



**ASSEMBLY AMENDMENT 2,
TO SENATE BILL 598**

March 20, 2014 – Offered by Representatives POPE, WRIGHT, CLARK and HESSELBEIN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: after “effectiveness” insert “, the student information system,
3 a school and school district accountability system, low-performing schools and
4 school districts, and charter school contracts”.

5 **2.** Page 1, line 3: before that line, before the material inserted by senate
6 amendment 2, insert:

7 “**SECTION 1a.** 20.255 (1) (e) of the statutes, as affected by 2013 Wisconsin Act
8 20, is amended to read:

9 20.255 (1) (e) *Student information system.* As a continuing appropriation, the
10 amounts in the schedule for the student information system under s. ~~115.28 (12)~~
11 115.383.

12 **SECTION 1b.** 20.255 (1) (he) of the statutes, as created by 2013 Wisconsin Act
13 20, is amended to read:

1 20.255 (1) (he) *Student information system; fees*. All moneys received from fees
2 charged as authorized under s. ~~115.28 (12) (b)~~ 115.383 (3) (c) to be used for the student
3 information system established under s. ~~115.28 (12) (a)~~ 115.383 (1).

4 **SECTION 1c.** 115.001 (1) of the statutes is amended to read:

5 115.001 (1) CHARTER SCHOOL. “Charter school” means a school under contract
6 with a school board under s. 118.40 or with ~~one of the entities~~ an entity under s.
7 118.40 (2r) (b), ~~or a school established and operated by one of the entities under s.~~
8 ~~118.40 (2r) (b).~~”.

9 **3.** Page 2, line 9: after that line insert:

10 “**SECTION 4a.** 115.28 (12) (title) of the statutes is renumbered 115.383 (title).

11 **SECTION 4b.** 115.28 (12) (a) of the statutes, as affected by 2013 Wisconsin Act
12 20, is renumbered 115.383 (1), and 115.383 (1) (a) and (c), as renumbered, are
13 amended to read:

14 115.383 (1) (a) Develop a proposal for a multiple-vendor student information
15 system for the standardized collection of pupil data. The proposal shall allow schools
16 and school districts to use their vendor of choice and include reporting requirements
17 that can reasonably be met by multiple vendors. The state superintendent may not
18 establish a student information system unless the proposal is approved by the joint
19 committee on finance under ~~subd. 2 par. (b)~~.

20 (c) If the proposal is approved under ~~subd. 2. par. (b)~~, the state superintendent
21 shall ensure that information about pupils enrolled in charter schools and about
22 pupils enrolled in private schools participating in a parental choice program under
23 s. 118.60 or 119.23, including their academic performance and demographic

1 information, aggregated by school district, school, and teacher, is collected and
2 maintained in the student information system.

3 **SECTION 4c.** 115.28 (12) (ag) (intro.) of the statutes, as affected by 2013
4 Wisconsin Act 20, is renumbered 115.383 (2) (intro.) and amended to read:

5 115.383 (2) (intro.) If the student information system is established under ~~par.~~
6 ~~(a) sub. (1)~~, each school district, charter school, and private school using the system
7 under ~~par. (a) sub. (1)~~ shall include in the system the following information for each
8 teacher teaching in the school district or school who completed a teacher ~~preparatory~~
9 education program described in sub. s. 115.28 (7) (a) or (e) 2. and located in this state
10 ~~or a teacher education program described in sub. (7) (e) 2. and located in this state~~
11 ~~on or after January 1, 2012, or, for each teacher teaching in a private school~~
12 participating in a parental choice program under s. 118.60 or 119.23, who obtained
13 a bachelor's degree from an institution located in this state on or after July 1, 2010:

14 **SECTION 4d.** 115.28 (12) (ag) 1. and 2. of the statutes are renumbered 115.383
15 (2) (a) and (b) and amended to read:

16 115.383 (2) (a) The name of the teacher ~~preparatory program or teacher~~
17 ~~education program the teacher attended and completed~~ or the name of the institution
18 from which the teacher obtained a bachelor's degree.

