



**ASSEMBLY AMENDMENT 3,
TO SENATE BILL 598**

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

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, charter school contracts, and
4 making an appropriation”.

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

7 “**SECTION 1bc.** 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 1bd.** 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 1be.** 20.255 (2) (am) of the statutes is created to read:

5 20.255 (2) (am) *Corrective action plans*. A sum sufficient equal to \$10,000,000
6 annually to implement corrective action plans under ss. 118.40 (5m (d), 118.425 (4)
7 (f), 118.60 (9m) (b), and 119.23 (9m) (b).

8 **SECTION 1bf.** 115.001 (1) of the statutes is amended to read:

9 115.001 (1) CHARTER SCHOOL. “Charter school” means a school under contract
10 with a school board under s. 118.40 or with ~~one of the entities~~ an entity under s.
11 118.40 (2r) (b), ~~or a school established and operated by one of the entities under s.~~
12 ~~118.40 (2r) (b).~~”.

13 **3.** Page 1, line 3: before that line, after the material inserted by senate
14 amendment 2, insert:

15 “**SECTION 1e.** 115.28 (12) (title) of the statutes is renumbered 115.383 (title).

16 **SECTION 1f.** 115.28 (12) (a) of the statutes, as affected by 2013 Wisconsin Act
17 20, is renumbered 115.383 (1), and 115.383 (1) (a) and (c), as renumbered, are
18 amended to read:

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

1 (c) If the proposal is approved under ~~subd. 2. par. (b)~~, the state superintendent
2 shall ensure that information about pupils enrolled in charter schools and about
3 pupils enrolled in private schools participating in a parental choice program under
4 s. 118.60 or 119.23, including their academic performance and demographic
5 information, aggregated by school district, school, and teacher, is collected and
6 maintained in the student information system.

7 **SECTION 1g.** 115.28 (12) (ag) (intro.) of the statutes, as affected by 2013
8 Wisconsin Act 20, is renumbered 115.383 (2) (intro.) and amended to read:

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

18 **SECTION 1h.** 115.28 (12) (ag) 1. and 2. of the statutes are renumbered 115.383
19 (2) (a) and (b) and amended to read:

20 115.383 (2) (a) The name of the teacher ~~preparatory program or teacher~~
21 ~~education program the teacher attended and completed~~ or the name of the institution
22 from which the teacher obtained a bachelor's degree.

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

1 **SECTION 1i.** 115.28 (12) (b) of the statutes, as affected by 2013 Wisconsin Act
2 20, is renumbered 115.383 (3) (a) and amended to read:

3 115.383 **(3)** (a) If the student information system is established under ~~par. (a),~~
4 sub. (1), the state superintendent shall ensure that within 5 years of the
5 establishment of the system ~~under par. (a),~~ every school district and every charter
6 school, other than a charter school established under s. 118.40 (2r), is using the
7 system, ~~and that.~~

8 (b) Beginning in the 2015-16 school year, the state superintendent shall ensure
9 that every charter school established under s. 118.40 (2r) and every private school
10 participating in a parental choice program under s. 118.60 or 119.23 is either using
11 the system under ~~par. (a) sub. (1)~~ or is using a system that is interoperable with the
12 ~~system under par. (a).~~ The commercially available, capable of providing the
13 information required under s. 115.39, and able to obtain pupil identification
14 numbers under sub. (5).

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

19 **SECTION 1j.** 115.38 of the statutes, as affected by 2013 Wisconsin Act 20, is
20 repealed.

21 **SECTION 1kg.** 115.383 (4) of the statutes is created to read:

22 115.383 **(4)** A private school participating in a parental choice program under
23 s. 118.60 or 119.23 is not required to include information about pupils who are not
24 attending the private school under s. 118.60 or 119.23 in the system it is using under
25 sub. (3).

1 **SECTION 1kh.** 115.383 (5) of the statutes is created to read:

2 115.383 (5) The state superintendent shall assign to each pupil attending a
3 public school or charter school, and to each pupil attending a private school under
4 s. 118.60 or 119.23, a unique identification number for use in the student information
5 system. The state superintendent shall not assign to any pupil an identification
6 number that is identical to or incorporates the pupil's social security number or that
7 uses any other personally identifying information.

8 **SECTION 1ki.** 115.385 (3) of the statutes is created to read:

9 115.385 (3) This section does not apply after September 30, 2017.

