

2015 DRAFTING REQUEST

Bill

Received: **1/29/2015** Received By: **tkuczens**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Stritchko**
May Contact: Drafter: **tkuczens**
Subject: **Education - charter schools** Addl. Drafters: **fknepp**
Education - choice programs
Education - school boards Extra Copies:
Education - state superintendent

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Stritchko, BB0475 -

Topic:

School 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>
/?	tkuczens 1/29/2015	kfollett 1/29/2015	rschluet 1/29/2015	_____			
/P1	tkuczens 1/29/2015	jdyer 1/30/2015	jfrantze 1/30/2015	_____	sbasford 1/29/2015		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P2	tkuczens 1/30/2015	kfollett 1/30/2015	jfrantze 1/30/2015	_____ _____	lparisi 1/30/2015		
/P3				_____ _____	srose 1/30/2015		

FE Sent For:

<END>

2015 DRAFTING REQUEST

Bill

Received: 1/29/2015 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Stritchko
May Contact: Drafter: tkuczens
Subject: Education - charter schools Addl. Drafters: fknepp
Education - choice programs
Education - school boards
Education - state superintendent Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Stritchko, BB0475 -

Topic:

School 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>
/?	tkuczens 1/29/2015	kfollett 1/29/2015	rschluet 1/29/2015	_____			
/P1	tkuczens 1/29/2015	jdyer 1/30/2015	jfrantze 1/30/2015	_____	sbasford 1/29/2015		

1/31/15
1/30
Jb
1/30

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/P2

Iparisi
1/30/2015

FE Sent For:

<END>

2015 DRAFTING REQUEST

Bill

Received: **1/29/2015** Received By: **tkuczens**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Stritchko**
May Contact: Drafter: **tkuczens**
Subject: **Education - charter schools** Addl. Drafters: **fknepp**
Education - choice programs
Education - school boards Extra Copies:
Education - state superintendent

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Stritchko, BB0475 -

Topic:

School 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>
/?	tkuczens 1/29/2015	kfollett 1/29/2015	rschluet 1/29/2015				
/P1	tkuczens 1/29/2015	P2 1/30 jld		wls/KJP	sbasford 1/29/2015		

FE Sent For:

<END>

2015 DRAFTING REQUEST

Bill

Received: 1/29/2015 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Stritchko
May Contact: Drafter: tkuczens
Subject: Education - charter schools Addl. Drafters: fknepp
Education - choice programs
Education - school boards
Education - state superintendent Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov
fern.knepp@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov ✓

Pre Topic:

DOA:.....Stritchko, BB0475 -


Topic:

School 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>
/?	tkuczens 1/29/2015	1/29/15 1/29	 1/29/15	==			

FE Sent For:

<END>

Kuczenski, Tracy

From: Knepp, Fern
Sent: Wednesday, January 28, 2015 6:20 PM
To: Kuczenski, Tracy
Subject: FW: Statutory Language Drafting Request - BB0475

Did you get this?

From: Hanaman, Cathlene
Sent: Wednesday, January 28, 2015 6:18 PM
To: Knepp, Fern
Subject: FW: Statutory Language Drafting Request - BB0475

Excellent description.

From: MeganE.Stritchko@wisconsin.gov [mailto:MeganE.Stritchko@wisconsin.gov]
Sent: Wednesday, January 28, 2015 5:35 PM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Stritchko, Megan E - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0475

Biennial Budget: 2015-17

DOA Tracking Code: BB0475

Topic: School Accountability

SBO Team: EWD

SBO Analyst: Stritchko, Megan - DOA
Phone: (608) 266-7329
E-mail: MeganE.Stritchko@wisconsin.gov

Agency Acronym: DPI

Agency Number: 255

Priority: High

Intent:

Merge recent versions of school accountability bills. Details forthcoming.

Attachments: False

Please send completed drafts to SBOStatlanguage@webapps.wi.gov

Kuczenski, Tracy

From: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>
Sent: Wednesday, January 28, 2015 8:24 PM
To: Kuczenski, Tracy; Knepp, Fern
Cc: Stritchko, Megan E - DOA
Subject: FW: Draft for Budget: Accountability and Common Core
Attachments: 15-1378_P1.pdf

hello ladies - simply forwarding at this point! We'll keep talking!

From: Polzin, Cindy M - GOV
Sent: Wednesday, January 28, 2015 8:07 PM
To: Heifetz, Michael G - DOA; Hynek, Sara - DOA; Stritchko, Megan E - DOA
Cc: Hoelter, Jon - GOV; Hurlburt, Waylon - GOV; Lubenow, Jacob - GOV; Ignatowski, Katie E - GOV; Rabe, David - GOV
Subject: RE: Draft for Budget: Accountability and Common Core

Attachment would help. Sorry -

From: Polzin, Cindy M - GOV
Sent: Wednesday, January 28, 2015 8:02 PM
To: Heifetz, Michael G - DOA; Hynek, Sara - DOA; Stritchko, Megan E - DOA
Cc: Hoelter, Jon - GOV; Hurlburt, Waylon - GOV; Lubenow, Jacob - GOV; Ignatowski, Katie E - GOV; Rabe, David - GOV
Subject: Draft for Budget: Accountability and Common Core

Hi. Bear with me.

