

2013 DRAFTING REQUEST

Bill

Received: 1/26/2013 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Leah Vukmir (608) 266-2512 By/Representing: Jason Rostan
May Contact: Drafter: tkuczens
Subject: Education - choice programs Addl. Drafters:
Extra Copies: pg, flk

Submit via email: YES
Requester's email: Sen.Vukmir@legis.wisconsin.gov
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Choice programs -- requirements to maintain accreditation and requirements for new private schools

Instructions:

See attached (change requester from Olsen to Vukmir per 2/5/14 email)

Drafting History:

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A+
Intro.

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re-submitted
(paper & e-mail)

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 For: **Luther Olsen (608) 266-0751** By/Representing: **Sarah Archibald**
 May Contact: Drafter: **tkuczens**
 Subject: **Education - choice programs** Addl. Drafters:
 Extra Copies: **pg, ffk**

Submit via email: **YES**
 Requester's email: **Sen.Olsen@legis.wisconsin.gov**
 Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**
sarah.archibald@legis.wisconsin.gov

Pre Topic:

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Topic:

Choice programs -- requirements to maintain accreditation

Instructions:

See attached

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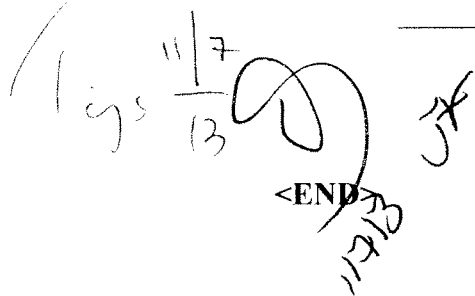
See attached

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 A handwritten signature, possibly 'Tigs', is written over the date '11/7/13'. Below the signature, the word '<END>' is written, followed by the date '11/7/13' and a checkmark.

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/P5 10/15 Jim 10/15 Jim + JB 10/16
 gjs 13 <END>

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Handwritten notes:
P3 js 5/31/13
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P2 ejs
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Jim 3/21
Joseph 3/21
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/?	tkuczens	↑ jgs 1/31 13	9 36 21	_____	_____	_____	_____

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<END>

Notes taken during
t. conf. w/ Sarah Anselmi

Maintain Accreditation Proposal

Problem

Currently schools in the Milwaukee Parental Choice Program (MPCP) and the Parental Private School Choice Program in Racine are required to achieve accreditation in three years after first participating in the program. However, schools are not required to maintain accreditation after first achieving it. This means that if a school loses its accreditation status DPI does not have the authority to remove the school from the program. Recently, an accreditation agency denied accreditation for a few schools in the program. DPI has stated it does not have the authority to remove these schools from the program for this reason.

not
denied
revoked
or
lapsed

Solution

Add language to the statutes requiring a private school that participates in either program to "maintain accreditation." Allow DPI to remove a school from the program that does not meet this standard.

Rationale

Requiring schools in both programs to both achieve and maintain accreditation in good standing is a common sense targeted accountability measure that allows qualified private school accrediting agencies to hold private schools accountable.

beginning 2nd participation
2013-14

Summary of Proposed Drafting Instructions

To participate in the program a school must maintain accreditation. If a school's accreditation is denied and the school is no longer accredited by an agency listed in statute prior to June 30, 2013 the Department of Public Instruction shall remove the school from the program on June 30, 2013. If a school's accreditation is denied and it is no longer accredited by an agency listed in statute after June 30, 2013, the Department of Public Instruction shall immediately remove the school from the program. If a school's accreditation is denied and it is removed from the program, the school is not eligible to participate in the program until it receives accreditation from an agency listed in statute separate from the agency that revoked its accreditation. This section does not apply to schools previously exempt through PAVE until January 1, 2016.

early p.s.
And currently
not by DPI of id
acc. status
Macht.
fory
found

If a school withdraws from the accreditation process and this withdrawal results in the school no longer being accredited by an agency listed in statute, the Department of Public Instruction shall immediately remove the school from the program.