19 (b) The term or semester and year in which the teacher completed the teacher
20 education program described in subd. 1 ~~or obtained a bachelor's degree.~~

21 **SECTION 4e.** 115.28 (12) (b) of the statutes, as affected by 2013 Wisconsin Act
22 20, is renumbered 115.383 (3) (a) and amended to read:

23 115.383 (3) (a) If the student information system is established under ~~par. (a)~~,
24 sub. (1), the state superintendent shall ensure that within 5 years of the
25 establishment of the system ~~under par. (a)~~, every school district and every charter

1 school, other than a charter school established under s. 118.40 (2r), is using the
2 system, and that.

3 (b) Beginning in the 2014-15 school year, the state superintendent shall ensure
4 that every charter school established under s. 118.40 (2r) and every private school
5 participating in a parental choice program under s. 118.60 or 119.23 is either using
6 the system under par. (a) sub. (1) or is using a system that is interoperable with the
7 system under par. (a). The commercially available, capable of providing the
8 information required under s. 115.39, able to obtain pupil identification numbers
9 under sub. (5), and compatible with the most recent version of the Schools
10 Interoperability Framework.

11 (c) If the student information system is established under sub. (1), the state
12 superintendent may promulgate rules authorizing the department to charge a fee to
13 any person that uses the system. All fees shall be credited to the appropriation
14 account under s. 20.255 (1) (he).

15 **SECTION 4f.** 115.38 of the statutes, as affected by 2013 Wisconsin Act 20, is
16 repealed.

17 **SECTION 4g.** 115.383 (4) of the statutes is created to read:

18 115.383 (4) A private school participating in a parental choice program under
19 s. 118.60 or 119.23 is not required to include information about pupils who are not
20 attending the private school under s. 118.60 or 119.23 in the system it is using under
21 sub. (3).

22 **SECTION 4h.** 115.383 (5) of the statutes is created to read:

23 115.383 (5) The state superintendent shall assign to each pupil attending a
24 public school or charter school, and to each pupil attending a private school under
25 s. 118.60 or 119.23, a unique identification number for use in the student information

1 system. The state superintendent shall not assign to any pupil an identification
2 number that is identical to or incorporates the pupil's social security number.

3 **SECTION 4i.** 115.385 of the statutes, as created by 2013 Wisconsin Act 20, is
4 repealed.

5 **SECTION 4j.** 115.39 of the statutes is created to read:

6 **115.39 School and school district accountability system.** (1) In this
7 section, "school" means a public school, including a charter school, and a private
8 school participating in a parental choice program under s. 118.60 or 119.23.

9 (2) The department shall establish a comprehensive school and school district
10 accountability system beginning in the 2014-15 school year that includes all of the
11 following components:

12 (a) Multiple measures to determine a school's and school district's performance
13 under s. 118.42, including all of the following categorized by English language
14 proficiency, disability, income level, and race or ethnicity:

- 15 1. Pupil achievement in reading and mathematics.
- 16 2. Growth in pupil achievement in reading and mathematics, calculated using
17 a value-added methodology that includes demographic controls.
- 18 3. College and career readiness for high school pupils and being on track for
19 college and career readiness for pupils in the elementary grades.
- 20 4. Gap closure in pupil academic achievement and graduation rates.
- 21 5. Pupil engagement in school.

22 (b) Measures to ensure that all data elements collected and calculations
23 performed are done consistently and in a uniform manner for all schools.

24 (c) An index system to rate a school's and a school district's level of performance
25 as one of the following:

1 1. Significantly exceeds expectations.

2 2. Exceeds expectations.

3 3. Meets expectations.

4 4. Meets few expectations.

5 5. Fails to meet expectations.

6 **(3)** The department shall do all the following:

7 (a) Except as provided in sub. (6), based on data derived from multiple school
8 years, annually rate the performance of each school and school district under sub.
9 (2) (c) and issue an accountability report for the school or school district that is clear
10 and easily understandable.

11 (b) 1. Collect and disseminate the best practices from schools, except that the
12 department may not collect information for this purpose from a private school
13 participating in a parental choice program under s. 118.60 or 119.23 without the
14 private school's consent.