10 **SECTION 1kL.** 115.39 of the statutes is created to read:

11 **115.39 School and school district accountability system.** (1) In this
12 section, "school" means a public school, including a charter school, and a private
13 school participating in a parental choice program under s. 118.60 or 119.23.

14 (2) The department shall establish a comprehensive school and school district
15 accountability system beginning in the 2017-18 school year that includes all of the
16 following components:

17 (a) Multiple measures to determine a school's and school district's performance,
18 including all of the following categorized by English language proficiency, disability,
19 income level, and race or ethnicity:

20 1. Pupil achievement in reading and mathematics.

21 2. Growth in pupil achievement in reading and mathematics.

22 3. College and career readiness for high school pupils and being on track for
23 college and career readiness for pupils in the elementary grades.

24 4. Gap closure in growth in pupil achievement in reading and mathematics and
25 in graduation rates.

1 5. Pupil engagement in school.

2 (b) Measures to ensure that all applicable data elements collected and
3 calculations performed are done consistently and in a uniform manner for all schools
4 and school districts.

5 (c) A grading system to rate a school's and a school district's level of
6 performance as one of the following:

7 1. Significantly exceeds expectations.

8 2. Exceeds expectations.

9 3. Meets expectations.

10 4. Meets few expectations.

11 5. Fails to meet expectations.

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

13 (a) Except as provided in sub. (6), annually grade the performance of each
14 school and school district under sub. (2) (c) and issue an accountability report for the
15 school or school district that is clear and easily understandable. Except with regard
16 to pupil achievement and high school graduation status, the department shall base
17 the grade on data derived from at least 2 consecutive school years, and from at least
18 3 consecutive school years when feasible.

19 (c) Collect and disseminate the best practices from schools, except that the
20 department may not collect information for this purpose from a private school
21 participating in a parental choice program under s. 118.60 or 119.23 without the
22 private school's consent.

23 (d) On the accountability report for a private school participating in a parental
24 choice program under s. 118.60 or 119.23, identify the grade derived from data
25 generated by pupils attending the private school under s. 118.60 or 119.23 as a choice

1 pupil report. The report shall also specify the number and percentage of pupils
2 attending the private school under s. 118.60 or 119.23.

3 (e) Include a data component in a school or school district accountability report
4 for a school year only if the component includes data from at least 20 pupils in that
5 school year.

6 (f) At least 30 days before issuing an accountability report for a school or school
7 district under this section, provide the school or school district an opportunity to
8 review a preliminary version of the report and correct errors.

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

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

13 1. Scores on the reading and mathematics examinations administered under
14 s. 118.30, including scores on the alternate reading and mathematics examinations
15 administered to children with significant cognitive disabilities.

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

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

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

19 5. The English proficiency status of pupils taking the examinations under s.
20 118.30.

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

23 7. The enrollment status and history of pupils attending the school or school
24 district.

1 (b) For measuring growth in pupil achievement in reading and mathematics
2 under sub. (2) (a) 2., the information under par. (a).

3 (c) For measuring gap closure in growth in pupil achievement in reading and
4 mathematics and in graduation rates under sub. (2) (a) 4., the information under par.
5 (a) and the information under par. (d) 2. and 6. When measuring gap closure, the
6 department shall ensure that a subgroup with a sufficient number of pupils within
7 a school or school district is compared to the statewide performance of pupils who are
8 not in that subgroup.

9 (d) For measuring college and career readiness under sub. (2) (a) 3. and pupil
10 engagement in school under sub. (2) (a) 5., the information under par. (a); the
11 assessment records of pupils who are eligible to take the examinations administered
12 under s. 118.30; scores on the examinations administered to pupils under s. 118.30;
13 pupil performance on postsecondary entrance or placement examinations; and
14 pupil-level data about all of the following:

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

16 2. Pupils who graduate from high school with a regular diploma within 4 school
17 years and pupils who graduate from high school with a regular diploma within 5 or
18 6 school years.

19 3. Pupils and high school graduates enrolled in postsecondary educational
20 programs.

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

23 5. High school graduates entering the workforce.

24 6. Pupils who are suspended or expelled; the reasons for the suspension or
25 expulsion; the length of time for which pupils are expelled; whether pupils return to

1 school after being expelled; the educational programs and services provided to
2 expelled pupils, except for pupils attending a private school under s. 118.60 or 119.23;
3 and the schools attended by pupils who are suspended or expelled.