Attached is the actual language of what we are looking for with the following changes:

- ✓ Page 3: Drafter's note at top: disregard
- ✓ Page 3: Drafter's note in middle: Please edit language to not count students that have not completed a year. Get rid of the zero multiplier. Don't weigh it. *p. 3, ln. 5 do another subject to: do not count the pupil*
- ✓ Page 3: Drafter's note at bottom: Please include language as necessary to have lines 13 & 14 only apply to switchers meaning if a student is going from 8th grade choice to 9th grade choice they are still counted as continuing in the system. However, if they are going from parochial school to public, then they start over or vice versa.
- ✓ Page 4, line 2: In addition to reduced price lunch, other measures of poverty as determined by DPI (ex: choice school students are included in free and reduced price lunch all the time)
- ✓ Page 4: Drafter's note at top: disregard *indigent*
- ✓ Page 4: Drafter's note at bottom: yes *unemployed/mad*
disadvantaged
- ✓ Page 5, Section 11: this language is good, but also include all letter grades in the notification of educational options available. Not just D-F. Also, please include virtual and options available for homeschooolers.
- ✓ Page 6: Drafter's note: Strike the underlined parts on lines 9 and 10.
- ✓ Page 7: Drafter's note: ok
- ✓ Page 8: Replace lines 6-12 with the following language:
① (need to insert a date by which DPI would need this list) The Department (DPI) shall request from the research center a list of alternative tests determined by the research center to be acceptable for statistical comparison with examinations

adopted or approved under s. 118.30 (1). The research center shall evaluate and approve at least 3 and no more than 5 of the tests, and shall provide the list of approved tests to the department. Schools that use one of these VARC approved tests shall post it on their website. A test approved under this subdivision may be administered only by the school that applies to administer the test. The tests that the research center has determined are consistent with the following parameters: *e. notify (per Megan 1/22/15)*

- a. The test aligns sufficiently with content standards established for examinations adopted or approved under s. 118.30 (1).
- b. The test is comprised of a variety of testing methodologies, including multiple choice and short answer, to assess a range of student skills.
- c. The test includes accommodations or alternative assessments for students enrolled in a special education program under subch. V of ch. 115.
- d. The test provider makes available translations for limited-English proficient pupils, as defined in s. 115.955 (7).
- e. The test may be administered in a variety of modes, including with paper and pencil, in an online format, in a fixed form format, and in an adaptive format.
- f. The test has internal consistency reliability coefficients of at least 0.8.

✓ Page 8: first drafter's note: Disregard

⊗ Page 8: second drafter's note: yes, we talked about adding funding for VARC assessments

✓ Page 10: Drafter's note at top: we'll figure this out later (not in budget bill, don't worry)

✓ Page 10: 2nd drafter's note: Yes.

✓ Page 12, Section 27: Please add in that DPI also has to have a link on its home page to all educational options available for pupils across the state, including virtual and options available for homeschoolers.

✓ Finally, and I'm sorry I don't know where exactly to put this, please add in the following:

✓ On the review report for a private school participating in a parental choice program, specify the percentage of pupils attending the private school under a parental choice program and comply with one or both of the following:

1. For a private school that submits achievement data only for those pupils attending the private school under the parental choice program, identify the grade derived from data about those pupils as a choice pupil grade.
2. For those pupils attending the private school under the parental choice program and for all other pupils attending the private school, identify the grade derived from data about pupils attending the school.

✓ The test should begin in the 15-16 school year. The first report cards under this system will be September 2016. (or if we decided an earlier month in the budget briefings, use that month – I just don't remember what we did there).

✓ Make it clear in statute that the state approved test will NOT be Smarter Balance starting in the 15-16 school year. If a school would like to use a different test other than the state assessment offered by DPI, the school will pay the difference between the higher cost test and that of the state assessment.

✓ The participation of DPI in the Smarter Balance Consortium will be not allowed.

✓ It will be clear in statute schools do not have to use Common Core standards in their schools.

✓ Also, add funding where necessary to keep this all non-policy. If there is any way to add in that Common Core has been repealed in Wisconsin, add it.

Call with ANY questions:

Cindy: 608-217-0320

Jon: 608-213-0589

THANK YOU.

Cindy Polzin | Office of the Governor
Senior Director of Legislative and Local Affairs
(o) 608-266-7794 | (e) cindy.polzin@wisconsin.gov

January 30, 2015

per Megan: (LRB 1509/P2)

p. 8 Section 20: Clarify that these materials should be sent together

p. 11 Section 31 require VARC to conduct statistical correlation

* require schools (all schools ^{required to} ~~retain~~ administer 118.30 assessment) to post on internet the test the school is administering

p. 14 par (e): Clarify - school only responsible for paying the difference b/w the state super's exams and alternate exams

p. 14 Section 30: do not send by mail

p. 17 delete sub (3) (a) through (f)



State of Wisconsin
2015 - 2016 LEGISLATURE

1509/P1



LRB-1378/P1

FFK:cjs:rs

FTKK
insert
RMNR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

est

1/29/15

Don't Gen

1 **AN ACT** ~~to repeal 115.385 (1) (a) 2., to amend 115.385 (1) (a) (intro.), 115.385 (1)~~
2 (a) 1., 115.385 (1) (a) 3., 115.385 (1) (b), 115.385 (2), 118.153 (1) (a) 5., 118.30 (1),
3 118.30 (2) (b) 3., 118.30 (2) (b) 4., 118.30 (2) (b) 5., 118.30 (2) (b) 6., 118.30 (5m),
4 118.30 (6), 118.30 (7), 118.33 (6) (a) 1., 118.33 (6) (b) 1., 118.33 (6) (c) 1., 118.33
5 (6) (cr) 1., 118.40 (2r) (d) 2., 118.60 (7) (e) and 119.23 (7) (e); and **to create**
6 115.385 (1) (a) 1m., 115.385 (1) (a) 4., 115.385 (1) (c), 115.385 (1m), 115.385 (3),
7 118.301 and 118.57 of the statutes; **relating to:** school and school district
8 **accountability reports and pupil assessments** the budget (C)