15 2. Identify opportunities to support and intervene in the public schools and
16 school districts that fail to meet expectations.

17 (c) Specify in the report for a private school participating in a parental choice
18 program under s. 118.60 or 119.23 the percentage of pupils attending the school who
19 are attending under the parental choice program.

20 **(4)** The department may use only the following information for each measure
21 specified in sub. (2) (a):

22 (a) For measuring pupil achievement in reading and mathematics under sub.
23 (2) (a) 1.:

24 1. Scores on the reading and mathematics examinations administered under
25 s. 118.30, other than the scores under subd. 2.

1 2. Scores on the alternate reading and mathematics examinations
2 administered under s. 118.30 to children with significant cognitive disabilities.

3 3. The disability status of pupils taking the examinations under s. 118.30.

4 4. The grade level of pupils taking the examinations under s. 118.30.

5 5. The race or ethnicity of pupils taking the examinations under s. 118.30.

6 6. The English proficiency status of pupils taking the examinations under s.
7 118.30.

8 7. The eligibility for a free or reduced-price lunch under 42 USC 1758 (b) of
9 pupils taking the examinations under s. 118.30.

10 8. The United States residency status of pupils taking the examinations under
11 s. 118.30.

12 9. The enrollment status and history of pupils attending the school or school
13 district.

14 (b) For measuring growth in pupil achievement in reading and mathematics
15 under sub. (2) (a) 2., the information under par. (a) 1. and 3. to 9. for at least 2
16 consecutive school years.

17 (c) For measuring gap closure in pupil academic achievement and graduation
18 rates under sub. (2) (a) 4., the information under par. (a) and the information under
19 par. (d) 2. and 6. When measuring gap closure in pupil academic achievement and
20 graduation rates, the department shall ensure that a subgroup with a sufficient
21 number of pupils within a school or school district is compared to the statewide
22 performance of pupils who are not in that subgroup.

23 (d) For measuring college and career readiness under sub. (2) (a) 3. and pupil
24 engagement in school under sub. (2) (a) 5., the information under par. (a); the
25 assessment records of pupils who are eligible to take the examinations administered

1 under s. 118.30; scores on the examinations administered to pupils under s. 118.30;
2 pupil performance on postsecondary entrance or placement examinations; and
3 pupil-level data about all of the following:

4 1. Pupils who are dropouts, as defined in s. 118.153 (1) (b).

5 2. Pupils who graduate from high school with a regular diploma within 4 school
6 years and pupils who graduate from high school with a regular diploma within 5 or
7 6 school years.

8 3. Pupils and high school graduates enrolled in postsecondary educational
9 programs.

10 4. Pupils participating in courses in which they can earn postsecondary credit
11 and their pass rates and performance in those courses.

12 5. High school graduates entering the workforce.

13 6. Pupils who are suspended or expelled; the reasons for the suspension or
14 expulsion; the length of time for which pupils are expelled; whether pupils return to
15 school after being expelled; the educational programs and services provided to
16 expelled pupils, except for pupils attending a private school under s. 118.60 or 119.23;
17 and the schools attended by pupils who are suspended or expelled.

18 7. Pupils participating in art and music classes and physical education classes
19 offered by the school or school district.

20 8. Pupils who attain industry-recognized certifications.

21 9. Habitual truants, as defined in s. 118.16 (1) (a).

22 10. Pupils participating in extracurricular activities.

23 11. Pupils taking the military readiness examination.

24 12. Pupils who concentrate in career and technical education.

1 **(4m)** For a private school participating in a parental choice program under s.
2 118.60 or 119.23, the department may use for each measure specified in sub. (2) (a)
3 only the information specified in sub. (4) that pertains to pupils attending the private
4 school under the program.

5 **(5)** Each school and school district shall display prominently on the home page
6 of its Internet site the reports issued by the department under this section.