As of the passage of ACT X the Department of Public Instruction must inform every school that participates in the program within 14 days of its accreditation status. A school that was not currently accredited or withdrew from the accreditation process prior to the passage of this act and as a result is not currently accredited by an agency listed in statute

(as required under
the act.)

of what?
within 45 days, which
would
include
letter
from
accrediting
agency

within 45 days after eff. date,
participating p.s. must notify DPI
and include at least notification
a letter from an accrediting agency

revised
or
lapsed
N.S.?
*
how
difficult
why does DPI
need to
inform?
why not the
act?

if school fails to comply, school shall be ~~removed~~ ^{removed from program}
 the core of ~~the~~ ^{of} ~~the~~ ^{the} ~~school~~ ^{school} year of June 30, 2013 which ~~is~~ ^{is} ~~terminated~~ ^{terminated} from the program at the end of year

includes
 end of
 school

Have it
 prove it
 terminated

~~has 30 days to provide the Department with written notification from its accrediting agency that it is accredited. If the school fails to provide written notification that it is accredited by an agency listed in statute the Department shall immediately remove the school from the program.~~ This provision does not apply to schools previously exempt through pave. This provision does not apply to preaccredited schools that are in their three-year window to attain accreditation for the first time. This provision does not apply to preaccredited schools entering the program for the first time.

That have not
 been subsequently
 accredited

Proposal for Drafting Language Instructions

- Add the language in bold and italics in the statutes below.

119.23 (2)(a)7.a. Subject to subd. 7. c. and d., for a private school participating in the program under this section on July 1, 2009, the private school achieves accreditation by Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31 of the 3rd school year following the first school year that begins after June 30, 2006, in which it participates in the program under this section **and the private school maintains accreditation.** If the private school is accredited as provided under this subd. 7. a., the private school is not required to obtain preaccreditation under subd. 7. b. as a prerequisite to providing instruction under this section in additional grades or in an additional or new school. **After December 31 of the 3rd school year following the first school year that begins after June 30, 2006 if a school's accreditation is denied and the school is no longer accredited by an agency listed in statute prior to June 30, 2013 the Department of Public Instruction shall remove the school from the program on June 30, 2013. If a school's accreditation is denied and it is no longer accredited by an agency listed in statute after June 30, 2013, the Department of Public Instruction shall immediately remove the school from the program. If a school's accreditation is denied and it is removed from the program, the school is not eligible to participate in the program until it receives accreditation from an agency listed in statute separate from the agency that revoked its accreditation. If a school withdraws from the accreditation process and this withdrawal results in the school no longer being accredited by an agency listed in statute, the Department of Public Instruction shall immediately remove the school from the program.**

move to
 (10)?

removed
 by an organization
 identified under
 (2)(a)7.a?

move to (10)?

after then the school is no longer accredited

b. Subject to subd. 7. c. and d., for a private school that is a first-time participant in the program under this section on or after July 1, 2009, and that is not accredited as provided under subd. 7. a., the private school obtains preaccreditation by the Institute for the Transformation of Learning at Marquette University, Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, or the diocese or archdiocese

d. by
 (6m)(c)?
 (2)(a)(6m)

in 7m(1)(A) participating school has attained accreditation as required under subd. 7. a. after the school has been accredited by an agency listed in statute under (2)(a)7. a.

within which the private school is located by August 1 before the first school term of participation in the program under this section that begins after July 1, 2009, or by May 1 if the private school begins participating in the program during summer school. In any school year, a private school may apply for and seek to obtain preaccreditation from only one of the entities enumerated in this subd. 7. b. *(A private school that fails to obtain accreditation in a school year may apply for and seek to obtain preaccreditation from one of the entities enumerated in this subd. 7. b. in the following school year.)* The private school shall achieve accreditation by Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31 of the 3rd school year following the first school year that begins after July 1, 2009, in which it participates in the program under this section **and the private school maintains accreditation.** If a private school is accredited under this subd. 7. b., the private school is not required to obtain preaccreditation as a prerequisite to providing instruction under this section in additional grades or in an additional or new school. ***After December 31 of the 3rd school year following the first school year that begins after June 30, 2006 if a school's accreditation is denied and the school is no longer accredited by an agency listed in statute prior to June 30, 2013 the Department of Public Instruction shall remove the school from the program on June 30, 2013. If a school's accreditation is denied and it is no longer accredited by an agency listed in statute after June 30, 2013, the Department of Public Instruction shall immediately remove the school from the program. If a school's accreditation is denied and it is removed from the program, the school is not eligible to participate in the program until it receives accreditation from an agency listed in statute separate from the agency that revoked its accreditation. If a school withdraws from the accreditation process and this withdrawal results in the school no longer being accredited by an agency listed in statute, the Department of Public Instruction shall immediately remove the school from the program.***