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

6 8. Pupils who attain industry-recognized certifications.

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

8 10. Pupils participating in extracurricular activities.

9 11. Pupils taking the military readiness examination.

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

11 **(4m)** For a private school participating in a parental choice program under s.
12 118.60 or 119.23, the department may use for each measure specified in sub. (2) (a)
13 only the information specified in sub. (4) that pertains to pupils attending the private
14 school under the program.

15 **(5)** Each school and school district shall provide a link on the home page of its
16 Internet site to the report issued by the department under this section.

17 **(6)** If the department determines that there is insufficient data about a school
18 to grade its performance under sub. (3) (a) or that a grade under sub. (2) (c) is
19 inappropriate because the school serves exclusively children at risk, as defined
20 under s. 118.153 (1) (a), the department may grade the school as “satisfactory” or
21 “needs improvement.” The department shall issue an accountability report for the
22 school.

23 **(7)** The legislative audit bureau shall study the department’s methodology for
24 calculating the performance of schools and school districts for the most recently

1 issued accountability reports under this section and annually in January submit its
2 findings to the joint legislative audit committee under s. 13.172 (3).”.

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

4 **“SECTION 1p.** 118.125 (4) of the statutes is amended to read:

5 118.125 (4) TRANSFER OF RECORDS. Within 5 working days, a school district, a
6 charter school, and a private school participating in the a parental choice program
7 under s. 118.60 or ~~in the program under s.~~ 119.23 shall transfer to another school,
8 including a private, charter, or tribal school, or school district all pupil records
9 relating to a specific pupil if the transferring school district or ~~private~~ school has
10 received written notice from the pupil if he or she is an adult or his or her parent or
11 guardian if the pupil is a minor that the pupil intends to enroll in the other school
12 or school district or written notice from the other school or school district that the
13 pupil has enrolled or from a court that the pupil has been placed in a juvenile
14 correctional facility, as defined in s. 938.02 (10p), or a secured residential care center
15 for children and youth, as defined in s. 938.02 (15g). In this subsection, “school” and
16 “school district” include any juvenile correctional facility, secured residential care
17 center for children and youth, adult correctional institution, mental health institute,
18 or center for the developmentally disabled that provides an educational program for
19 its residents instead of or in addition to that which is provided by public, private, and
20 tribal schools.

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

22 118.40 (2r) (b) 1. (intro.) ~~All~~ Any of the following entities may establish ~~by~~
23 ~~charter and operate a charter school or, on behalf of their respective entities, may~~

1 ~~initiate a contract with an individual or group~~ a person to operate ~~a school as a~~
2 charter school:

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

4 118.40 **(2r)** (b) 2. ~~A charter shall include all of the provisions specified under~~
5 ~~sub. (1m) (b) 3. to 14.~~ A contract shall include all of the provisions specified under
6 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter
7 school on the liability of the contracting entity under this paragraph. The contract
8 may include other provisions agreed to by the parties. The chancellor of the
9 University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may
10 not ~~establish or enter into a contract for the establishment of a charter school under~~
11 this paragraph without the approval of the board of regents of the University of
12 Wisconsin System.

13 **SECTION 1s.** 118.40 (2r) (b) 2m. of the statutes is amended to read:

14 118.40 **(2r)** (b) 2m. a. ~~A charter or contract~~ may include grounds for expelling
15 a pupil from the charter school.

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

19 **SECTION 1t.** 118.40 (2r) (b) 4. of the statutes is amended to read:

20 118.40 **(2r)** (b) 4. No ~~chartering or contracting entity under subd. 1.~~ may
21 ~~establish or enter into a contract for the establishment of a virtual charter school.~~

22 **SECTION 1tb.** 118.40 (2r) (bm) of the statutes, as affected by 2013 Wisconsin Act
23 20, is amended to read:

24 118.40 **(2r)** (bm) The common council of the city of Milwaukee and the
25 Milwaukee area technical college district board may ~~establish or enter into a~~

1 contract for the establishment of a charter school located only in the school district
2 operating under ch. 119. The chancellor of the University of Wisconsin-Milwaukee
3 may ~~establish or enter into a~~ contract for the establishment of a charter school
4 located only in Milwaukee County or in an adjacent county. The chancellor of the
5 University of Wisconsin-Parkside may only ~~establish or enter into a~~ contract for the
6 establishment of a charter school located in a unified school district that is located
7 in the county in which the University of Wisconsin-Parkside is situated or in an
8 adjacent county.