7 **(6)** If the department determines that there is insufficient data about a school
8 to rate its performance under sub. (3) (a) or that a rating under sub. (2) (c) is
9 inappropriate because the school serves children at risk, as defined under s. 118.153
10 (1) (a), the department may rate the school as satisfactory or needs improvement.
11 The department shall issue an accountability report for the school.

12 **(7)** The legislative audit bureau shall study the department's methodology for
13 calculating the performance of schools and school districts for the most recently
14 issued performance reports under this section and annually in January submit its
15 findings to the appropriate standing committees of the legislature under s. 13.172
16 (3).

17 **SECTION 5m.** 118.125 (4) of the statutes is amended to read:

18 118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district, a
19 charter school, and a private school participating in the a parental choice program
20 under s. 118.60 or ~~in the program under s. 119.23~~ shall transfer to another school,
21 including a private, charter, or tribal school, or school district all pupil records
22 relating to a specific pupil if the transferring school district or ~~private~~ school has
23 received written notice from the pupil if he or she is an adult or his or her parent or
24 guardian if the pupil is a minor that the pupil intends to enroll in the other school
25 or school district or written notice from the other school or school district that the

1 pupil has enrolled or from a court that the pupil has been placed in a juvenile
2 correctional facility, as defined in s. 938.02 (10p), or a secured residential care center
3 for children and youth, as defined in s. 938.02 (15g). In this subsection, “school” and
4 “school district” include any juvenile correctional facility, secured residential care
5 center for children and youth, adult correctional institution, mental health institute,
6 or center for the developmentally disabled that provides an educational program for
7 its residents instead of or in addition to that which is provided by public, private, and
8 tribal schools.

9 **SECTION 11b.** 118.40 (2r) (b) 1. (intro.) of the statutes is amended to read:

10 118.40 (2r) (b) 1. (intro.) ~~All Any of the following entities may establish by~~
11 ~~charter and operate a charter school or, on behalf of their respective entities, may~~
12 ~~initiate a contract with an individual or group~~ a person ~~to operate a school as a~~
13 charter school:

14 **SECTION 11c.** 118.40 (2r) (b) 2. of the statutes is amended to read:

15 118.40 (2r) (b) 2. ~~A charter shall include all of the provisions specified under~~
16 ~~sub. (1m) (b) 3. to 14.~~ A contract shall include all of the provisions specified under
17 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter
18 school on the liability of the contracting entity under this paragraph. The contract
19 may include other provisions agreed to by the parties. The chancellor of the
20 University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may
21 not ~~establish or~~ enter into a contract for the establishment of a charter school under
22 this paragraph without the approval of the board of regents of the University of
23 Wisconsin System.

24 **SECTION 11d.** 118.40 (2r) (b) 2m. of the statutes is amended to read:

1 118.40 (2r) (b) 2m. a. A ~~charter or~~ contract may include grounds for expelling
2 a pupil from the charter school.

3 b. If the ~~charter or~~ contract includes grounds for expelling a pupil from the
4 charter school as permitted under subd. 2m. a., the ~~charter or~~ contract shall include
5 the procedures to be followed by the charter school prior to expelling a pupil.

6 **SECTION 11e.** 118.40 (2r) (b) 4. of the statutes is amended to read:

7 118.40 (2r) (b) 4. No ~~chartering or~~ contracting entity under subd. 1. may
8 ~~establish or~~ enter into a contract for the establishment of a virtual charter school.

9 **SECTION 11f.** 118.40 (2r) (bm) of the statutes, as affected by 2013 Wisconsin Act
10 20, is amended to read:

11 118.40 (2r) (bm) The common council of the city of Milwaukee and the
12 Milwaukee area technical college district board may ~~establish or enter into a~~ contract
13 for the establishment of a charter school located only in the school district operating
14 under ch. 119. The chancellor of the University of Wisconsin-Milwaukee may
15 ~~establish or enter into a~~ contract for the establishment of a charter school located
16 only in Milwaukee County or in an adjacent county. The chancellor of the University
17 of Wisconsin-Parkside may only ~~establish or enter into a~~ contract for the
18 establishment of a charter school located in a unified school district that is located
19 in the county in which the University of Wisconsin-Parkside is situated or in an
20 adjacent county.

