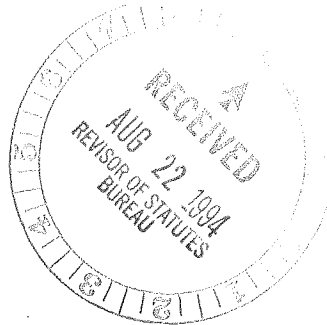


CERTIFICATE

STATE OF WISCONSIN )  
 ) SS  
DEPARTMENT OF PUBLIC INSTRUCTION)

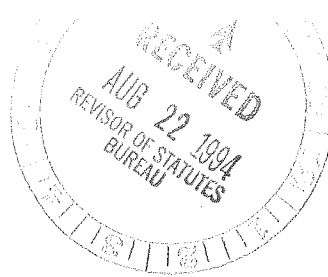
I, State Superintendent of the Department of Public Instruction and custodian of the official records of said Department, do hereby certify that the annexed rule relating to school district standards was duly approved and adopted by this Department on the first day of the month following publication in the Wisconsin Administrative Register.

I further certify that said copy has been compared by me with the original on file in this Department and the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the official seal of the Department at General Executive Facility (GEF) 3, 125 South Webster Street, P.O. Box 7841, in the city of Madison, this 22<sup>nd</sup> day of August, 1994.

John T. Benson  
State Superintendent  
State Department of Public Instruction



ORDER OF THE  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
CREATING/AMENDING RULES

The state superintendent of public instruction hereby amends PI 8.01 (2) (s) and PI 8.02 (1) and repeals and recreates PI 8.01 (2) (o), relating to school district standards.

---

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 121.02 (5) and 227.11 (2) (a), Stats.

Statute interpreted: s. 121.02 (1), Stats.

1991 Wisconsin Act 269 amended the standards under s. 121.02 (1) (o) and (s) to require school districts to distribute a performance disclosure report under s. 115.38 (2), Stats., and to administer the examinations required by the state superintendent under s. 118.30, Stats. That is the basis for these proposed rules.

The proposed rules modify s. PI 8.01 (2) (o), relating to performance disclosure reports, to correspond directly to the statute.

The proposed rules also modify s. PI 8.01 (2) (s), relating to achievement tests, to require school district boards to administer the tests provided by the state superintendent under s. 118.30, Stats., and allows school districts to exempt pupils with limited-English proficiency and pupils with exceptional educational needs from taking the tests as specified under ch. PI 16.

The proposed rules under standard (s) also allow school district boards to administer examinations if they are aligned with the school district's curriculum and measure pupil achievement in relation to certain curriculum objectives. Again, school district boards may exempt pupils with limited-English proficiency and pupils with exceptional educational needs from taking the tests. However, the rules do not specify criteria to be used in making this determination. Instead, the department has developed guidelines. Finally, the proposed rules require school district boards to develop a policy related to the testing and exclusion from testing of pupils with limited-English proficiency and exceptional educational needs.

The proposed rules also make other technical amendments to conform to state statutes.

---

1           SECTION 1. PI 8.01 (2) (o) is repealed and recreated to read:  
2           PI 8.01 (2) (o) Performance disclosure reports. Each school district  
3 board shall annually distribute the performance disclosure report under s.  
4 115.38 (2), Stats. The school district board may include additional  
5 information in the report.

6           SECTION 2. PI 8.01 (2) (s) is amended to read:

1           PI 8.01 (2) (s) Achievement tests. 1. a. Each school district board  
2 shall ~~test all of the pupils enrolled in the school district in reading,~~  
3 ~~language arts and mathematics at least twice in grades kindergarten through 5,~~  
4 ~~at least once in grades 6 through 8, and at least once in grades 9 through 11,~~  
5 beginning the 1993-94 school year, administer the examinations required by the  
6 state superintendent under s. 118.30, Stats. The school district board shall  
7 use achievement tests that are aligned with the school district's curriculum  
8 and which measure pupil achievement in relation to curriculum objectives  
9 identified under par. (k).

10           b. The school district board may exempt a pupil enrolled in a special  
11 education program under ch. 115, subch. V, Stats., or a pupil with limited  
12 English proficiency under ch. 115, subch. VII, Stats., from taking a test  
13 under this subdivision, as specified under ch. PI 16.

14           2. a. The school district board may administer additional examinations  
15 only if they are aligned with the school district's curriculum and measure  
16 pupil achievement in relation to curriculum objectives identified under par.  
17 (k).

18           b. The department shall provide guidelines to assist school districts  
19 in testing and excluding from testing under subpar. a pupils with special  
20 needs, including pupils with exceptional educational needs under ch. 115,  
21 subch. V, Stats., and ~~students~~ pupils with limited English proficiency under  
22 ch. 115, subch. VII, Stats.

23           3. Each school district shall develop and adopt a district policy  
24 related to the testing and exclusion from testing of pupils with exceptional  
25 educational needs under ch. 115, subch. V, Stats., and pupils with limited  
26 English proficiency under ch. 115, subch. VII, Stats. A school district's  
27 participation in the competency testing program under s. 118.30, Stats., meets  
28 the requirement of this paragraph.

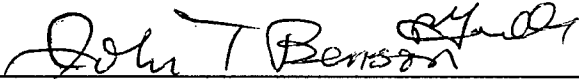
29           SECTION 3. PI 8.02 (1) is amended to read:

30           PI 8.02 (1) ~~Beginning in the 1988-89 school year, the~~ The department  
31 shall annually conduct a general on-site audit of at least ~~20%~~ 10% of all

1 school districts, as required under s. 121.02 (2), Stats., selected by means  
2 of a stratified random sample. In this section, "selected by means of a  
3 stratified random sample" means that districts will be grouped according to  
4 enrollment and a representative number will be selected randomly from each  
5 group. The state superintendent shall audit each school district at least once  
6 every 5 10 years but may not audit a school district more than once every 3 6  
7 years. Nothing in this section prohibits the state superintendent from  
8 conducting an inquiry into compliance with the standards upon receipt of a  
9 complaint.

The rules contained in this order shall take effect on the first day of  
the month commencing after the date of publication in the Wisconsin  
Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.

Dated this 22<sup>nd</sup> day of August, 1994

  
\_\_\_\_\_  
John T. Benson  
State Superintendent