Questions
toward
John

4915 M
Sec. (7)(f)
?

c. On or after July 1, 2009, a private school participating or seeking to participate in the program under this section may not apply for accreditation by the Institute for the Transformation of Learning at Marquette University, except that a private school that has applied for accreditation to the Institute for the Transformation of Learning at Marquette University before July 1, 2009, may complete the accreditation process with the Institute for the Transformation of Learning at Marquette University, and may seek renewal of accreditation from the Institute for the Transformation of Learning at Marquette University.

d. For a private school that was approved for scholarship funding for the 2005-06 school year by Partners Advancing Values in Education and is participating in the program under this section on November 19, 2011, the private school achieves accreditation by Wisconsin North Central Association, Wisconsin Religious and Independent Schools

Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, the diocese or archdiocese within which the private school is located, or any other organization recognized by the National Council for Private School Accreditation, by December 31, 2015 **and the private school maintains accreditation.** If the private school is accredited as provided under this subd. 7. d., the private school is not required to obtain preaccreditation under subd. 7. b. as a prerequisite to providing instruction under this section in additional grades or in an additional or new school. **Beginning January 1, 2016 if a school's accreditation is denied and it is no longer accredited by an agency listed in statute, the Department of Public Instruction shall immediately remove the school from the program. If a school's accreditation is denied and it is removed from the program, the school is not eligible to participate in the program until it receives accreditation from an agency listed in statute separate from the agency that revoked its accreditation. If a school withdraws from the accreditation process and this withdrawal results in the school no longer being accredited by an agency listed in statute, the Department of Public Instruction shall immediately remove the school from the program.**

e. As of the passage of ACT X the Department of Public Instruction must inform every school that participates in the program within 14 days of its accreditation status. A school that was denied accreditation or withdrew from the accreditation process prior to the passage of this act and as a result is not currently accredited by an agency listed in statute has 30 days to provide the Department with written notification from its accrediting agency that it is accredited. If the school fails to provide written notification that it is accredited by an agency listed in statute the Department shall immediately remove the school from the program. This provision does not apply to schools under 119.23 (2)(a)7.d. This provision does not apply to preaccredited schools before December 31 of the 3rd school year following the first school year that begins. If a school was accredited by the Institute for the Transformation of Learning or another agency that no longer accredits schools in the program the school has until December 31, 2013 to apply for accreditation with another agency listed in statute. The school must be accredited within three years and maintain accreditation to remain in the program.

119.23(7)(f) A private school that is neither accredited nor approved under sub. (2) (a) 7., and to which either of the following applies, shall apply for accreditation by December 31 of the school year in which it enters or reenters the program under this section **and the private school maintains accreditation.**

1. The private school did not participate in the program under this section during the 2005-06 school year.
2. The private school participated in the program under this section during the 2005-06 school year but did not participate in the program during the 2006-07 school year

***119.23(9)** If any accrediting agency specified under sub. (2) (a) 7. a., b., or d. determines during the accrediting or preaccrediting process that a private school does not

done in 119.23

119.23(7)(f) shall be removed from the program if not accredited by 12/31/15 and shall be removed from the program if not accredited by 12/31/15

school participating in the program

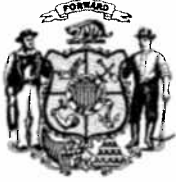
by 12/31/15 the school must be accredited by 12/31/15

meet all of the requirements under s. 118.165 (1) *determines that a private school is denied accreditation, or determines that a private school withdrew from the accreditation process* it shall report that failure to the department.

- Add a number 4 to 119.23(10).(am) that states "The private school is denied accreditation and as a result is not accredited by an agency listed in statute as prescribed in 119.23 (2)(a)7" (the accreditation requirements)
- Make the same changes, as needed, to 118.60

Language 119-23(7)f)
should be copied in
118.60
No specific agency list
requirements are ditated
in the RAB program

Talk to Bob S. or Brian P.?



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1358/P1

TKK:.....