21 **SECTION 11g.** 118.40 (2r) (cm) of the statutes is amended to read:

22 118.40 (2r) (cm) The chancellor of the University of Wisconsin-Parkside may
23 ~~establish or enter into a~~ contract for the establishment of only one charter school
24 under this subsection, which may not operate high school grades and which may not
25 accommodate more than 480 pupils.

1 **SECTION 11h.** 118.40 (2r) (d) (intro.) of the statutes is amended to read:

2 118.40 **(2r)** (d) (intro.) The ~~chartering or~~ contracting entity under par. (b) shall
3 do all of the following:

4 **SECTION 11i.** 118.40 (2r) (d) 3. of the statutes is created to read:

5 118.40 **(2r)** (d) 3. If the department determines under s. 115.39 (3) that a
6 charter school established under this subsection has performed at the lowest
7 performance level for 3 consecutive school years, annually submit to the department
8 the following information until the charter school improves to at least the
9 performance level specified in s. 115.39 (2) (c) 4.:

10 a. The charter school's operating costs, detailed in an audited financial
11 statement.

12 b. The services provided by the contracting entity to the charter school and an
13 itemized accounting of the cost of such services.

14 **SECTION 11j.** 118.40 (3) (e) of the statutes is amended to read:

15 118.40 **(3)** (e) When ~~establishing or~~ contracting for the establishment of a
16 charter school under this section, a school board or entity specified under sub. (2r)
17 (b) shall consider the principles and standards for quality charter schools established
18 by the National Association of Charter School Authorizers.

19 **SECTION 11k.** 118.40 (3) (f) of the statutes is created to read:

20 118.40 **(3)** (f) 1. A contract with a school board or an entity under sub. (2r) (b)
21 shall specify that if the department determines under s. 115.39 (3) that the charter
22 school has performed at the lowest performance level for 3 consecutive school years,
23 the school board or entity under sub. (2r) (b) shall require that a remediation plan,
24 approved by the school board or entity, be implemented by the charter school
25 operator.

1 2. The school board or entity under sub. (2r) (b) shall provide the department
2 with a copy of any remediation plan approved under subd. 1.

3 **SECTION 11L.** 118.40 (4) (c) of the statutes is amended to read:

4 118.40 (4) (c) *Single-sex schools and courses.* A school board ~~may enter into a~~
5 ~~contract for, and an~~ or entity under sub. (2r) may ~~establish or enter into a~~ contract
6 for; the establishment of a charter school that enrolls only one sex or that provides
7 one or more courses that enroll only one sex if the school board or entity under sub.
8 (2r) makes available to the opposite sex, under the same policies and criteria of
9 admission, schools or courses that are comparable to each such school or course.

10 **SECTION 11m.** 118.40 (5) of the statutes is renumbered 118.40 (5) (a).

11 **SECTION 11n.** 118.40 (5) (b) of the statutes is created to read:

12 118.40 (5) (b) A school board or entity under sub. (2r) that has contracted for
13 the establishment of a charter school shall revoke the school's charter if the operator
14 of the charter school implemented a remediation plan under sub. (3) (f) 1. but the
15 school failed to improve to at least the performance level specified in s. 115.39 (2) (c)
16 4. within 3 school years. If a charter school that has had its charter revoked under
17 this paragraph reopens as a private school, it may not participate in a parental choice
18 program under s. 118.60 or 119.23.

19 **SECTION 11o.** 118.42 (1) (intro.) of the statutes is amended to read:

20 118.42 (1) (intro.) If the state superintendent determines under s. 115.39 (3)
21 that a school district has been in need of improvement performed at the lowest
22 performance level for ~~4~~ 3 consecutive school years, ~~the school board shall do all of~~
23 ~~the following~~ apply:

24 **SECTION 11p.** 118.42 (1) (a) to (d) of the statutes are renumbered 118.42 (1) (am)

25 2. to 5.