9 **SECTION 1tc.** 118.40 (2r) (cm) of the statutes is amended to read:

10 118.40 **(2r)** (cm) The chancellor of the University of Wisconsin-Parkside may
11 ~~establish or enter into a~~ contract for the establishment of only one charter school
12 under this subsection, which may not operate high school grades and which may not
13 accommodate more than 480 pupils.

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

15 118.40 **(2r)** (d) (intro.) The ~~chartering or~~ contracting entity under par. (b) shall
16 do all of the following:

17 **SECTION 1te.** 118.40 (3) (e) of the statutes is amended to read:

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

22 **SECTION 1tf.** 118.40 (4) (c) of the statutes is amended to read:

23 118.40 **(4)** (c) *Single-sex schools and courses.* A school board ~~may enter into a~~
24 ~~contract for, and an~~ or entity under sub. (2r) (b) ~~may establish or enter into a~~ contract
25 for; the establishment of a charter school that enrolls only one sex or that provides

1 one or more courses that enroll only one sex if the school board or entity under sub.
2 (2r) (b) makes available to the opposite sex, under the same policies and criteria of
3 admission, schools or courses that are comparable to each such school or course.

4 **SECTION 1tg.** 118.40 (5m) of the statutes is created to read:

5 118.40 **(5m)** SANCTIONS. (a) If the department determines under s. 115.39 (3)
6 that a charter school has received a grade of “fails to meet expectations” under s.
7 115.39 (2) (c) for 3 consecutive school years, or has received a grade of “fails to meet
8 expectations” in at least 3 of 5 consecutive school years and a grade no higher than
9 “meets few expectations” in the other 2 school years under s. 115.39 (2) (c), the charter
10 school operator shall complete a department–approved, on–site, diagnostic review
11 of the school to determine the causes of the school’s poor performance and relevant
12 mitigating factors. Based on the results of the diagnostic review, the charter school
13 operator shall do one of the following:

14 1. Implement department–approved improvement activities that are
15 consistent with federal improvement requirements and that significantly transform
16 the school.

17 2. Permanently close the school.

18 (b) If a charter school operator implements department–approved
19 improvement activities under par. (a) 1., the state superintendent shall direct the
20 charter school operator to do one or more of the following after the state
21 superintendent consults with the operator and charter school employees:

22 1. Modify one or more of the activities implemented by the charter school under
23 par. (a) 1.

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

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

3 4. Implement changes in administrative and personnel structures in the
4 school.

5 5. Adopt accountability measures to monitor the charter school's finances or to
6 monitor other interventions directed by the state superintendent under subds. 1. to
7 4.

8 (c) If a charter school implements department-approved improvement
9 activities under par. (a) 1., but the state superintendent determines that the charter
10 school has failed to improve sufficiently within 3 school years, the charter school
11 operator shall permanently close the school.

12 (d) 1. If the department determines under s. 115.39 (3) that a charter school has
13 received a grade of "fails to meet expectations" under s. 115.39 (2) (c) for 2 consecutive
14 school years, the charter school operator may agree to a corrective action plan
15 developed by the department or by an institution, as defined in s. 36.05 (9), within
16 the University of Wisconsin System.

17 2. If the charter school operator agrees to such a plan, the department shall pay
18 to the charter school, from the appropriation under s. 20.255 (2) (am), an amount
19 equal to \$250 multiplied by the school's enrollment in each school year in which the
20 school's raw score under s. 115.39 (2) (c) and its raw score under s. 115.39 (2) (a) 2.
21 improve. If the school's overall grade improves to "meets few expectations," the
22 department shall cease making the payments and the 2 consecutive school years in
23 which the school received a grade of "fails to meet expectations," and any subsequent
24 year in which the school was operating under a corrective action plan under this
25 subdivision, do not count toward the determination under par. (a).

1 3. If in any school year the school's raw score under s. 115.39 (2) (c) and its raw
2 score under s. 115.39 (2) (a) 2. do not improve, the department shall cease making
3 the payments and the charter school operator shall close the school. The charter
4 school operator is not required to repay any payments it received under subd. 2.

5 (e) 1. A school closing under par. (a) 2., (c), or (d) 3. is initially effective on the
6 July 1 following the issuance of the school's accountability report under s. 115.39 (3)
7 containing the department's determination under par. (a), (c), or (d).