Insert
Analysis

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:

9

SECTION 1. 115.385 (1) (a) (intro.) of the statutes is amended to read:

Insert 1-9

1 115.385 (1) (a) (intro.) Multiple measures to determine a school's performance
2 or a school district's improvement, including all of the following categorized by
3 English language proficiency, disability, income level, and race or ethnicity:

4 **SECTION 2.** 115.385 (1) (a) 1. of the statutes is amended to read:

5 115.385 (1) (a) 1. Pupil achievement ~~and growth~~ in reading and mathematics.

6 **SECTION 3.** 115.385 (1) (a) 1m. of the statutes is created to read:

7 115.385 (1) (a) 1m. Growth in pupil achievement in reading and mathematics,
8 calculated using a value-added methodology.

9 **SECTION 4.** 115.385 (1) (a) 2. of the statutes is repealed.

10 **SECTION 5.** 115.385 (1) (a) 3. of the statutes is amended to read:

11 115.385 (1) (a) 3. ~~Gaps~~ Gap closure in pupil achievement in reading and
12 mathematics and, when available, rates of graduation, ~~categorized by race, English~~
13 ~~language proficiency, disability, and income level.~~

14 **SECTION 6.** 115.385 (1) (a) 4. of the statutes is created to read:

15 115.385 (1) (a) 4. Rates of attendance or of high school graduation.

16 **SECTION 7.** 115.385 (1) (b) of the statutes is amended to read:

17 115.385 (1) (b) An index system to identify a school's level of performance and
18 a school district's level of improvement and to annually place each school and school
19 district into one of the 5 performance categories grade levels "A," "B," "C," "D," or "F".

20 **SECTION 8.** 115.385 (1) (c) of the statutes is created to read:

21 115.385 (1) (c) A qualitative definition for each of the 5 grade levels in par. (b).

22 **SECTION 9.** 115.385 (1m) of the statutes is created to read:

23 115.385 (1m) For purposes ^{of} determining a school's performance or a school
24 district's improvement under sub. (1) all of the following apply:

Insert 3-1

***NOTE: Is this related to the "index system" under sub. (1) (b)? It may be useful to provide more of a connection between the modifications made under this subsection and the general language in sub. (1). Under current law, there is little to no direction given to DPI about how to evaluate schools and school districts under sub. (1). For example, there is no language that indicates that the multiple measures in sub. (1) (a) must be given equal weight in determining school performance. Therefore, current law does not require pupil achievement and growth to be 50% of the school's score as seems to be implied in the instructions. This issue is particularly relevant to par. (b) below. In fact, current law does not even specify that the data used to evaluate pupil achievement is pupil assessments.

1 (b)(a) 1. Subject to 2., if the department uses pupil assessment scores to determine
2 a school's performance or a school district's improvement, the department shall
3 account for the length of time a pupil was enrolled in the school or school district prior
4 to taking the pupil assessment by weighting pupil assessment scores as follows:

5 a. For a pupil who was enrolled in the school or school district for less than one
6 year prior to taking the pupil assessment, multiply by zero.

***NOTE: I am not sure if this data is ever used on a per pupil basis. If it is, this multiplier could skew the data because the pupil would be included in the number of pupils enrolled in the school or school district but the pupil's score would be a zero.

7 a. (b) For a pupil who was enrolled in the school or school district for at least one
8 year but less than 2 years prior to taking the pupil assessment, multiply by 1.

9 b. (c) For a pupil who was enrolled in the school or school district for at least 2 years
10 but less than 3 years prior to taking the pupil assessment, multiply by 2.

11 c. (d) For a pupil who was enrolled in the school or school district for more than
12 3 years prior to taking the pupil assessment, multiply by 3.

13 2. This paragraph does not apply to pupil assessment scores for pupils enrolled
14 in the 9th grade for purposes of determining a school's performance.

***NOTE: This is an attempt to create an exception for 9th graders. As we discussed, a 9th grader will have never attended a high school for more than one year before taking the 9th grade exam. However, the 9th grade pupil may have been in the school district for many years. Please review this carefully to make sure it is consistent with your intent.

15 (c)(b) The department shall consider the impact of poverty on pupil achievement
16 and growth by adjusting the importance given to the measures under sub. (1) (a) 1.

Insert 3-13

Insert 4-1

1 and 1m. based on the percentage of pupils who are eligible for free or reduced-price
2 lunch under 42 USC 1758 (b). Of the total weight the department allocates to the
3 measures under sub. (1) (a) 1. and 1m. for the purpose of determining a school's
4 performance or a school district's improvement, the department shall do as follows:

le *****NOTE: This is written more generally because current law does not specify how
the department must weight the four factors under sub. (1) (a). I drafted this to indicate
how the two identified measures must be weighted in relation to each other. Okay?