1 **SECTION 11q.** 118.42 (1) (am) (intro.) and 1. of the statutes are created to read:

2 118.42 (1) (am) (intro.) The school board shall do all of the following:

3 1. Complete a department–approved diagnostic review of the school district to
4 determine the causes of the school district’s poor performance and relevant
5 mitigating factors.

6 **SECTION 11r.** 118.42 (1) (bm) (intro.) and 1. of the statutes are created to read:

7 118.42 (1) (bm) (intro.) After consulting with the school board, the school
8 district administrator, and school district employees, the state superintendent shall
9 direct the school board to do one or more of the following in the school district:

10 1. Modify one or more of the activities performed by the school board under par.
11 (am).

12 **SECTION 11s.** 118.42 (1) (cm) of the statutes is created to read:

13 118.42 (1) (cm) Nothing in this subsection authorizes the department to
14 require, or a school board to implement, an action that would result in an impairment
15 of the school board’s contract with a charter school operator.

16 **SECTION 11t.** 118.42 (2) of the statutes is repealed.

17 **SECTION 11u.** 118.42 (2m) of the statutes is created to read:

18 118.42 (2m) (a) If the state superintendent determines under s. 115.39 (3) that
19 a public school, other than a charter school, has performed at the lowest performance
20 level for 3 consecutive school years, the school board shall complete a
21 department–approved, on–site, diagnostic review of the school to determine the
22 causes of the school’s poor performance and relevant mitigating factors. Based on
23 the results of the diagnostic review, the school board shall do one of the following:

1 1. Implement department–approved improvement activities that are
2 consistent with federal improvement requirements and that significantly transform
3 the school.

4 2. Convert the school to a charter school.

5 3. Close the school.

6 (b) If a school board implements department–approved improvement activities
7 under par. (a) 1., the state superintendent shall direct the school board to do one or
8 more of the following after the state superintendent consults with the school board,
9 the school district administrator and school district employees:

10 1. Modify one or more of the activities performed by the school board under par.

11 (a) 1.

12 2. Implement in the school a new or modified instructional design, which may
13 include expanded school hours or additional pupil supports and services.

14 3. Implement professional development programs that focus on improving
15 pupil academic achievement in the school.

16 4. Implement changes in administrative and personnel structures in the
17 school.

18 5. Adopt accountability measures to monitor the school district’s finances or to
19 monitor other interventions directed by the state superintendent under subds. 1. to
20 4.

21 (c) If a school board implements department–approved improvement activities
22 under par. (a) 1., but the school fails to improve to at least the performance level
23 specified in s. 115.39 (2) (c) 4. within 3 school years, the school board shall convert
24 the school to a charter school or close the school.

25 **SECTION 11v.** 118.42 (3) (a) (intro.) of the statutes is repealed.

1 **SECTION 11w.** 118.42 (3) (a) 1. of the statutes is repealed.

2 **SECTION 11x.** 118.42 (3) (a) 2. to 5. of the statutes are renumbered 118.42 (1)
3 (bm) 2. to 5.

4 **SECTION 11y.** 118.42 (3) (b) and (c) of the statutes are repealed.

5 **SECTION 11z.** 118.42 (4) and (5) of the statutes are repealed.

6 **SECTION 29m.** 118.60 (9m) of the statutes is created to read:

7 118.60 **(9m)** (a) If the department determines under s. 115.39 (3) that a private
8 school participating in the program under this section has performed at the lowest
9 performance level for 3 consecutive school years, the private school shall notify its
10 accrediting agency of the determination and request the agency to review the school's
11 accreditation.

12 (b) If the private school fails to improve to at least the performance level
13 specified in s. 115.39 (2) (c) 4. within 3 school years of the department's determination
14 under par. (a), the state superintendent shall issue an order, effective on the
15 succeeding July 1, permanently barring the private school from participating in the
16 program under this section and the program under s. 119.23.

17 (c) A private school that has been barred under par. (b) may not reopen as a
18 charter school.

19 **SECTION 31e.** 118.60 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
20 20, is amended to read:

21 118.60 **(10)** (c) Whenever the state superintendent issues an order under par.
22 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
23 guardian of each pupil attending the private school under this section.

