



## 2013 SENATE BILL 619

February 18, 2014 – Introduced by Senators VUKMIR, FARROW, LAZICH, LEIBHAM, GROTHMAN and TIFFANY, cosponsored by Representatives THIESFELDT, NASS, KNUDSON, J. OTT, TAUCHEN, SPIROS, KNODL, JAGLER, PRIDEMORE, SCHRAA, HUTTON, MURPHY, SANFELIPPO and KULP. Referred to Committee on Education.

- 1     **AN ACT to amend** 118.30 (1); and **to create** 15.07 (2) (fm), 15.375 (1) and 118.301  
2     of the statutes; **relating to:** creating a model academic standards board.

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### *Analysis by the Legislative Reference Bureau*

#### **MODEL ACADEMIC STANDARDS**

The 2013–15 biennial budget act (2013 Wisconsin Act 20) prohibits the Department of Public Instruction (DPI) from taking any further action to implement the common core standards (educational standards developed for kindergarten to grade 12 by the Common Core State Standards Initiative) and from directing school districts to implement further standards until certain conditions have been satisfied. Act 20 provides that any common core standard adopted and implemented by DPI before July 1, 2013, remains in effect and requires DPI to adopt additional college and career readiness standards no later than July 1, 2014.

This bill requires DPI to adopt state standards only after those standards have been developed and approved by the Model Academic Standards Board.

#### **MODEL ACADEMIC STANDARDS BOARD**

The bill creates a Model Academic Standards Board (board) in DPI which comprises the following members: the state superintendent of public instruction, or his or her designee, who serves as cochairperson and who must appoint four members; six members appointed by the governor, one of whom is to serve as cochairperson; one member appointed by each of the senate majority and minority leaders; one member appointed by the speaker of the assembly; and one member appointed by the assembly minority leader. The members appointed by the state

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superintendent must include an individual employed as a principal in a high school, a member of a school board, one individual who is a parent of a pupil enrolled in a public school, and one professor employed at an institution of higher education in this state. The members appointed by the governor must include one teacher employed by a public school, one teacher employed by a private school participating in a parental choice program, one superintendent of a school district, one individual employed as a principal in an elementary school, and one individual who is a parent of a pupil attending a private school under a parental choice program. No member of the board may be a member of the legislature.

Under the bill, the board is charged with developing model academic standards in four discrete subject areas: 1) English, reading, and language arts; 2) mathematics; 3) science; and 4) social studies. To further this objective, the bill requires the board to appoint subject-specific subcommittees in the four subject areas.

The bill requires the board to submit proposed model academic standards in English, reading, and language arts and in mathematics to the state superintendent within 12 months of the enactment of the bill. The bill requires the board to submit proposed model academic standards in science and social studies to the state superintendent within 36 months of the enactment of the bill. In addition, the bill permits, but does not require, the board to submit to the state superintendent proposed model academic standards in additional subject areas, including fine arts and career and technical education.

Under the bill, after the board has submitted its proposed model academic standards to the state superintendent, the state superintendent must, taking into consideration the academic standards submitted by the board, submit its own proposed model academic standards first to the legislative council staff for review and comment and then to the Joint Committee for Review of Administrative Rules (JCRAR). JCRAR must either approve the proposed model academic standards or object to the proposed standards. If JCRAR approves the model academic standards, the state superintendent must adopt the model academic standards. If JCRAR objects to the proposed model academic standards, JCRAR must prepare a bill that incorporates by reference the proposed model academic standards submitted by the board for introduction in both the senate and the assembly.

Under the bill, three public hearings must be held concerning the proposed model academic standards: the board must hold a hearing prior to submitting its proposed standards to the state superintendent; the state superintendent must hold a hearing prior to submitting its proposed standards for review by the legislative council staff; and JCRAR must hold a public hearing prior to approving or objecting to the standards submitted by the state superintendent.