5 1. If 5 percent or less of the school or school district membership is eligible for
6 economically disadvantaged pupils a free or reduced-price lunch under 42 USC 1758 (b), weight the measure under sub.
7 (1) (a) 1. at 90 percent and the measure under sub. (1) (a) 1m. at 10 percent.

comprised of

8 2. If 65 percent or more of the school or school district membership is eligible
9 economically disadvantaged pupils for a free or reduced-price lunch under 42 USC 1758 (b), weight the measure under
10 sub. (1) (a) 1. at 10 percent and the measure under sub. (1) (a) 1m. at 90 percent.

comprised of

11 3. If the percentage of economically disadvantaged pupils in the school or school district membership eligible for a free
12 or reduced-price lunch under 42 USC 1758 (b) is more than 5 percent but less than
13 65 percent, the department shall determine the weight of the measures under sub.
14 (1) (a) 1. as follows:

economically disadvantaged pupils in

15 a. Divide 80 by 60.
16 b. Multiply the quotient determined under subd. 3. a. by the percentage of the
17 school or school district membership that is eligible for a free or reduced-price lunch
18 under 42 USC 1758 (b).

19 c. Add 3.35 to the result under subd. 3. b.

le *****NOTE: I think this subdivision in combination with subd. 4. creates what you
described as a sliding scale for the weights given to proficiency and growth. Please
confirm this is consistent with your intent.

20 4. If the percentage of economically disadvantaged pupils in the school or school district membership eligible for a free
21 or reduced-price lunch under 42 USC 1758 (b) is more than 5 percent but less than

1 65 percent, the department shall determine the weight of the measures under sub.
2 (1) (a) 1m. by subtracting the weight given to the measures under sub. (1) (a) 1. as
3 determined under subd. 3. from 100.

4 SECTION 10. 115.385 (2) of the statutes is amended to read:

5 115.385 (2) Beginning ~~one year after a charter school established under s.~~
6 ~~118.40 (2r) or a private school participating in a parental choice program under s.~~
7 ~~118.60 or 119.23 begins using the student information system under s. 115.28 (12)~~
8 (b), or begins using a system that is interoperable with that system, the no later than
9 the annual school accountability report due by September 2016, prepared for the 2015-16 school year the department
10 shall include the school in its annual school accountability report under sub. (1)
11 charter schools established under s. 118.40 (2r) and private schools participating in
12 a parental choice program under s. 118.60 or 119.23. The department shall use the
13 same criteria to measure the performance of all schools included in the annual school
14 accountability report.

Insert 5-15

15 SECTION 11. 115.385 (3) of the statutes is created to read:

16 115.385 (3) ⁽⁴⁾ Annually, each public school, including a charter school, and each
17 ⁽⁴⁾ ~~private school~~ participating in a parental choice program under s. 118.60 or 119.23 shall provide a
18 copy of the school's accountability report to the parent or guardian of each pupil ^{Each}
19 enrolled in ^{or attending} the school. A school that received a D or an F on the most recent
20 accountability report shall also provide to the parent or guardian of each pupil ^{school}
21 enrolled in the school a list of the educational options available to children who reside
22 in the pupil's resident school district, including public schools, private schools
23 participating in a parental choice program, charter schools, ^{virtual schools} full-time open
24 enrollment, youth options, and course options.

25 SECTION 12. 118.153 (1) (a) 5. of the statutes is amended to read:

↑ and options for pupils enrolled in a home-based private educational program

1 118.153 (1) (a) 5. Eighth grade pupils whose score in each subject area on the
2 examination administered under s. 118.30 (1m) (am) 1. or 118.301 (3) was below the
3 basic level, 8th grade pupils who failed the examination administered under s.
4 118.30 (1m) (am) 2. or 118.301 (3), and 8th grade pupils who failed to be promoted
5 to the 9th grade.

Insert 6-9

6 **SECTION 13.** 118.30 (1) of the statutes is amended to read:

7 118.30 (1) The state superintendent shall adopt or approve examinations
8 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
9 10th, and 11th grades. For each of those grades, the state superintendent may adopt
10 or approve only one examination.

****NOTE: This is an attempt to clarify that DPI can only adopt one test for each grade. Please let me know if this is not consistent with your intent or if you feel it is not necessary in light of to DPI's current practice.

11 **SECTION 14.** 118.30 (2) (b) 3. of the statutes is amended to read:

12 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
13 board shall excuse the pupil from taking an examination administered under sub.
14 (1m) or s. 118.301 (3).

15 **SECTION 15.** 118.30 (2) (b) 4. of the statutes is amended to read:

16 118.30 (2) (b) 4. Upon the request of a pupil's parent or guardian, the operator
17 of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an
18 examination administered under sub. (1r) or s. 118.301 (3).

19 **SECTION 16.** 118.30 (2) (b) 5. of the statutes is amended to read:

20 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
21 body of a private school participating in the program under s. 119.23 shall excuse the
22 pupil from taking an examination administered under sub. (1s) (a) to (cm) or s.
23 118.301 (3).

1 **SECTION 17.** 118.30 (2) (b) 6. of the statutes is amended to read:

2 118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing
3 body of a private school participating in the program under s. 118.60 shall excuse the
4 pupil from taking an examination administered under sub. (1t) (a) to (cm) or s.
5 118.301 (3).

