

16 (b) After consulting with the school board, the school district administrator,
17 and school district employees, the state superintendent ^{"may"} ~~shall~~ direct the school board
18 to do one or more of the following in the school:

19 1. Implement or modify activities described in par. (a).

20 2. Implement a new or modified instructional design, which may include
21 expanded school hours or additional pupil supports and services.

22 3. Implement professional development programs that focus on improving
23 pupil academic achievement.

24 4. Implement changes in administrative and personnel structures.

1 5. Adopt accountability measures to monitor the school district's finances or to
2 monitor other interventions directed by the state superintendent under subds. 1. to
3 4.

4 **SECTION 32.** 118.42 (3) (a) (intro.) of the statutes is repealed.

5 **SECTION 33.** 118.42 (3) (a) 1. of the statutes is renumbered 118.42 (1) (bm) 1.
6 and amended to read:

7 118.42 (1) (bm) 1. Implement ~~or modify~~ activities described in ~~sub. (1) (a) to (d)~~
8 par. (am).

9 **SECTION 34.** 118.42 (3) (a) 2. to 5. of the statutes are renumbered 118.42 (1) (bm)
10 2. to 5.

11 **SECTION 35.** 118.42 (3) (b) and (c) of the statutes are repealed.

12 **SECTION 36.** 118.42 (4) and (5) of the statutes are repealed.

13 **SECTION 37.** 118.60 (9m) of the statutes is created to read:

14 118.60 (9m) (a) If the department determines under s. 115.39 (3) that a private
15 school participating in the program under this section has performed at the lowest
16 performance level for 3 consecutive school years, the private school shall request its
17 accrediting agency to review the school's accreditation. If the accrediting agency
18 refuses to do so, or if the accrediting agency agrees to do so and as a result revokes
19 the private school's accreditation, the state superintendent shall issue an order,
20 effective on the succeeding July 1, permanently barring the private school from
21 participating in the program under this section.

22 (b) If the accrediting agency agrees to review the private school's accreditation
23 and develops a plan that will enable the private school to maintain its accreditation,
24 the private school shall implement the plan. The state superintendent shall issue
25 an order, effective on the succeeding July 1, permanently barring the private school

1 from participating in the program under this section unless, within 3 school years,
2 the accrediting agency reaffirms the private school's accreditation and the private
3 school improves to at least the performance level specified in s. 115.39 (2) (c) 4.

4 (c) A private school that has been barred from participating in the program
5 under this section under par. (a) or (b) may not reopen as a charter school.

6 SECTION 38. 118.60 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
7 20, is amended to read:

8 118.60 (10) (c) Whenever the state superintendent issues an order under par.
9 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
10 guardian of each pupil attending the private school under this section.

11 SECTION 39. 118.60 (10) (d) of the statutes is amended to read:

12 118.60 (10) (d) The state superintendent may withhold payment from a private
13 school under subs. (4) and (4m) if the private school violates this section or fails to
14 participate in the student information system as required under s. 115.383 (3).

15 SECTION 40. 119.04 (1) of the statutes, as affected by 2013 Wisconsin Act 20,
16 is amended to read:

17 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
18 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
19 115.345, 115.363, 115.365 (3), ~~115.38 (2)~~, ~~115.383~~, ~~115.39~~, 115.415, 115.445, 118.001
20 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to
21 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
22 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245,
23 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52,
24 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2)

1 (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),
2 and 120.25 are applicable to a 1st class city school district and board.

3 **SECTION 41.** 119.23 (9m) of the statutes is created to read:

4 119.23 (9m) (a) If the department determines under s. 115.39 (3) that a private
5 school participating in the program under this section has performed at the lowest
6 performance level for 3 consecutive school years, the private school shall request its
7 accrediting agency to review the school's accreditation. If the accrediting agency
8 refuses to do so, or if the accrediting agency agrees to do so and as a result revokes
9 the private school's accreditation, the state superintendent shall issue an order,
10 effective on the succeeding July 1, permanently barring the private school from
11 participating in the program under this section.