The bill also requires the board to review and update each model academic standard at least once every six years. Finally, the bill requires the board, together with legislative council staff, the state superintendent, and JCRAR to: 1) ensure that the model academic standards do not prescribe curricula to be adopted by school boards; and 2) ensure that the standards establish, in a manner that is clear to

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pupils, parents, and the general public, high expectations for the knowledge and skills pupils must attain and master at each of the 12 grades.

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

1           **SECTION 1.** 15.07 (2) (fm) of the statutes is created to read:

2           15.07 (2) (fm) The state superintendent of public instruction or his or her  
3 designated representative and one individual appointed under s. 15.375 (1) (a) 2.  
4 shall serve as cochairpersons of the model academic standards board.

5           **SECTION 2.** 15.375 (1) of the statutes is created to read:

6           15.375 (1) MODEL ACADEMIC STANDARDS BOARD. (a) There is created a model  
7 academic standards board, attached to the department of public instruction under  
8 s. 15.03, to make recommendations for and to review and revise or replace model  
9 academic standards. A member of the legislature may not be appointed to serve and  
10 may not serve on the board during the term for which the legislator was elected. The  
11 board consists of the following members appointed for staggered 3-year terms:

12           1. The state superintendent of public instruction, or his or her designee, who  
13 shall serve as a cochairperson of the board and who shall appoint the following 4  
14 members:

- 15           a. One individual who is employed as a principal in a high school.  
16           b. One member of a school board.  
17           c. One professor employed at an institution of higher education in this state.  
18           d. One individual who is a parent of a pupil enrolled in a public school.

19           2. The following 6 members appointed by the governor:

- 20           a. One individual who shall serve as a cochairperson of the board.  
21           b. One teacher employed by a public school.

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1 c. One teacher employed by a private school participating in a program under  
2 s. 118.60 or 119.23.

3 d. One superintendent of a school district.

4 e. One individual who is a parent of a pupil attending a private school in a  
5 program under s. 118.60 or 119.23.

6 f. One individual who is employed as a principal at an elementary school.

7 3. One individual appointed by the senate majority leader.

8 4. One individual appointed by the senate minority leader.

9 5. One individual appointed by the speaker of the assembly.

10 6. One individual appointed by the assembly minority leader.

11 (b) The individual appointed under par. (a) 2. a. shall call the first meeting of  
12 the board. At the board's first meeting, the board shall adopt rules, policies, and  
13 procedures for future meetings.

14 (c) The board shall appoint subject-specific subcommittees to research, make  
15 recommendations for, review, propose revisions to, and submit to the board the model  
16 academic standards required under s. 118.301 (3) and (4). Each subcommittee shall  
17 consist of the following members:

18 1. One individual appointed by the state superintendent who shall be a member  
19 of the board and who shall serve as a cochairperson of the subcommittee with the  
20 individual appointed under subd. 2. The individual appointed under this subdivision  
21 shall prepare a list containing the names of not more than 5 persons for consideration  
22 by the board as provided under subd. 3. a.

23 2. One individual appointed by the governor who shall be a member of the board  
24 and who shall serve as a cochairperson of the subcommittee with the person  
25 appointed under subd. 1. The individual appointed under this subdivision shall

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1 prepare a list containing the names of not more than 5 persons for consideration by  
2 the board as provided under subd. 3. b.

3 3. The following 5 individuals:

4 a. Two individuals selected from the list under subd. 1.

5 b. Three individuals selected from the list under subd. 2.

6 (d) The board may appoint up to 4 additional nonvoting members to each  
7 subject-specific subcommittee established under par. (c). The members appointed  
8 under this paragraph shall have professional training and expertise in the particular  
9 subject matter of the model academic standards subcommittee on which the  
10 individual serves.

11 (e) The board shall review and may modify and amend any model academic  
12 standards it receives from a subcommittee established under par. (c).

13 **SECTION 3.** 118.30 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is  
14 amended to read:

15 118.30 (1) The state superintendent shall adopt or approve examinations  
16 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,  
17 10th, and 11th grades. The examinations adopted or approved to measure pupil  
18 attainment of knowledge and concepts in English, reading, and language arts;  
19 mathematics; science; and social studies shall be aligned with the standards adopted  
20 under s. 118.301 (3) and (4).