6 **SECTION 18.** 118.30 (5m) of the statutes is amended to read:

7 118.30 (5m) When determining the percentage of pupils participating in the
8 program under s. 119.23 who performed at designated proficiency levels on the
9 examinations administered as required under sub. (1s) or s. 118.301 (3), the
10 department shall consider only the pupils participating in the program under s.
11 119.23 to whom the examinations were administered at each grade level, and shall
12 exclude from consideration those pupils participating in the program under s. 119.23
13 who were excused from taking the examinations under sub. (2) (b) 5.

14 **SECTION 19.** 118.30 (6) of the statutes is amended to read:

15 118.30 (6) A school board and an operator of a charter school under s. 118.40
16 (2r) is not required to administer the 4th and 8th grade examinations adopted or
17 approved by the state superintendent under sub. (1) or authorized under s. 118.301
18 (3) if the school board or the operator of the charter school administers its own 4th
19 and 8th grade examinations, the school board or operator of the charter school
20 provides the state superintendent with statistical correlations of those examinations
21 with the examinations adopted or approved by the state superintendent under sub.
22 (1), and the federal department of education approves.

6
****NOTE: Please confirm that this provision is consistent with your intent.

23 **SECTION 20.** 118.30 (7) of the statutes is amended to read:

1 118.30 (7) If a school board enters into an agreement with a federally
2 recognized American Indian tribe or band in this state to establish a charter school,
3 that school board shall administer the examinations under sub. (1m) or s. 118.301-
4 (3) regardless of the location of the charter school.

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

6 118.301 Alternative pupil assessments. (1) In this section, "research
7 center" means the University of Wisconsin-Madison Value-Added Research Center.

8 (2) Annually by August 1, the research center shall provide to the department
9 a certified list of nationally recognized, norm-referenced examinations that the
10 research center has determined may be statistically equated with the examinations
11 adopted or approved under s. 118.30 (1). The department shall post the certified list
12 on its Internet site.

***NOTE: It is not clear what is intended by "certified" in this context. August 1 is just a place holder. Please let me know the date by which VARC must submit the list of alternative assessments to DPI. I added the last sentence to provide notice to schools regarding which alternative tests were identified. Okay? With that in mind, it seems like there is a timing issue that is not addressed in this draft. By when do schools need to know what tests are approved for a certain school year in order to make the decision to administer an alternative examination under sub. (3)?

***NOTE: Do you want to appropriate any money to VARC for its responsibilities under this section?

13 (3) (a) Notwithstanding s. 118.30 (1m), ^{a school board is not required to}
14 administer an examination adopted or approved by the state superintendent under ^{beginning in the 2015-16 school year,}
15 s. 118.30 (1) in any grade for which an examination is required to be administered
16 under s. 118.30 if the school board administers an examination in that grade that is
17 included on the most recent certified list provided by the research center under sub.

18 (2) ^{beginning in the 2015-16 school year,}
19 (b) Notwithstanding s. 118.30 (1r), ^{an operator of a charter school under s.}
20 118.40 (2r) is not required to administer an examination adopted or approved by the

Insert 8-8

Insert 8-16

Insert 9-2

1 state superintendent under s. 118.30 (1) in any grade for which an examination is
2 required to be administered under s. 118.30 if the operator administers an
3 examination in that grade that is included on the most recent certified list provided
4 by the research center under sub. (2). *beginning in the 2015-16 school year*

5 (c) Notwithstanding s. 118.30 (1s), the governing body of each private school
6 participating in the program under s. 119.23 is not required to administer an
7 examination adopted or approved by the state superintendent under s. 118.30 (1) in
8 any grade for which an examination is required to be administered under s. 118.30
9 if the governing body administers an examination in that grade that is included on
10 the most recent certified list provided by the research center under sub. (2).

Insert 9-9

11 (d) Notwithstanding s. 118.30 (1t), the governing body of a private school
12 participating in a program under s. 118.60 *beginning in the 2015-16 school year* is not required to administer an
13 examination adopted or approved by the state superintendent under s. 118.30 (1) in
14 any grade for which an examination is required to be administered under s. 118.30
15 if the governing body administers an examination in that grade that is included on
16 the most recent certified list provided by the research center under sub. (2).

Insert 9-15

17 (e) If a school administers an alternative examination under this subsection,
18 the school board, operator, or governing body of the school is responsible for the costs
19 of the *alternative* examination and of administering the examination. *any additional*

20 (4) (a) If a school board, an operator of a charter school under s. 118.40 (2r), or
21 the governing body of a private school participating in a program under s. 118.60 or
22 119.23 administers an alternative examination under sub. (3), the school board,
23 operator, or governing *body* shall submit the examination results to the research
24 center.

le **NOTE:** Do you want to indicate the time by which these results must be delivered to VARC? You may need to work backward from when DPI needs the statistically equated data from VARC for purposes of preparing the accountability reports.

1 (b) The research center shall review all examination results received under par.

2 (a) and statistically equate them to the pupil examinations required under s. 118.30.

3 The research center shall provide the examination data, as statistically equated, to

4 the school board, operator, or governing ~~board~~ ^{a body} and to the department. The

5 department shall use data received under this subsection to determine a school's

6 performance or school district's improvement under s. 115.385.

le **NOTE:** Is it your intent that DPI may use only this data for purposes of the report card?

