

**2013 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-SB286)**

Received: 3/6/2014 Received By: pgrant  
Wanted: As time permits Same as LRB:  
For: Jim Steineke (608) 266-2418 By/Representing:  
May Contact: Drafter: pgrant  
Subject: Education - charter schools Addl. Drafters:  
Education - choice programs  
Education - school boards Extra Copies: TKK  
Education - state superintendent FFK

Submit via email: YES  
Requester's email: Rep.Steineke@legis.wisconsin.gov  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Student information system; school and school district accountability

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 3/7/2014	evinz 3/10/2014		_____			
/1			jmurphy 3/10/2014	_____	lparisi 3/10/2014	lparisi 3/10/2014	

FE Sent For:

<END>

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1?	pgrant	1 eeV 3/10/14	1 eeV 3/10/14	_____	_____	_____	_____

FE Sent For: *8mECH*  
*3/10*

<END>

Draft changes to ASA 2

Page	Section	Recommendation
✓ 9	8	(c) Add: "If a school in the parental choice program under 119.23 or 118.60 does not meet the 20 student minimum to have a report card or if the school will not have a report card issued because it serves students predominately at risk or with special needs, the school is not required to participate in the SIS system and Section 44 does not apply." (Not sure if this should be in this section or in section 16, page 13, lines 20-31) <span style="float: right;">s ~ MI</span>
✓ 9	9	Add the <u>educator effectiveness</u> program to list of recommendations the AAC can make
✓ 13	<del>13</del> , line 16	Change "choice school report" to "private school report"
✓ 15	<del>15</del> , lines 7-8	delete "within 5 to 6 school years" and replace with "and within 6 school years for students with special needs as defined page 16, section 16, line 6."
✓ 15	<del>15</del> , line 15	Delete "approved by the department" and replace with "recommended by the AAC." Delete "all" before the word pupils.
✓ 15	<del>15</del> , line 19	Change department "may" use the data to "shall" use the data
✓ 15	<del>15</del> , line 22	Change the current (c) to a (d) and insert a new (c) which allows private schools to use their percentile rank from a nationally normed test for the students at their school <span style="float: right;"><i>col in 15</i> <i>instead of a grade</i></span>
✓ 15	<del>15</del> , line 22	Change (d) to "To the extent practicable, the department shall use existing data for data collection whenever available and shall develop data collection processes that reduce the administrative burden and cost for private schools participating in the parental choice program under s. 118.60 or 119.23." <span style="float: right;"><i>thru 115</i></span>
✓ 16	<del>16</del> , line 1	Change "shall" to "may" <span style="float: right;"><i>(delete lines 1 &amp; 2)</i></span>
✓ 16	<del>16</del> , line 6	After 118.153(1)(a), add "or students with special needs as defined by For the purposes of the report card a student with special needs shall include one of the following: <ul style="list-style-type: none"> <li>• Students with an IEP,</li> <li>• Students with a "service plan" <span style="float: right;"><i>- check out</i></span></li> <li>• A student with a signed letter from a Medical Doctor (MD), psychiatrist, psychologist, or LCPC counselor that includes the diagnosed special need and any accommodations the child may require for the purposes of taking the standardized state test. A face-to-face assessment must be completed. <span style="float: right;"><i>priv. schools may not have 100%.</i></span></li> </ul>

- ✓ 17 ~~18~~, line 7 Change "eligible for a free or reduced price lunch" to "economically disadvantaged" *under full law* *de out*
- X 22 ~~20~~, lines 3-4 The "required to do so by state law" language needs to make clear that this means that sanctions cannot be implemented unless the legislature passes separate/additional legislation regarding AAC recommendations and giving the department authority to implement sanctions.

✓ 23 ~~21~~, line 3 Add section prior to section 37 called "Early Intervention and Accreditation" with language stating: "Any public school that fails to meet expectations in any year shall immediately seek and maintain accreditation within three years from an approved accrediting agency." (Agencies must be determined and listed in statute.)

*(add  
charter  
to)*

*AAC recommends  
accrediting  
agencies*

✓ 24 ~~22~~, line 7-9 Delete last sentence. Replace with, "A district may not rehire any teacher who scores in the lowest 20% of the teacher effectiveness program under s. 115.415."

*+ can't rehire administrator*

✓ 24 ~~23~~, lines, 14-17 This section should not remove the accreditation requirement from a public school

~~25 ~~24~~, line 24 Change "may" to "shall" No~~

✓ 26 ~~25~~, line 13 Add to "participate in the Student Information System *within two years of a fully operational SIS system as required under s. 115.383 (3).*"

~~27 ~~26~~, line 22 Change "may" to "shall"~~

? 29 ~~28~~, line 22 change on to "after" ?

✓ On page 9, line 17: this draft continues to imply that we collect aggregated data and we do not. Individual student data is collected and reported in the aggregate. Strike "aggregated by school district, school and teacher..."

*dpi* ✓ Page 12, lines 10-11: should say *when available* for graduation rates.