21 **SECTION 4.** 118.301 of the statutes is created to read:

22 **118.301 Model academic standards. (1)** The legislature finds that the state  
23 of Wisconsin has the sole authority to adopt model academic standards. The  
24 legislature shall oppose any efforts by the federal government to coerce this state and

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1 the school boards of the school districts of this state into adopting any specific set of  
2 academic standards.

3 (2) Prior to submitting any model academic standards to the state  
4 superintendent as required under subs. (3) and (4), the model academic standards  
5 board shall hold at least one public hearing on the proposed standards, take public  
6 testimony, and consider the testimony and all written comments submitted in  
7 connection with the hearing.

8 (3) (a) No later than 12 months after the effective date of this paragraph ....  
9 [LRB inserts date], the model academic standards board shall submit to the state  
10 superintendent and to the legislative council staff recommended model academic  
11 standards in the following subject areas:

- 12 1. English, reading, and language arts.
- 13 2. Mathematics.

14 (b) 1. Within 30 days after receiving the recommended model academic  
15 standards under par. (a), the state superintendent shall post the standards  
16 submitted by the model academic standards board on the department's Internet site  
17 and shall, taking into consideration the recommendations of the model academic  
18 standards board, prepare proposed model academic standards in the subject areas  
19 identified under par. (a) 1. and 2. for submission to the legislative council staff for  
20 review and comment. Prior to submitting the proposed model academic standards  
21 to the legislative council staff, the state superintendent shall hold at least one public  
22 hearing. The state superintendent may request from the legislative council staff one  
23 30-day extension to complete his or her review of the model academic standards  
24 submitted by the model academic standards board under par. (a) and to prepare and  
25 submit the proposed standards required under this subdivision. If, within 60 days

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1 after the date on which the model academic standards board submitted the  
2 standards under par. (a), the legislative council staff has not received the proposed  
3 model academic standards required under this subdivision, the legislative council  
4 staff shall forward the model academic standards submitted by the model academic  
5 standards board directly to the joint committee for review of administrative rules.  
6 If the joint committee for review of administrative rules receives the standards under  
7 this subdivision, the joint committee shall proceed as directed under subd. 4.

8 2. Within 20 days after receiving the proposed model academic standards under  
9 subd. 1., legislative council staff shall review the proposed model academic  
10 standards in the manner established under s. 227.15 (2), and shall submit, in  
11 writing, comments concerning the standards to the state superintendent. The  
12 legislative council staff shall include a link to the proposed model academic  
13 standards on the Internet site maintained as required under s. 227.15 (1m), together  
14 with the information required under that subsection.

15 3. Within 10 days after receiving comments from the legislative council staff  
16 under subd. 2., the state superintendent shall submit any response to the comments,  
17 together with the proposed model academic standards, to the joint committee for  
18 review of administrative rules.

19 4. Within 30 days after receiving the proposed model academic standards under  
20 subd. 3., the joint committee for review of administrative rules shall hold a public  
21 hearing on the proposed standards and either approve the proposed model academic  
22 standards or object to the proposed standards.

23 5. a. If the joint committee for review of administrative rules approves the  
24 model academic standards submitted under subd. 3., the state superintendent shall  
25 proceed under subd. 6.

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1           b. If the joint committee for review of administrative rules objects to the  
2 proposed model academic standards submitted under subd. 3., the joint committee  
3 for review of administrative rules shall prepare a bill that incorporates by reference  
4 the model academic standards submitted by the model academic standards board  
5 under par. (a) and introduce the bill in each house as provided under s. 227.19 (5) (e)  
6 to (g) and (6) (b), except that upon the introduction of the bills under s. 227.19 (5) (e),  
7 the presiding officer of each house of the legislature shall not refer the bill to the  
8 appropriate committee in that house as directed under s. 227.19 (6) (b), but shall  
9 place the bill introduced in that house on the calendar of that house according to its  
10 rule governing the placement of proposals on the calendar.