FRI

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

g's

in 1/29/13
wanted by 2/1/13

SALX
x-refs II

Coer
Cat

1 AN ACT Coer; relating to: requiring private schools participating in the choice
2 program to maintain accreditation.

Analysis by the Legislative Reference Bureau

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

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

3 SECTION 1. 118.60 (7) (ad) of the statutes is created to read:
4 118.60 (7) (ad) 1. The governing body of a participating private school
5 accredited as required under sub. (2) (a) 7. shall ensure that the private school
6 continuously maintains accreditation from an entity or organization identified
7 under sub. (2) (a) 7. as long as the private school continues to participate in the
8 program under this section.

9 2. If the state superintendent determines that a participating private school
10 has failed or is unable to maintain accreditation as required under subd. 1., that the

1 governing body of the private school has withdrawn the private school from the
 2 accreditation process, or that the private school's accreditation has been revoked by
 3 one of the entities or organizations identified in sub. (2) (a) 7., the state
 4 superintendent shall issue an order immediately terminating the private school's
 5 participation in the program under this section.

6 3. A private school whose participation is terminated under subd. 2. may not
 7 participate in the program under this section until the ^{governing body of the} private school demonstrates
 8 to the satisfaction of the department that it has obtained accreditation from an
 9 accrediting entity or organization identified under sub. (2) (a) 7. other than the entity
 10 or organization from which the private school's accreditation had lapsed or, if the
 11 private school's accreditation was revoked, other than the entity or organization that
 12 revoked the private school's accreditation.

13 SECTION 2. 118.60 (7) (em) of the statutes is created to read:

14 118.60 (7) (em) 1. Subject to subd. 2., beginning in the 2013-14 school year, the
 15 governing body of each participating private school shall, by March 1, annually
 16 provide the department with evidence demonstrating that the private school
 17 remains accredited as required under sub. (7) (ad). The governing body shall include
 18 as evidence of accreditation a letter prepared by one of the accrediting entities or
 19 organizations identified under sub. (2) (a) 7. that confirms that the private school is
 20 accredited by that entity or organization as of the date of the letter.

par.

21 2. A participating private school shall immediately notify the department if its
 22 accreditation by one of the entities or organizations identified under sub. (2) (a) 7.
 23 is revoked by that entity or organization.

24 SECTION 3. 118.60 (10) (a) 6. of the statutes is amended to read:

- 3 - (meaning from March 1 onward through the remainder of the school year)

1 118.60 (10) (a) 6. Failed to comply with the requirements under sub. (7) (b) or
2 (c), or (em).

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).

****NOTE: This subd., and the parallel provision at s. 119.23 (10) (a) 6., permits, but does not require, the state superintendent to prohibit the private school from participating in the choice program in the current school year if the school fails to submit evidence of accreditation by March 1 or fails to immediately notify DPI that its accreditation has been revoked.

LPS:
Please combine these notes components into one note component but continue to show the text as two paragraphs

Do you want to require the state superintendent to remove the private school from the program for failure to comply with these requirements? If so, do you want to prohibit the private school from participating in the current school year or the following school year (compare ss. 118.60 (10) (a) and (am) and 119.23 (10) (a) and (am))?

SECTION 4. 118.60 (10) (c) of the statutes is amended to read:

118.60 (10) (c) Whenever the state superintendent issues an order under sub. (7) (ad) or under par. (a), (am), or (b), he or she shall immediately notify the parent or guardian of each pupil attending the private school under this section.

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).

SECTION 5. 119.23 (7) (ad) of the statutes is created to read:

119.23 (7) (ad) 1. The governing body of a participating private school accredited as required under sub. (2) (a) 7. or (7) (f) shall ensure that the private school continuously maintains accreditation from an entity or organization identified under sub. (2) (a) 7. a. ^{private} as long as the private school continues to participate in the program under this section. ^{for a school to which sub (2)(a) 7 (c) applies}

2. If the state superintendent determines that a participating private school has failed or is unable to maintain accreditation as required under subd. 1., that the governing body of the private school has withdrawn the private school from the accreditation process, or that the private school's accreditation has been revoked by one of the entities or organizations identified in sub. (2) (a) 7. ^{the} the state superintendent shall issue an order immediately terminating the private school's participation in the program under this section.

