



WISCONSIN LEGISLATIVE COUNCIL INFORMATION MEMORANDUM

Education Reform Legislation: 2011 Wisconsin Act 166

2011 Wisconsin Act 166 made several changes to Wisconsin elementary and secondary education laws. The changes have the goals of improving educator effectiveness and student performance and are based upon recommendations of Wisconsin's Read to Lead Task Force and Wisconsin's Educator Effectiveness Design Team.

Act 166 does the following:

- Creates the Read to Lead Development Council.
- Creates the Governor's Read to Lead Development Fund to provide grants in support of literacy and early childhood development programs.
- Requires that kindergarten pupils be screened for reading readiness.
- Require evaluation of teacher preparatory programs.
- Provides for evaluation of educator effectiveness.
- Creates new requirements for specified teacher licenses.

Act 166 takes effect on April 17, 2012.

READ TO LEAD DEVELOPMENT COUNCIL

Act 166 creates the Read to Lead Development Council in the Office of the Governor. The council consists of all of the following:

- The Governor or his or her designee, who serves as chair of the council.
- The State Superintendent of Public Instruction or his or her designee, who serves as vice-chair of the council.

- The chairs of the committees in the Assembly and the Senate whose subject matter is elementary and secondary education or members of those committees designated by those chairs.
- The ranking minority members of the Assembly and Senate education committees or members of those committees designated by the ranking minority members.
- The following members appointed by the Governor for staggered three-year terms:
 - Two practicing elementary and secondary education teachers or principals.
 - One practicing preschool teacher.
 - Three persons representing Wisconsin's philanthropic community.
 - Three persons representing Wisconsin's business community.
 - One person representing the Wisconsin State Reading Association.
 - One person representing the Wisconsin Reading Coalition.
 - One person representing the International Dyslexia Association.
 - One person representing Wisconsin Literacy, Inc.
 - One person representing the Wisconsin Library Association.
 - One person representing Wisconsin's research community.
 - One person representing an organization that has as its mission service to children with various types of disabilities.

[s. 14.017 (5), Stats.]

Annually, the Read to Lead Development Council must submit a report on its operation to the appropriate standing committees. The council must make recommendations to the Governor and the State Superintendent regarding recipients of grants from the Read to Lead Development Fund, described below. [s. 14.20 (1m), Stats.]

READ TO LEAD DEVELOPMENT FUND

Act 166 creates the Read to Lead Development Fund for grants to support literacy and early childhood development programs. The fund is a nonlapsible fund and consists of all gifts, grants, bequests, and other contributions made to the fund. The amount of each grant awarded is determined jointly by the Governor and the State Superintendent. [s. 25.79, Stats.]

From the fund, the Governor may award a grant to any person, other than a school board, for support of a literacy improvement program or for support of a literacy or early childhood development program. Also, from the fund, the State Superintendent may award a grant to a

school board for support of a literacy or early childhood development program. [s. 14.20 (2), Stats.]

The Act transfers \$400,000 from the general fund to the Read to Lead Development Fund. [SECTION 27, 2011 Wisconsin Act 166.]

The Act requires the Legislative Audit Bureau to annually conduct a financial audit of the fund. [s. 13.94 (1) (dL), Stats.]

SCREENING FOR READING READINESS

The Act provides that, beginning in the 2012-13 school year, each school board and the governing body of each independent charter school must, using the appropriate, valid, and reliable assessment of literacy fundamentals selected by the Department of Public Instruction (DPI), annually assess each pupil enrolled in kindergarten in the school district or charter school for reading readiness. DPI must ensure that the assessment evaluates whether a pupil possesses phonemic awareness and letter sound knowledge.

The Act specifies that, if a pupil is enrolled in a special education program, the school board or charter school must accommodate that pupil as provided in the pupil's individualized education program (IEP) when the pupil takes reading assessment. This could include communication assistance for a pupil with little or no speech, for example.

The Act requires a school board or charter school to report the results of a pupil's reading assessment to the pupil's parent or guardian.

If a pupil's assessment indicates that he or she is at risk of reading difficulty, the school board or the governing body of the independent charter school must provide the pupil with interventions or remedial reading services. The interventions or services must be scientifically based and must address all areas in which the pupil is deficient in a manner consistent with the state standards in reading and language arts. [ss. 118.016 and 121.02 (1) (c) 3., Stats.]

The Act appropriates \$800,000 of general purpose revenue to DPI in fiscal year 2013-14 to provide school districts and independent charter schools with the assessments of reading readiness. [s. 20.255 (1) (f), Stats.]

EVALUATION OF TEACHER PREPATORY PROGRAMS

The Act requires DPI, in consultation with the Governor's office, the chairs of the committees in the Senate and Assembly whose subject matter is elementary and secondary education and ranking members of those committees, the Board of Regents of the University of Wisconsin System, and the Wisconsin Association of Independent Colleges and Universities, to do all of the following:

- Determine how performance of individuals who have recently completed a teacher preparatory program or a teacher education program located in Wisconsin will be used to evaluate the teacher preparatory and education programs. This

determination must, at minimum, define “recently completed” and identify measures to assess an individual’s performance.

