

## Chapter PI 43

### EDUCATION REFORM

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**PI 43.01 Applicability and purpose.** (1) Section 118.42, Stats., states all of the following:

(a) If the state superintendent determines that a school district has been in need of improvement for four consecutive school years, the school board shall implement the provisions under s. 118.42 (1), Stats.

(b) If the state superintendent determines that a particular public school was among the lowest performing 5 percent of public schools in the state in the previous school year and is located in the school district that has been in need of improvement for four consecutive years, the school board shall implement the provisions under s. 118.42 (2), Stats., in that school.

(c) If the state superintendent determines that a school district has been in need of improvement for four consecutive years, the state superintendent may, after consulting with the school board, the school district superintendent, and representatives of each labor organization representing school district employees, direct the school board to implement one or more of the provisions under s. 118.42 (3) (a), Stats.

(d) If the state superintendent determines that a public school is located in the school district that has been in need of improvement for four consecutive school years, and that the school has been in need of improvement for five consecutive school years, or was among the lowest performing 5 percent of public schools in the state in the previous school year, the state superintendent may, after consulting with the school board, the school district superintendent, and the collective bargaining units, direct the school board to implement one or more of the provisions under s. 118.42 (3) (b), Stats.

(2) This chapter establishes criteria and procedures for determining whether a school or school district is in need of improvement and whether a school is among the lowest performing 5 percent of public schools in the state.

**History:** EmR1023; emerg. cr., eff. 6-28-10; CR 10-075: cr. Register November 2010 No. 659, eff. 12-1-10.

**PI 43.02 Definitions.** In this chapter:

(1) "AYP" means adequate yearly progress described in Wisconsin's state plan required under 20 USC 6311 and approved by the U.S. department of education.

(2) "Department" means the Wisconsin department of public instruction.

(3) "School year" means the time commencing with July 1 and ending with the next succeeding June 30.

(4) "State superintendent" means the state superintendent of public instruction.

**Note:** Wisconsin's state plan required under 20 USC 6311 is available at: <http://dpi.wi.gov/esea/pdf/wiaw.pdf>.

**History:** EmR 1023; emerg. cr., eff. 6-28-10; CR 10-075: cr. Register November 2010 No. 659, eff. 12-1-10; renumbering of (3), (4) made under s. 13.92 (4) (b) 1., Stats., Register November 2010 No. 659.

**PI 43.03 Determination of in need of improvement and lowest performing.** (1) SCHOOL DISTRICT DETERMINATION.

A school district shall be considered in need of improvement if the school district does not meet adequate yearly progress in the objective criteria described in Wisconsin's state plan required under 20 USC 6311 and approved by the U.S. department of education.

(2) PUBLIC SCHOOL DETERMINATION. (a) A public school shall be considered in need of improvement if the school does not meet adequate yearly progress in the objective criteria described in Wisconsin's state plan required under 20 USC 6311 and approved by the U.S. department of education.

(b) A public school shall be considered among the lowest performing 5 percent of public schools in the state in the previous school year if it meets the definition of persistently lowest-achieving schools provided in Wisconsin's school improvement fund application approved by the U.S. department of education and funded subject to meeting school improvement requirements under 20 USC 6303(g).

**History:** EmR 1023; emerg. cr., eff. 6-28-10; CR 10-075: cr. Register November 2010 No. 659, eff. 12-1-10.