
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Assembly Bill 446

Assembly Amendments 1 and 3

2021 ASSEMBLY BILL 446

Assembly Bill 446 replaces an existing requirement for school districts and independent charter schools to administer an annual reading readiness assessment in four year-old kindergarten (4K) to second grade with a three-tier program of reading assessments. Under the bill, school districts and independent charter schools must administer a fundamental skills screening assessment twice in 4K, and to administer a universal screening assessment three times in each grade from 5K to second. The bill further requires that school districts and charter schools provide interventions to students identified as “at risk” because they score below the 25th percentile on an assessment, including the preparation of a personal reading plan for each student.

Districts and independent charter schools must also administer additional reading assessments, known as “Level 1” and “Level 2” screening assessments, to students if certain conditions exist. A district or school must administer a Level 1 or Level 2 screening assessment to a student if: (1) the student scored below the 25th percentile on the previous assessment and fails to make adequate progress after 12 weeks of interventions or intensive interventions; or (2) the student’s parent or teacher suspects the pupil has dyslexia and submits a request for a subsequent assessment.

The bill also requires school districts and independent charter schools to report assessment results and other information to parents, and requires the Department of Public Instruction (DPI) to collect and report assessment and intervention information to the Legislature. Additionally, the bill requires DPI to prepare a list of approved fundamental skills, universal, Level 1, and Level 2 screening assessments, and the list must include names of particular assessments specifically enumerated in the bill.

Finally, the bill requires DPI to pay a school board or charter school the per pupil cost of each reading readiness screening assessment required under the bill from an existing appropriation.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 consolidates and changes certain assessment and intervention requirements under the bill. The amendment replaces required “Level 1” and “Level 2” screening assessments with a required “diagnostic assessment,” defined as a tool that: (1) evaluates a student’s skills in phonemic awareness, decoding skills, alphabet knowledge, letter sound knowledge, rapid naming, phonological awareness, word recognition, spelling, vocabulary, listening comprehension, and oral reading fluency and reading comprehension when developmentally appropriate; and (2) allows a parent to complete a family history survey to provide additional information about learning difficulties in the student’s family. The amendment also eliminates the distinction between required “interventions” and “intensive interventions” and applies the more intensive requirements for all students identified as “at risk.”

Additionally, the amendment changes the timelines for administering assessments, providing interventions, and preparing personal reading plans for students. Under the bill, a school must administer a Level 1 screening assessment within 20 days after a universal screening assessment

indicates the student is at risk and the student shows an inadequate rate of progress after 12 weeks of intervention, or after a teacher or parent requests the assessment. Similarly, the bill requires a school to administer a Level 2 screening assessment within 20 days after a Level 1 assessment indicates the student is at risk and the student shows an inadequate rate of progress after 12 weeks of intensive intervention, or after a teacher or parent requests the assessment.

The amendment replaces these timelines with a requirement to administer a diagnostic assessment as follows: (1) by the second Friday of November after the first universal assessment of the school year identifies a student as “at risk;” (2) within 10 days after the second universal screening assessment identifies a student as “at risk;” or (3) within 20 days after a teacher or parent submits a request. Further, the amendment requires that parental notification be provided in a parent’s native language, and that notice of a student’s progress be given after the student receives 10 weeks of interventions, rather than 12 weeks.

Next, the amendment creates a timeline by which a school must create a personal reading plan for a student identified as “at risk” on an assessment. The school must prepare a plan by the second Friday of November for a student identified as “at-risk” based on a universal assessment administered early in the school year or diagnostic assessment given before that date. For a student identified as “at-risk” based on a universal assessment given in the middle of the school year or a subsequent diagnostic assessment, the school must prepare a plan within 10 days after the applicable assessment.

Finally, the amendment changes the required DPI list of approved assessments. Instead of enumerating names of specific assessments and requiring DPI to include them on its approved list, the amendment provides criteria that a universal screening or diagnostic assessment must meet before DPI may include it on the list.

ASSEMBLY AMENDMENT 3

Assembly Amendment 3 changes the manner of funding assessments required under the bill. As originally written, the bill requires DPI to pay a school board or charter school the per pupil cost of each reading readiness screening assessment from an existing appropriation, and to prorate the payments if there are insufficient funds in the appropriation.

Amendment 3 deletes the provision that funds assessment costs out of the existing appropriation. Instead, under the amendment, the Governor must allocate \$5 million from federal funds received pursuant to the federal American Rescue Plan Act of 2021 (ARPA) to DPI for grants to school boards and independent charter schools to fund teacher professional development and implementation costs related to providing the assessments and interventions required by the bill.

BILL HISTORY

Assembly Amendment 1 was offered by Representative Kitchens on October 20, 2021. On October 21, 2021, the Assembly Committee on Education adopted Assembly Amendment 1 and passed the bill, as amended, on votes of Ayes, 10; Noes, 4.

Assembly Amendment 3 was offered by Representative Kitchens on February 22, 2022. On that date, the Assembly adopted Assembly Amendment 3 and passed the bill, as amended, on voice votes.

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