8 2. If a charter school that is closed under par. (a), (c), or (d) reopens as a private
9 school, it may not participate in a parental choice program under s. 118.60 or 119.23.

10 (f) If a charter school is eligible for sanctions under par. (a) because it received
11 a grade of "fails to meet expectations" in at least 3 of 5 consecutive school years and
12 a grade no higher than "meets few expectations" in the other 2 school years, and is
13 also eligible for a corrective action plan under par. (d), the charter school operator
14 may agree to a corrective action plan under par. (d). If the operator does not agree
15 to such a plan, par. (a) applies.

16 **SECTION 1th.** 118.42 (title) of the statutes is amended to read:

17 **118.42 (title) Low-performing school districts and schools; state**
18 **superintendent interventions.**

19 **SECTION 1ti.** 118.42 (2) of the statutes is repealed.

20 **SECTION 1tj.** 118.42 (3) (b) of the statutes is repealed.

21 **SECTION 1tk.** 118.42 (3) (c) 1. (intro.) of the statutes is amended to read:

22 118.42 (3) (c) 1. (intro.) If the state superintendent issues a directive under par.
23 (a) ~~or (b)~~, he or she shall do all of the following:

24 **SECTION 1tL.** 118.42 (3) (c) 2. of the statutes is amended to read:

1 118.42 (3) (c) 2. If a school board receives a directive from the state
2 superintendent under par. (a) ~~or (b)~~, the school board shall seek input from school
3 district staff, parents, and community leaders on implementing the directive.

4 **SECTION 1tm.** 118.42 (4) of the statutes is amended to read:

5 118.42 (4) The state superintendent shall promulgate rules establishing
6 criteria and procedures for determining whether a school ~~or school district~~ is in need
7 of improvement and whether a school is among the lowest performing 5 percent of
8 all public schools in the state, for the purposes of this section.

9 **SECTION 1tn.** 118.425 of the statutes is created to read:

10 **118.425 Low-performing public schools. (1) APPLICABILITY.** This section
11 applies beginning on July 1, 2020.

12 **(4) SANCTIONS.** (a) If the department determines under s. 115.39 (3) that a
13 public school, other than a charter school, has received a grade of “fails to meet
14 expectations” under s. 115.39 (2) (c) for 3 consecutive school years, or has received
15 a grade of “fails to meet expectations” in at least 3 of 5 consecutive school years and
16 a grade no higher than “meets few expectations” in the other 2 school years under
17 s. 115.39 (2) (c), the school board shall complete a department-approved, on-site,
18 diagnostic review of the school to determine the causes of the school’s poor
19 performance and relevant mitigating factors. Based on the results of the diagnostic
20 review, the school board shall do one of the following:

21 1. Implement department-approved improvement activities that are
22 consistent with federal improvement requirements and that significantly transform
23 the school.

24 2. Convert the school to a charter school.

25 3. Permanently close the school.

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

5 1. Modify one or more of the activities implemented by the school board under
6 par. (a) 1.

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

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

11 4. Implement changes in administrative and personnel structures in the
12 school.

13 5. Adopt accountability measures to monitor the school district’s finances or to
14 monitor other interventions directed by the state superintendent under subds. 1. to
15 4.

16 (c) If a school board implements department–approved improvement activities
17 under par. (a) 1., but the state superintendent determines that the school has failed
18 to improve sufficiently within 3 school years, the school board shall convert the school
19 to a charter school or permanently close the school.

20 (d) If the school board converts the school to a charter school under par. (a) 2.
21 or (c), the school board shall enter into the contract with the charter school operator
22 by the February 1 following the department’s determination under par. (a) 2. or (c).
23 The contract shall provide for the attendance of pupils beginning in the following
24 school year.

1 (e) If the school board determines to permanently close the school under par.
2 (a) 3. or (c), the school closing takes effect on the July 1 following the issuance of the
3 school's accountability report under s. 115.39 (3) containing the department's
4 determination under par. (a) or (c).

5 (f) 1. If the department determines under s. 115.39 (3) that a public school, other
6 than a charter school, received a grade of "fails to meet expectations" under s. 115.39
7 (2) (c) for 2 consecutive school years, the school board may agree to a corrective action
8 plan for the school developed by the department or by an institution, as defined in
9 s. 36.05 (9), within the University of Wisconsin System.