24 **SECTION 31m.** 118.60 (10) (d) of the statutes is amended to read:

1 118.60 (10) (d) The state superintendent may withhold payment from a private
2 school under subs. (4) and (4m) if the private school violates this section or fails to
3 participate in the student information system as required under s. 115.383 (3).

4 **SECTION 31s.** 119.04 (1) of the statutes, as affected by 2013 Wisconsin Act 20,
5 is amended to read:

6 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
7 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
8 115.345, 115.363, 115.365 (3), ~~115.38 (2)~~, 115.383, 115.39, 115.415, 115.445, 118.001
9 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to
10 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
11 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245,
12 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52,
13 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2)
14 (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),
15 and 120.25 are applicable to a 1st class city school district and board.

16 **SECTION 54m.** 119.23 (9m) of the statutes is created to read:

17 119.23 (9m) (a) If the department determines under s. 115.39 (3) that a private
18 school participating in the program under this section has performed at the lowest
19 performance level for 3 consecutive school years, the private school shall notify its
20 accrediting agency of the determination and request the agency to review the school's
21 accreditation.

22 (b) If the private school fails to improve to at least the performance level
23 specified in s. 115.39 (2) (c) 4. within 3 school years of the department's determination
24 under par. (a), the state superintendent shall issue an order, effective on the

1 succeeding July 1, permanently barring the private school from participating in the
2 program under this section and the program under s. 118.60.

3 (c) A private school that has been barred under par. (b) may not reopen as a
4 charter school.

5 **SECTION 56b.** 119.23 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
6 20, is amended to read:

7 119.23 (10) (c) Whenever the state superintendent issues an order under par.
8 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
9 guardian of each pupil attending the private school under this section.

10 **SECTION 56d.** 119.23 (10) (d) of the statutes is amended to read:

11 119.23 (10) (d) The state superintendent may withhold payment from a private
12 school under subs. (4) and (4m) if the private school violates this section or fails to
13 participate in the student information system as required under s. 115.383 (3).

14 **SECTION 56f.** 120.12 (26) of the statutes is created to read:

15 120.12 (26) STAFFING AND FINANCIAL DATA. Upon request, provide to the
16 department any staffing or financial data that the department needs to comply with
17 state or federal reporting requirements.

18 **SECTION 56h.** 121.006 (2) (d) of the statutes is amended to read:

19 121.006 (2) (d) Comply with a directive issued by the state superintendent
20 under s. 118.42 ~~(3)(a) or (1)(bm) or (2m)~~ (b).

21 **SECTION 56k.** 121.02 (1) (o) of the statutes is amended to read:

22 121.02 (1) (o) Annually comply with the requirements of s. ~~115.38 (2).~~ The
23 school board may include additional information in the report under s. ~~115.38 (2)~~
24 115.39 (5).

25 **SECTION 61m. Nonstatutory provisions.**

1 (1) MILWAUKEE PUBLIC SCHOOLS.

2 (a) Except as provided under paragraph (b), no data derived from a school year
3 prior to the 2014-15 school year may be used by the department of public instruction
4 to determine a school's or a school district's performance under section 115.39 of the
5 statutes, as created by this act.

6 (b) For the purpose of section 118.42 of the statutes, as affected by this act, the
7 department of public instruction shall treat the school district operating under
8 chapter 119 of the statutes as if it had performed at the lowest performance level
9 under section 115.39 (2) (c) of the statutes, as created by this act, for the 3 consecutive
10 school years immediately preceding the school year in which this subsection takes
11 effect.

12 (2) LEGISLATIVE AUDIT BUREAU REPORT. The legislative audit bureau shall submit
13 its initial report under section 115.39 (7) of the statutes, as created by this act, in
14 January 2016.

15 **SECTION 62m. Initial applicability.**

16 (1) The treatment of section 118.40 (3) (f) of the statutes and the creation of
17 section 118.40 (5) (b) of the statutes first apply to a contract for the establishment of
18 a charter school that is entered into, modified, or renewed on the effective date of this
19 subsection.”.

20

(END)