7 **SECTION 22.** 118.33 (6) (a) 1. of the statutes is amended to read:

8 118.33 (6) (a) 1. Each school board shall adopt a written policy specifying the
9 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
10 grade to the 9th grade. The criteria shall include the pupil's score on the examination
11 administered under s. 118.30 (1m) (a) or (am) or s. 118.301 (3), unless the pupil has
12 been excused from taking the examination under s. 118.30 (2) (b); the pupil's
13 academic performance; the recommendations of teachers, which shall be based solely
14 on the pupil's academic performance; and any other academic criteria specified by
15 the school board. Except as provided in par. (b) 1. and 3., the criteria apply to pupils
16 enrolled in charter schools located in the school district.

17 **SECTION 23.** 118.33 (6) (b) 1. of the statutes is amended to read:

18 118.33 (6) (b) 1. Each operator of a charter school under s. 118.40 (2r) shall
19 adopt a written policy specifying the criteria for promoting a pupil from the 4th grade
20 to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include
21 the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am) or
22 s. 118.301 (3), unless the pupil has been excused from taking the examination under

1 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
2 which shall be based solely on the pupil's academic performance; and any other
3 academic criteria specified by the operator of the charter school.

4 **SECTION 24.** 118.33 (6) (c) 1. of the statutes is amended to read:

5 118.33 (6) (c) 1. The governing body of each private school participating in the
6 program under s. 119.23 shall adopt a written policy specifying criteria for promoting
7 a pupil who is attending the private school under s. 119.23 from the 4th grade to the
8 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
9 pupil's score on the examination administered under s. 118.30 (1s) (a) or (b) or s.
10 118.301 (3), unless the pupil has been excused from taking the examination under
11 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
12 which shall be based solely on the pupil's academic performance; and any other
13 academic criteria specified by the governing body of the private school.

14 **SECTION 25.** 118.33 (6) (cr) 1. of the statutes is amended to read:

15 118.33 (6) (cr) 1. The governing body of each private school participating in the
16 program under s. 118.60 shall adopt a written policy specifying criteria for promoting
17 a pupil who is attending the private school under s. 118.60 from the 4th grade to the
18 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
19 pupil's score on the examination administered under s. 118.30 (1t) (a) or (b) or s.
20 118.301 (3), unless the pupil has been excused from taking the examination under
21 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
22 which shall be based solely on the pupil's academic performance; and any other
23 academic criteria specified by the governing body of the private school.

24 **SECTION 26.** 118.40 (2r) (d) 2. of the statutes is amended to read:

1 118.40 (2r) (d) 2. Administer the examinations under ss. s. 118.30 (1r) or
2 118.301 (3) and s. 121.02 (1) (r) to pupils enrolled in charter schools under this
3 subsection.

4 SECTION 27. 118.57 of the statutes is created to read:

5 118.57 Notice of educational options. Annually, by January 31, a school
6 board shall post on its Internet site the educational options available to children who
7 reside in the school district and are at least 3 years old but not yet 18 years old,
8 including public schools, private schools participating in a parental choice program,
9 charter schools, ^{↑ virtual schools ↑} full-time open enrollment, youth options, ^g and course options.

10 SECTION 28. 118.60 (7) (e) of the statutes is amended to read:

11 118.60 (7) (e) Each private school participating in the program under this
12 section shall administer the examinations required under s. 118.30 (1t) or
13 examinations permitted under s. 118.301 (3) to pupils attending the school under the
14 program. The private school may administer additional standardized tests to such
15 pupils.

16 SECTION 29. 119.23 (7) (e) of the statutes is amended to read:

17 119.23 (7) (e) Each private school participating in the program under this
18 section shall administer the examinations required under s. 118.30 (1s) or
19 examinations permitted under s. 118.301 (3) to pupils attending the school under the
20 program. The private school may administer additional standardized tests to such
21 pupils.

22 (END)

↑ and options
for pupils
enrolled in a
home-based
private educational
program

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1509/?ins
TKK:.....

INSERT ANALYSIS (A)

X Current law requires the State Superintendent of Public Instruction (State superintendent) to approve examinations for measuring pupil attainment of knowledge and concepts. With certain exceptions, current law requires school districts, participating private schools, and independent charter schools to administer the examination approved by the state superintendent. This bill prohibits the state superintendent from approving examinations developed by the Smarter Balanced Assessment Consortium. UW 10

X This bill requires the University of Wisconsin Madison Value-Added Research Center (VARC) to approve at least three but no more than five alternative examinations determined to be acceptable for statistical comparison with the examination approved by the state superintendent. Beginning in the 2015-16 school year, a school may administer an alternative examination approved by VARC instead of the examination approved by the state superintendent if the school notifies the state superintendent that it intends to do so.

Current law requires DPI to annually prepare accountability reports that evaluate the performance and improvement of each school and school district in the state and, beginning in the 2015-16 school year, of each participating private school and independent charter school. DPI must place each school and school district into one of five performance categories based on certain measures including pupil achievement in reading and mathematics.

This bill replaces the performance categories with letter grades and makes changes to the measures used to determine school performance and school district improvement. Under the bill, in determining a school's performance or a school district's improvement, DPI must take into account the percentage of economically disadvantaged pupils enrolled in the school or school district and the length of time a pupil was enrolled in the school or school district. Each school must provide a copy of the school's accountability report to the parent or guardian of each pupil enrolled in the school.

Current law requires each school district, participating private school, and independent charter school to adopt pupil academic standards, and permits the schools to adopt academic standards approved by the state superintendent. The state superintendent has adopted academic standards, in mathematics and in English and language arts, developed by the Common Core State Standards Initiative (common core standards). This bill prohibits the state superintendent from giving effect to any common core standards currently in effect, and prohibits the state superintendent from adopting or implementing any new common core standards. The bill also prohibits the state superintendent from requiring a school district to adopt or implement any common core standard.