****NOTE: Do you want to prohibit every private school? This section includes subdivision at university okay? university

the Institute for the Transformation of Learning

~~Handwritten scribbles and notes on the left margin.~~

119

use 2x

2x

1 3. A private school whose participation is terminated under subd. 2. may not
 2 participate in the program under this section until the ^{governing body of the} private school demonstrates
 3 to the satisfaction of the department that it has obtained accreditation from an
 4 accrediting entity or organization identified under sub. (2) (a) 7. a. other than the
 5 entity or organization from which the private school's accreditation had lapsed or, if
 6 the private school's accreditation was revoked, other than the entity or organization
 7 that revoked the private school's accreditation.

8 **SECTION 6.** 119.23 (7) (em) of the statutes is created to read:

9 119.23 (7) (em) 1. Subject to subd. 2., beginning in the 2013-14 school year, the
 10 governing body of each participating private school shall, by March 1, annually
 11 provide the department with evidence demonstrating that the private school
 12 remains accredited as required under sub. (7) (ad). The governing body shall include ^{e par.}
 13 as evidence of accreditation a letter prepared by one of the accrediting entities or
 14 organizations identified under sub. (2) (a) 7. a. ^Kthat confirms that the private school
 15 is accredited by that entity or organization as of the date of the letter.

16 2. A participating private school shall immediately notify the department if its
 17 accreditation by one of the entities or organizations identified under sub. (2) (a) 7.
 18 a. ^Kis revoked by that entity or organization.

19 **SECTION 7.** 119.23 (7) (f) (intro.) of the statutes is amended to read:

20 119.23 (7) (f) (intro.) A private school that is neither accredited nor approved
 21 under sub. (2) (a) 7., and to which either of the following applies, shall apply for
 22 accreditation by December 31 of the school year in which it enters or reenters the
 23 program under this section and shall achieve accreditation by any entity or
 24 organization identified under sub. (2) (a) 7. a. by December 31 of the 3rd school year

27 § ~~Apply~~ for a private school to which sub (2)(a) 7. a. applies, the Institute for the Transformation of Learning at Marquette University ↑

1 following the first school year that begins after July 1, 2013, in which it participates
2 in the program:

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

3 SECTION 8. 119.23 (10) (a) 6. of the statutes is amended to read:

4 119.23 (10) (a) 6. Failed to comply with the requirements under sub. (7) (b) or
5 (c), or (em).

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

6 SECTION 9. 119.23 (10) (c) of the statutes is amended to read:

7 119.23 (10) (c) Whenever the state superintendent issues an order under sub.
8 (7) (ad) or under par. (a), (am), or (b), he or she shall immediately notify the parent
9 or guardian of each pupil attending the private school under this section.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

10 SECTION 10. Nonstatutory provisions.

11 (1) Notwithstanding sections 118.60 (7) (em) 1. and 119.23 (7) (em) 1. of the
12 statutes, as created by this act, within 45 days after the effective date of this
13 subsection, the governing body of each private school participating in the program
14 under section 118.60 or 119.23 of the statutes in the 2012-13 school year shall submit
15 to the department of public instruction evidence demonstrating the accreditation
16 status of the private school. If applicable, the governing body of the participating
17 private school shall include as evidence of accreditation a letter prepared by one of
18 the accrediting entities or organizations identified under section 118.60 (2) (a) 7. or
19 119.23 (2) (a) 7. a. of the statutes that confirms that the private school is accredited
20 by that entity or organization as of the date of the letter.

21 (2) If a private school described in sub. (1) fails to comply with the notification
22 requirement under sub. (1), the state superintendent of the department of public

create "autoreb" X

create autoreb "Z"

3 or 4 for a private school to which section 119.23 (2)(a) 7(a) refers at the statute appears the Institute for the Transformation of Learning at Marquette University

subsection
use autoreb "X"

SECTION 10

terminating

(3) participation

1 instruction shall issue an order barring the private school from participating in the
2 programs under sections 118.60 and 119.23 of the statutes effective July 1, 2013

3 (END)

beginning in the 2013-14 school year ~~PO (#)~~ A private school ~~terminated at 2 for~~ whose participation is terminated under ~~the~~ subsection ~~(1)~~ (2) may not participate in the program under ~~the~~ sections 118.60 or 119.23 of the statutes until the private school has complied with the requirements under section 118.60 (7) (a) 30 or 119.23 (7) (a) 30 of the statutes, as created by this act.

use autoreb Z