11           6. The state superintendent shall adopt as final the model academic standards  
12 approved under subd. 5. a. or enacted under subd. 5. b., except the state  
13 superintendent may not adopt the proposed model academic standards submitted  
14 under subd. 3. and not approved under subd. 5. a. until a bill introduced under subd.  
15 5. b. and s. 227.19 (5) (e) fails to be enacted within the time frames specified in s.  
16 227.19 (5) (e) and (f).

17           (4) (a) No later than 36 months after the effective date of this paragraph ....  
18 [LRB inserts date], the model academic standards board shall submit to the state  
19 superintendent and to the legislative council staff recommended model academic  
20 standards in the following subject areas:

- 21           1. Science.
- 22           2. Social studies.

23           (b) The state superintendent shall initiate the procedure under sub. (3) (b) for  
24 the review, consideration, and adoption of the model academic standards submitted  
25 under par. (a).



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1           **(5)** (a) The model academic standards board may submit to the state  
2 superintendent recommended model academic standards in the following subject  
3 areas:

4           1. Fine arts.

5           2. Health.

6           3. World languages.

7           4. Career and technical education.

8           5. Other subject areas identified by the board as warranting standardization.

9           (b) 1. The state superintendent shall initiate the procedure under sub. (3) (b)  
10 for the review, consideration, and adoption of any model academic standards  
11 submitted under par. (a).

12           2. If the model academic standards board does not submit any recommended  
13 model academic standards for the subject areas identified under par. (a), the state  
14 superintendent may develop, adopt as final, and revise model academic standards  
15 for those subject areas without following the procedure under sub. (3) (b).

16           **(6)** The model academic standards board, the legislative council staff, the state  
17 superintendent, and the joint committee for review of administrative rules shall, in  
18 preparing, reviewing, modifying, and adopting the model academic standards  
19 required under this section, do all of the following:

20           (a) Ensure that the model academic standards do not prescribe curricula to be  
21 adopted by school boards.

22           (b) Ensure that the model academic standards establish, in a manner that is  
23 clear to pupils, parents, and the general public, high expectations for the knowledge  
24 and skills pupils must attain and master at each of the 12 grades.

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1           (7) (a) The model academic standards board, through the subcommittees  
2 established under s. 15.375 (1) (c), shall review and make recommendations for the  
3 updating of the model academic standards required to be adopted under subs. (3) and  
4 (4) and any model academic standards permitted to be recommended by the board,  
5 recommended by the board, and adopted under sub. (5) at least once every 6 years.

6           (b) The state superintendent may periodically review and revise any standards  
7 developed and adopted as final by the state superintendent under sub. (5) (b) 2.

8           (c) Each school board, operator of a charter school under s. 118.40 (2r), and  
9 governing body of a private school participating in a program under s. 118.60 or  
10 119.23 may adopt the pupil academic standards approved under this section to  
11 supplement or replace the standards adopted under s. 118.30 (1g) (a).

**SECTION 5. Nonstatutory provisions.**

12           (1) Notwithstanding section 15.375 (1) of the statutes, as created by this act,  
13 the initial members appointed to the model academic standards board under section  
14 15.375 (1) of the statutes, as created by this act, shall be appointed as follows:

15           (a) Two members appointed under section 15.375 (1) (a) 1. of the statutes, as  
16 created by this act, shall be appointed for a term expiring on May 1, 2015, and 2  
17 members shall be appointed for a term expiring on May 1, 2016.

18           (b) Two members under section 15.375 (1) (a) 2. of the statutes, as created by  
19 this act, shall be appointed for a term expiring on May 1, 2015, 2 members shall be  
20 appointed for a term expiring on May 1, 2016, and 2 members shall be appointed for  
21 a term expiring on May 1, 2017.

22           (c) The member under section 15.375 (1) (a) 3. of the statutes, as created by this  
23 act, shall be appointed for a term expiring on May 1, 2018.  
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