This bill requires each school board to annually provide to the parent or guardian of each child who resides within the school district of the educational options available to that child, and to post this information on the school district's

X
I

Internet site. The bill requires the state superintendent to provide this same information, on a state-wide basis, on DPI's Internet site.

INSERT ANALYSIS

EDUCATION

PRIMARY AND SECONDARY EDUCATION

INSERT 1-9

insert analysis (A)

1 SECTION 1. 20.255 (1) (fm) of the statutes is created to read:

2 20.255 (1) (fm) *Value-Added Research Center*. The amounts in the schedule to
3 pay the costs of the University of Wisconsin-Madison Value-Added Research Center
4 under s. 118.301 (2) and (4).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 2. 115.28 (54m) of the statutes is created to read:

6 115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
7 department's Internet site a link to information about all of the educational options
8 available to children in the state who are at least 3 years old but not yet 18 years old,
9 including public schools, private schools participating in a parental choice program,
10 charter schools, virtual schools, full-time open enrollment, youth options, course
11 options, and options for pupils enrolled in a home-based private educational
12 program.

13 SECTION 3. 115.293 of the statutes is created to read:

14 115.293 **Smarter Balanced Assessment Consortium; Common Core**
15 **State Standards Initiative; prohibition.** (1) Beginning on the effective date of
16 this subsection [LRB inserts date], the state superintendent shall cease all
17 participation in the Smarter Balanced Assessment Consortium.

18 (2) The state superintendent may not give effect to any academic standard
19 developed by the Common Core State Standards Initiative and adopted and

1 implemented in this state before the effective date of this subsection ... [LRB inserts
2 date]. The state superintendent may not require any school board to give effect to
3 any such academic standard.

4 (3) Beginning on the effective date of this subsection ... [LRB inserts date], the
5 state superintendent may not take any action to adopt or implement any academic
6 standard developed by the Common Core State Standards Initiative, and may not
7 direct any school board to adopt or implement any such standard.

INSERT 3-1

8 (a) The department may not include the following pupils or pupil assessment
9 scores:

10 a. A pupil who attended a private school under the program under s. 118.60 or
11 119.23 in the 8th grade and who transfers to a public school, including a charter
12 school, for the 9th grade.

13 b. A pupil who was enrolled in a public school, including a charter school, in the
14 8th grade and who transfers to a private school under the program under s. 118.60
15 or 119.23 for the 9th grade.

16 c. A pupil, other than a pupil enrolled in the 9th grade, who was enrolled in the
17 school or school district for less than one year prior to taking the pupil assessment.

INSERT 3-13

18 2. The department may not, for purposes of determining a school's
19 performance, account for the length of time a 9th grade pupil was enrolled in the
20 school.

INSERT 4-1

21 in the school or school district who are economically disadvantaged. In this
22 paragraph, an economically disadvantaged pupil is a pupil that satisfies either the

1 income eligibility criteria for a free or reduced-price lunch under 42 USC 1758 (b)
2 (1) or other measures of poverty, as determined by the department.

INSERT 5-15

3 **SECTION 4.** 115.385 (3) of the statutes is created to read:

4 115.385 (3) On an accountability report published for a private school
5 participating in a program under s. 118.60 or 119.23, the department shall specify
6 the percentage of pupils attending the private school under the program and comply
7 with one of the following:

8 (a) For a private school that submits achievement data only for those pupils
9 attending the private school under the program, identify the grade derived from data
10 about those pupils as the choice pupil grade.

11 (b) For a private school that submits achievement data for those pupils
12 attending the private school under s. 118.60 or 119.23 and achievement data for all
13 other pupils attending the private school, identify the grade derived from data about
14 pupils attending the school under s. 118.60 or 119.23 as the choice pupil grade. The
15 department shall also identify a 2nd grade, derived from data about all pupils
16 attending the private school including pupils attending the private school under
17 s. 118.60 or 119.23, as the private school grade.

INSERT 6-9

18 Beginning in the 2015-16 school year, the state superintendent may not adopt
19 or approve assessments developed by the Smarter Balanced Consortium.

Assessment

INSERT 8-8

20 (2) (a) Within 30 days after the effective date of this subsection ... [LRB inserts
21 date], the department shall request from the research center a list of nationally
22 recognized, norm-referenced alternative examinations determined by the research

1 center to be acceptable for statistical comparison with examinations adopted or
2 approved under s. 118.30 (1). Within 90 days after the effective date of this
3 subsection [LRB inserts date], the research center shall evaluate and approve at
4 least 3 and no more than 5 of the examinations and shall submit the list of approved
5 examinations to the department. The research center shall submit under this
6 paragraph only those examinations that are consistent with the following
7 parameters:

8 1. The examination aligns sufficiently with content standards established for
9 examinations adopted or approved under s. 118.30 (1).

10 2. The examination is comprised of a variety of testing methodologies,
11 including multiple choice and short answer, to assess a range of student skills.

12 3. The examination includes accommodations or alternative assessments for
13 students enrolled in a special education program under subch. V of ch. 115.

14 4. The examination provider makes available translations for limited-English
15 proficient pupils, as defined in s. 115.955 (7).

16 5. The examination may be administered in a variety of modes, including with
17 paper and pencil, in an online format, in a fixed form format, and in an adaptive
18 format.