- Determine how the measures of performance of individuals who have recently completed a teacher preparatory or education program will be made accessible to the public.
- Develop a system to publicly report the measures of performance for each teacher preparatory and education program.

Beginning in the 2013-14 school year, the Act requires each teacher preparatory and education program to prominently display and annually update the passage rate on first attempt of recent graduates of the program on examinations administered for licensure as an educator and any other information required by DPI to be reported on the program’s website. The program must provide this information to persons receiving admissions materials to the program. [s. 115.28 (7g), Stats.]

The Act provides that, beginning on July 1, 2012, and annually thereafter, DPI must require that each teacher preparatory and education program submit to DPI a list of individuals who have completed the program and who have been recommended by the program for licensure, together with each individual’s date of program completion, from each term or semester of the program’s most recently completed academic year. [s. 115.28 (7) (a) and (e) 2., Stats.]

Beginning the 2012-13 school year, the Act requires each school district using DPI’s student information system to include the following information for each teacher teaching in the school district who completed a teacher preparatory or education program located in Wisconsin on or after January 1, 2012:

- The name of the teacher preparatory program or education program the teacher attended and completed.
- The term or semester and year in which the teacher completed the program.

[s. 115.28 (12) (ag), Stats.]

EDUCATOR EFFECTIVENESS

The Act requires DPI to develop an educator effectiveness evaluation system (“state system”) and an equivalency process aligned with the state system (“equivalency process”) for the evaluation of teachers and principals of public schools, including teachers and principals of independent charter schools.

DPI must develop the state system according to the following framework:

- 50% of the total evaluation score assigned to a teacher or principal must be based on measures of student performance, including performance on state assessments, district-wide assessments, student learning objectives, school-wide reading at the elementary and middle-school levels, and graduation rates at the high school level.

- 50% of the total evaluation score assigned to a teacher must be based on one of the following:
 - For a teacher, the extent to which the teacher's practice meets the core teaching standards adopted by the 2011 Interstate Teacher Assessment and Support Consortium (InTASC). InTASC is a program of the Council of Chief State School Officers (CCSSO). It is a consortium of state education agencies (including DPI), higher education instructors, and national educational organizations and promotes reform of the preparation, licensing, and professional development of teachers. [www.ccsso.org.]
 - For a principal, the extent to which the principal's practice meets the 2008 Interstate School Leaders Licensure Consortium Educational Leadership Policy Standards. These standards were adopted by the National Policy Board for Educational Administration. The CCSSO is working with states to use the standards. [www.npbea.org.]

DPI must promulgate by administrative rule an equivalency process for a school district or an independent charter school seeking to utilize an alternative process for the evaluation of teacher and principal practice. The process must be based on the criteria established in the 2011 Interstate Teacher Assessment and Support Consortium and the 2008 Interstate School Leaders Licensure Consortium Educational Leadership Policy Standards. A school district or independent charter school that uses the equivalency process must evaluate the performance of teachers in the following domains:

- Planning and preparation.
- The classroom environment.
- Instruction.
- Professional responsibility and development.

The Act provides that a teacher or principal evaluated under the state system or the equivalency process must be placed in one of multiple performance categories. [s. 115.415, Stats.]

Beginning in the 2014-15 school year, each school board must evaluate the effectiveness of each teacher and principal employed by the school district using either the state system or the equivalency process. The school board must ensure that the results of the evaluations are not subject to public inspection, copying, or disclosure under the Open Records Law. [s. 120.12 (2m), Stats.]

In submitting its budget request for the 2013-15 fiscal biennium, DPI must submit information concerning the cost of developing and implementing the state system and the equivalency process for evaluating educator effectiveness. [SECTION 26 (a), 2011 Wisconsin Act 166.]

TEACHER LICENSURE

The Act provides that DPI may not issue: (a) an initial teaching license that authorizes the holder to teach in grades kindergarten to five or in special education; (b) an initial license as a reading teacher; or (c) an initial license as a reading specialist, unless the applicant has passed an examination identical to the Foundations of Reading test administered in 2012 as part of the Massachusetts Tests for Educator Licensure. DPI must set the passing cut score on the examination at a level no lower than the level recommended by the developer of the test, based on Wisconsin's standards.

Under the Act, any teacher who passes the examination must notify DPI which must add a notation to the teacher's license indicating that he or she has passed the examination. [s. 118.19 (14), Stats.]

These provisions first apply to an application for a teaching license received by DPI, on January 1, 2014. [SECTION 28, 2011 Wisconsin Act 166.]

This memorandum is not a policy statement of the Joint Legislative Council or its staff.

This memorandum was prepared by Anne Sappenfield, Senior Staff Attorney, on April 16, 2012.

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