12 (b) If the accrediting agency agrees to review the private school's accreditation
13 and develops a plan that will enable the private school to maintain its accreditation,
14 the private school shall implement the plan. The state superintendent shall issue
15 an order, effective on the succeeding July 1, permanently barring the private school
16 from participating in the program under this section unless, within 3 school years,
17 the accrediting agency reaffirms the private school's accreditation and the private
18 school improves to at least the performance level specified in s. 115.39 (2) (c) 4.

19 (c) A private school that has been barred from participating in the program
20 under this section under par. (a) or (b) may not reopen as a charter school.

21 **SECTION 42.** 119.23 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
22 20, is amended to read:

23 119.23 (10) (c) Whenever the state superintendent issues an order under par.
24 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
25 guardian of each pupil attending the private school under this section.

1 **SECTION 43.** 119.23 (10) (d) of the statutes is amended to read:

2 119.23 (10) (d) The state superintendent may withhold payment from a private
3 school under subs. (4) and (4m) if the private school violates this section or fails to
4 participate in the student information system as required under s. 115.383 (3).

5 **SECTION 44.** 120.12 (26) of the statutes is created to read:

6 120.12 (26) STAFFING AND FINANCIAL DATA. Upon request, provide to the
7 department any staffing or financial data that the department needs to comply with
8 state or federal reporting requirements.

9 **SECTION 45.** 121.006 (2) (d) of the statutes is amended to read:

10 121.006 (2) (d) Comply with a directive issued by the state superintendent
11 under s. 118.42 (3) ~~(a) or (1) (bm) or (2m) (b).~~

12 **SECTION 46.** 121.02 (1) (o) of the statutes is amended to read:

13 121.02 (1) (o) Annually comply with the requirements of s. ~~115.38 (2).~~ The
14 ~~school board may include additional information in the report under s. 115.38 (2)~~
15 115.39 (5).

16 **SECTION 47. Nonstatutory provisions.**

17 (1) MILWAUKEE PUBLIC SCHOOLS. Notwithstanding section 118.42 (1) (intro.) and
18 (am) of the statutes, as affected by this act, for the purpose of section 118.42 of the
19 statutes, as affected by this act, the department of public instruction shall treat the
20 school district operating under chapter 119 of the statutes as if it performed at the
21 lowest performance level under section 115.39 of the statutes, as created by this act,
22 for the 3 consecutive school years immediately preceding the school year in which
23 this subsection takes effect.

24 **SECTION 48. Initial applicability.**

G

Archibald, Sarah

From: Pertl, Jeff DPI <Jeff.Pertl@dpi.wi.gov>
Sent: Tuesday, July 23, 2013 9:40 AM
To: Grant, Peter
Cc: Archibald, Sarah; Kulow, Chris
Subject: FW: Page 8, lines 4-5

Peter,

In response to your question, Laura provided the following language.

Jeff

From: Pinsonneault, Laura S. DPI
Sent: Tuesday, July 23, 2013 9:38 AM
To: Pertl, Jeff DPI
Subject: RE: Page 8, lines 4-5

This is a tricky one. In short, no, I don't think number is correct. This is referencing test participation, which we really calculate based on the test records that we have from the vendor. I'm not sure the best way to word this, maybe "the assessment records for all pupils who are eligible to take examinations administered under s. 118.30."

From: Pertl, Jeff DPI
Sent: Monday, July 22, 2013 2:12 PM
To: Pinsonneault, Laura S. DPI
Subject: Page 8, lines 4-5
Importance: High

Laura,

We specifically mention "4. Of those pupils who are eligible to take the examinations administered under s. 118.30, the number who take them."

In this case, is 'number' correct?

Jeff

J. Jeffrey Pertl
Policy Advisor & Federal Funds Trustee
Wisconsin Department of Public Instruction
(608) 267-9232 office
(608) 772-2907 cell
jeff.pertl@dpi.wi.gov

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