✓ Page 28, lines 24-25: Change school year from 2016-17 to 2015-16

✓ In the public school sanctions section, add language to ensure that the principal will have hiring discretion *new "may pick staff"*

## Grant, Peter

---

**From:** Turke, Jon  
**Sent:** Thursday, March 06, 2014 9:49 AM  
**To:** Grant, Peter  
**Subject:** RE: Accountability

Sounds reasonable

### Jon Turke

Office of Rep. Jim Steineke  
Assistant Majority Leader  
608-266-2418

---

**From:** Grant, Peter  
**Sent:** Thursday, March 06, 2014 9:48 AM  
**To:** Turke, Jon  
**Subject:** RE: Accountability

I'm not going to include the item identified as page 25, line 24, which directs me to change "may" to "shall." This is in a sentence that reads, "...the state superintendent may not...." Here's the reason, from the LRB drafting manual:

Use "no person may" or "a person may not" to forbid behavior. "No person shall" could be interpreted to mean "no person is required to." See *Milwaukee Alliance v. Elections Board*, 106 Wis. 2d 593, 609 (1982).

---

**From:** Turke, Jon  
**Sent:** Thursday, March 06, 2014 9:30 AM  
**To:** Grant, Peter  
**Subject:** Accountability

*also  
p. 27, l. 22*

Hey Peter-

I hate to do this to you, but the Governor's office is requesting the draft on a sooner timeline. If there is any way we could see it by Monday that would be great.

Thanks!

### Jon Turke

Office of Rep. Jim Steineke  
Assistant Majority Leader  
608-266-2418

## Grant, Peter

---

**From:** Turke, Jon  
**Sent:** Thursday, March 06, 2014 3:57 PM  
**To:** Grant, Peter  
**Subject:** RE: Accountability

Good point, but these are almost taken directly from Federal guidelines. Not that they can't be contrary as well...

### Jon Turke

Office of Rep. Jim Steineke  
Assistant Majority Leader  
608-266-2418

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**From:** Grant, Peter  
**Sent:** Thursday, March 06, 2014 2:20 PM  
**To:** Turke, Jon  
**Subject:** RE: Accountability

The draft requires that if a public school is converted to a charter school, the contract must require the charter school operator to reward staff who increase pupil academic achievement. But the draft also requires the school board to ensure that all teachers who had been assigned to the school are dismissed, and prohibits rehiring any teacher who placed in the lowest 20% in the educator effectiveness program. Seems contradictory to me.

---

**From:** Turke, Jon  
**Sent:** Thursday, March 06, 2014 1:21 PM  
**To:** Grant, Peter  
**Subject:** RE: Accountability

Yes that would be great

### Jon Turke

Office of Rep. Jim Steineke  
Assistant Majority Leader  
608-266-2418

---

**From:** Grant, Peter  
**Sent:** Thursday, March 06, 2014 1:21 PM  
**To:** Turke, Jon  
**Subject:** RE: Accountability

Regarding directing the AAC to make recommendations to DPI regarding the educator effectiveness program: I'm putting this in the educator effectiveness statutory section (115.415). Do you want the council to do this by July 1 of each even-numbered year, and to provide copies of its recommendations to the legislative activities, just like their other recommendations?

---

**From:** Turke, Jon  
**Sent:** Thursday, March 06, 2014 10:34 AM  
**To:** Grant, Peter  
**Subject:** RE: Accountability

I am not entirely sure what they are. I'll take a look and get back to you

**Jon Turke**

Office of Rep. Jim Steineke  
Assistant Majority Leader  
608-266-2418

---

**From:** Grant, Peter  
**Sent:** Thursday, March 06, 2014 10:21 AM  
**To:** Turke, Jon  
**Subject:** RE: Accountability

Jon, the senate adopted a couple of amendments to SB 286. Do you want this sub to incorporate them?

---

**From:** Turke, Jon  
**Sent:** Thursday, March 06, 2014 9:57 AM  
**To:** Grant, Peter  
**Subject:** RE: Accountability

Yeah feel free!

**Jon Turke**

Office of Rep. Jim Steineke  
Assistant Majority Leader  
608-266-2418

---

**From:** Grant, Peter  
**Sent:** Thursday, March 06, 2014 9:56 AM  
**To:** Turke, Jon  
**Subject:** RE: Accountability

Regarding the first of DPI's recommendations for changes, in which they want to delete "aggregated by school district, school, and teacher" on page 9, line 17: this is current law. Should I call Jeff Pertl and inform him?

---

**From:** Turke, Jon  
**Sent:** Thursday, March 06, 2014 9:49 AM  
**To:** Grant, Peter  
**Subject:** RE: Accountability

Sounds reasonable

**Jon Turke**

Office of Rep. Jim Steineke  
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**Jon Turke**  
Office of Rep. Jim Steineke  
Assistant Majority Leader  
608-266-2418



3/7/14

① RE principal hiring staff -

special	instrumentality	dis-	from
non	"	"	"

~ instr., principal  
 ~ noninstr. - charter sch. operator

note: pub sch. co. still shift  
 staff around 3e.

② p 28 bottom - p 29 top: delete  
(unnecessary)③ lowest 25% in educator effectiveness -  
statewide or in school?④ incorporate pt 2 to SSA1 to  
 SB 286?  
 No