10 2. If the school board agrees to such a plan, the department shall pay to the
11 school board, from the appropriation under s. 20.255 (2) (am), an amount equal to
12 \$250 multiplied by the school's enrollment in each school year in which the school's
13 raw score under s. 115.39 (2) (c) and its raw score under s. 115.39 (2) (a) 2. improve.
14 If the school's overall grade improves to "meets few expectations," the department
15 shall cease making the payments and the 2 consecutive school years in which the
16 school received a grade of "fails to meet expectations," and any subsequent year in
17 which the school was operating under a corrective action plan under this subdivision,
18 do not count toward the determination under par. (a).

19 3. If in any school year the school's raw score under s. 115.39 (2) (c) and its raw
20 score under s. 115.39 (2) (a) 2. do not improve, the department shall cease making
21 the payments and the school board shall convert the school to a charter school as
22 provided in par. (d) or permanently close the school as provided in par. (e). The school
23 board is not required to repay any payments it received under subd. 2.

24 (g) If a public school is eligible for sanctions under par. (a) because it received
25 a grade of "fails to meet expectations" in at least 3 of 5 consecutive school years and

1 a grade no higher than “meets few expectations” in the other 2 school years, and is
2 also eligible for a corrective action plan under par. (f), the school board may agree to
3 a corrective action plan under par. (f). If the school board does not agree to such a
4 plan, par. (a) applies.

5 **SECTION 1to.** 118.60 (1) (ag) (intro.) of the statutes is amended to read:

6 118.60 (1) (ag) (intro.) “Disqualified person” means a person who, when a
7 private school was barred or terminated from participation in the program under
8 this section by an order issued under sub. (9m) or (10), satisfied at least one of the
9 following:

10 **SECTION 1tp.** 118.60 (9m) of the statutes is created to read:

11 118.60 (9m) (a) 1. If the department determines under s. 115.39 (3) that a
12 private school participating in the program under this section has received a grade
13 of “fails to meet expectations” under s. 115.39 (2) (c) for 3 consecutive school years,
14 or has received a grade of “fails to meet expectations” in at least 3 of 5 consecutive
15 school years and a grade no higher than “meets few expectations” in the other 2
16 school years under s. 115.39 (2) (c), the private school shall complete a
17 department-approved, on-site, diagnostic review of the school to determine the
18 causes of the school’s poor performance and relevant mitigating factors. Based on
19 the results of the diagnostic review, the private school shall implement
20 department-approved improvement activities that are consistent with federal
21 improvement requirements and that significantly transform the school, or the state
22 superintendent shall issue an order barring the private school from participating in
23 the program under this section.

24 2. If a private school implements department-approved improvement
25 activities under subd. 1., the state superintendent shall direct the private school to

1 do one or more of the following after the state superintendent consults with the
2 private school and its employees:

3 a. Modify one or more of the activities implemented by the private school under
4 subd. 1.

5 b. Implement in the school a new or modified instructional design, which may
6 include expanded school hours or additional pupil supports and services.

7 c. Implement professional development programs that focus on improving
8 pupil academic achievement in the school.

9 d. Implement changes in administrative and personnel structures in the
10 school.

11 e. Adopt accountability measures to monitor the school district's finances or to
12 monitor other interventions directed by the state superintendent under this subd.
13 2. a. to 2. d.

14 3. If a private school implements department-approved improvement
15 activities under subd. 1., but the state superintendent determines that the school has
16 failed to improve sufficiently within 3 school years, the state superintendent shall
17 issue an order barring the private school from participating in the program under
18 this section.

19 (b) 1. If the department determines under s. 115.39 (3) that a private school
20 participating in the program under this section received a grade of “fails to meet
21 expectations” under s. 115.39 (2) (c) for 2 consecutive school years, the private school
22 may agree to a corrective action plan developed by the department or by an
23 institution, as defined in s. 36.05 (9), within the University of Wisconsin System.

24 2. If the private school agrees to such a plan, the department shall pay to the
25 private school, from the appropriation under s. 20.255 (2) (am), an amount equal to

1 \$250 multiplied by the number of pupils attending the private school under this
2 section in each school year in which the school's raw score under s. 115.39 (2) (c) and
3 its raw score under s. 115.39 (2) (a) 2. improve. If the private school's overall grade
4 improves to "meets few expectations," the department shall cease making the
5 payments and the 2 consecutive school years in which the school received a grade of
6 "fails to meet expectations," and any subsequent year in which the school was
7 operating under a corrective action plan under this subdivision, do not count toward
8 the determination under par. (a).