19 6. The examination has internal consistency reliability coefficients of at least
20 0.8.

21 (b) An examination approved under this subsection may be administered only
22 by a school that notifies the department of its intent to administer the examination.

INSERT 8-16

23 in that grade an alternative examination approved by the research center
24 under sub. (2). If the school board elects to administer an alternative examination

1 under this paragraph, the school board shall notify the department of its intent to
2 administer the examination and shall publish that fact and information about the
3 examination on the school's Internet site.

INSERT 9-2

4 in that grade an alternative examination approved by the research center
5 under sub. (2). If the operator of the charter school elects to administer an
6 alternative examination under this paragraph, the operator shall notify the
7 department of its intent to administer the examination and shall publish that fact
8 and information about the examination on the school's Internet site.

INSERT 9-9

9 in that grade an alternative examination approved by the research center
10 under sub. (2). If the governing body of the private school elects to administer an
11 alternative examination under this paragraph, the governing body shall notify the
12 department of its intent to administer the examination and shall publish that fact
13 and information about the examination on the school's Internet site.

INSERT 9-15

14 in that grade an alternative examination approved by the research center
15 under sub. (2). If the governing body of the private school elects to administer an
16 alternative examination under this paragraph, the governing body shall notify the
17 department of its intent to administer the examination and shall publish that fact
18 and information about the examination on the school's Internet site.

Kuczenski, Tracy

From: Stritchko, Megan E - DOA <MeganE.Stritchko@wisconsin.gov>
Sent: Thursday, January 29, 2015 3:34 PM
To: Knepp, Fern; Kuczenski, Tracy
Subject: FW: Accountability - BB0475
Attachments: 15s0012_P1.pdf

The additional item:

✓ Please add page 28, lines 1-14 to the draft.

Thanks!

Megan

From: Stritchko, Megan E - DOA
Sent: Thursday, January 29, 2015 2:49 PM
To: Kuczenski, Tracy - LEGIS
Cc: Knepp, Fern - LEGIS (Fern.Knepp@legis.wisconsin.gov)
Subject: FW: Accountability - BB0475

✓ Clarification on the last item: Schools that have fewer than 20 choice students required to take the assessment are exempt from having to administer any assessment (either the DPI approved assessment or the alternative assessment).

Per Megan: assume pupil threshold is within the school (not within each grade in the PCP)

*? per grade?
per school?*

From: Stritchko, Megan E - DOA
Sent: Thursday, January 29, 2015 2:28 PM
To: Kuczenski, Tracy - LEGIS
Cc: Knepp, Fern - LEGIS (Fern.Knepp@legis.wisconsin.gov)
Subject: Accountability - BB0475

Hi ladies,

I'm so sorry. Just received the following items to add to the accountability draft. It sounds like there may be an additional item coming as well, but we haven't seen it yet. I'll get it to you as soon as I have it. Please feel free to call with any questions. THANKS!!!

- Every other year, beginning in 2017-18, the K-12 education committees of the Assembly and Senate must conduct a review of school report cards.
- ✓ • Annually, school districts must send a letter to district parents that includes the school district's and schools' grades. The letter must include a link to the full report card at DPI's website and must alert parents that additional information can be found at the website.
- ✓ • Annually at or prior to the beginning of each school year, districts must notify parents of the academic standards that are to be used in the upcoming school year (this could happen in a district's welcome letter or other mailing to parents, but I don't know if anything like that is required at this point).
- ✓ • Annually at the first school board meeting of the school year, the agenda must include a notice that clearly states the academic standards that are to be used in the upcoming school year.
- ✓ • The accountability report "grades" should be a combination of letters and descriptors. So, the current "significantly exceeds expectations" would be statutorily named "A – Significantly Exceeds Expectations."

Kuczenski, Tracy

From: Stritchko, Megan E - DOA <MeganE.Stritchko@wisconsin.gov>
Sent: Thursday, January 29, 2015 2:28 PM
To: Kuczenski, Tracy
Cc: Knepp, Fern
Subject: Accountability - BB0475

LRB - 1509

Hi ladies,

I'm so sorry. Just received the following items to add to the accountability draft. It sounds like there may be an additional item coming as well, but we haven't seen it yet. I'll get it to you as soon as I have it. Please feel free to call with any questions. THANKS!!!

p. 27

- Every other year, beginning in 2017-18, the K-12 education committees of the Assembly and Senate must conduct a review of school report cards.
- Annually, school districts must send a letter to district parents that includes the school district's and schools' grades. The letter must include a link to the full report card at DPI's website and must alert parents that additional information can be found at the website.
- Annually at or prior to the beginning of each school year, districts must notify parents of the academic standards that are to be used in the upcoming school year (this could happen in a district's welcome letter or other mailing to parents, but I don't know if anything like that is required at this point).
- Annually at the first school board meeting of the school year, the agenda must include a notice that clearly states the academic standards that are to be used in the upcoming school year.
- The accountability report "grades" should be a combination of letters and descriptors. So, the current "significantly exceeds expectations" would be statutorily named "A – Significantly Exceeds Expectations."
- In choice schools, clarify that only the choice students are required to take the state assessments (voluntary for other pupils). If there are less than 20 choice students in a school, that school is exempt from the state assessment requirement.

Megan Stritchko

Executive Policy and Budget Analyst
Wisconsin Department of Administration
(608) 266-7329