
AN ACT to repeal 118.44 (4) (a) 2. and 3. and 118.44 (4) (b); to renumber 118.44 (4) (a) 1. a. and b.; to renumber and amend 118.44 (4) (a) (title); to consolidate, renumber and amend 118.44 (4) (a) (intro.) and 1. (intro.); to amend 118.44 (1) (d), 118.44 (4) (d), 118.44 (5) (b) and 118.44 (6) (f); and to create 118.44 (4m) of the statutes; relating to: the requirements for an achievement gap reduction contract.

Analysis by the Legislative Reference Bureau

Under the Achievement Gap Reduction program, a school board receives aid for low-income pupils who are enrolled in a participating grade at a participating school if the participating school complies with an AGR contract between the Department of Public Instruction and the school board. Current law requires that an AGR contract include, among other things, that the school board will implement one or more of the following strategies in the participating grades at a participating school:

1. Reduce class sizes to no more than 18 pupils, or 30 pupils if the classroom has at least two regular classroom teachers, and provide professional development for teachers related to small group instruction.
3. Provide data-informed one-to-one tutoring for pupils at risk of difficulty with math or reading.

This bill eliminates the option for a school board to implement one or more of the strategies described above and instead requires that, under an AGR contract, a
school board must reduce class size to no more than 18 pupils, or 30 pupils if the classroom has at least two regular classroom teachers, and provide professional development for teachers related to small group instruction. Additionally, the bill creates a process for a school board to obtain a waiver from this requirement during the first three years of an AGR contract if the school board makes a good faith effort to implement the small class size strategy.

Finally, under current law, a “participating grade” is defined as five-year-old kindergarten to third grade at a school that is subject to an AGR contract. Under the bill, four-year-old kindergarten is also a participating grade.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 118.44 (1) (d) of the statutes is amended to read:

118.44 (1) (d) “Participating grade” means grade 4-year-old kindergarten, 5-year-old kindergarten, and grades 1 to 3 in a school subject to a contract under this section.

**SECTION 2.** 118.44 (4) (a) (title) of the statutes is renumbered 118.44 (4) (am) (title) and amended to read:

118.44 (4) (am) (title) Strategies: class size; instructional coaching; tutoring.

**SECTION 3.** 118.44 (4) (a) (intro.) and 1. (intro.) of the statutes are consolidated, renumbered 118.44 (4) (am) (intro.) and amended to read:

118.44 (4) (am) (intro.) The school board to implement one or more of the following strategies in For each class in each participating grade at each participating school: 1. Provide professional development related to small group instruction and reduce the class size to one of the following:

**SECTION 4.** 118.44 (4) (a) 1. a. and b. of the statutes are renumbered 118.44 (4) (am) 1. and 2.
SECTION 5. 118.44 (4) (a) 2. and 3. of the statutes are repealed.

SECTION 6. 118.44 (4) (b) of the statutes is repealed.

SECTION 7. 118.44 (4) (d) of the statutes is amended to read:

118.44 (4) (d) School board review. Each participating school to present information regarding the school’s implementation of the contract requirement under par. (a) (am), its performance objectives under par. (c), and its success in attaining the objectives to the school board at the end of every semester of the contract.

SECTION 8. 118.44 (4m) of the statutes is created to read:

118.44 (4m) Waiver. In any of the first 3 years of a contract under sub. (3), a school board may request a waiver from the requirement under sub. (4) (am). The department shall grant the school board’s request if the school board demonstrates that the school board made a good faith effort to comply with the requirement under sub. (4) (am). If a school board obtains a waiver under this subsection, the school board is considered to have complied with sub. (4) (am) in the school year for which the waiver is granted. This subsection does not apply to a renewal under sub. (5).

SECTION 9. 118.44 (5) (b) of the statutes is amended to read:

118.44 (5) (b) The department may not renew a contract with a school district on behalf of a participating school if the department determines that the school board has failed to comply with the terms of the contract under sub. (4).

SECTION 10. 118.44 (6) (f) of the statutes is amended to read:

118.44 (6) (f) Limitations on payment. If a school fails to implement the requirements under sub. (4) (a) (am) in a participating grade for which the department has made payment, the school board of the district shall, upon
the request of the department, reimburse the department the amount paid for the
participating grade on the school's behalf for the school year in which the
requirements were not implemented.

**SECTION 11. Initial applicability.**

(1) This act first applies to a contract under s. 118.44 that is entered into,
renewed, or modified on the effective date of this subsection.