9 3. If in any school year the private school's raw score under s. 115.39 (2) (c) and
10 its raw score under s. 115.39 (2) (a) 2. do not improve, the state superintendent shall
11 cease making the payments and shall issue an order barring the school from
12 participating in the program under this section. The private school is not required
13 to repay any payments received under subd. 2.

14 (c) A private school that has been barred from participation under par. (a) or
15 (b) may not reopen as a charter school.

16 (d) If a private school is eligible for sanctions under par. (a) because it received
17 a grade of "fails to meet expectations" in at least 3 of 5 consecutive school years and
18 a grade no higher than "meets few expectations" in the other 2 school years, and is
19 also eligible for a corrective action plan under par. (b), the private school may agree
20 to a corrective action plan under par. (b). If the private school does not agree to such
21 a plan, par. (a) applies.

22 **SECTION 11q.** 118.60 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
23 20, is amended to read:

1 118.60 (10) (c) Whenever the state superintendent issues an order under par.
2 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
3 guardian of each pupil attending the private school under this section.

4 **SECTION 1tr.** 118.60 (10) (d) of the statutes is amended to read:

5 118.60 (10) (d) The state superintendent may withhold payment from a private
6 school under subs. (4) and (4m) if the private school violates this section or fails to
7 participate in the student information system as required under s. 115.383 (3).

8 **SECTION 1ts.** 119.04 (1) of the statutes, as affected by 2013 Wisconsin Act 20,
9 is amended to read:

10 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
11 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
12 115.345, 115.363, 115.365 (3), ~~115.38 (2)~~, 115.383, 115.39, 115.415, 115.445, 118.001
13 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to
14 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
15 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245,
16 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52,
17 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2)
18 (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),
19 and 120.25 are applicable to a 1st class city school district and board.

20 **SECTION 1tt.** 119.23 (1) (ag) (intro.) of the statutes is amended to read:

21 119.23 (1) (ag) (intro.) “Disqualified person” means a person who, when a
22 private school was barred or terminated from participation in the program under
23 this section by an order issued under sub. (9m) or (10), satisfied at least one of the
24 following:

25 **SECTION 1tv.** 119.23 (9m) of the statutes is created to read:

1 119.23 **(9m)** (a) 1. If the department determines under s. 115.39 (3) that a
2 private school participating in the program under this section has received a grade
3 of “fails to meet expectations” under s. 115.39 (2) (c) for 3 consecutive school years,
4 or has received a grade of “fails to meet expectations” in at least 3 of 5 consecutive
5 school years and a grade no higher than “meets few expectations” in the other 2
6 school years under s. 115.39 (2) (c), the private school shall complete a
7 department–approved, on–site, diagnostic review of the school to determine the
8 causes of the school’s poor performance and relevant mitigating factors. Based on
9 the results of the diagnostic review, the private school shall implement
10 department–approved improvement activities that are consistent with federal
11 improvement requirements and that significantly transform the school, or the state
12 superintendent shall issue an order barring the private school from participating in
13 the program under this section.

14 2. If a private school implements department–approved improvement
15 activities under subd. 1., the state superintendent shall direct the private school to
16 do one or more of the following after the state superintendent consults with the
17 private school and its employees:

18 a. Modify one or more of the activities implemented by the private school under
19 subd. 1.

20 b. Implement in the school a new or modified instructional design, which may
21 include expanded school hours or additional pupil supports and services.

22 c. Implement professional development programs that focus on improving
23 pupil academic achievement in the school.

24 d. Implement changes in administrative and personnel structures in the
25 school.

1 e. Adopt accountability measures to monitor the school district's finances or to
2 monitor other interventions directed by the state superintendent under this subd.
3 2. a. to 2. d.

4 3. If a private school implements department-approved improvement
5 activities under subd. 1., but the state superintendent determines that the school has
6 failed to improve sufficiently within 3 school years, the state superintendent shall
7 issue an order barring the private school from participating in the program under
8 this section.

9 (b) 1. If the department determines under s. 115.39 (3) that a private school
10 participating in the program under this section received a grade of "fails to meet
11 expectations" under s. 115.39 (2) (c) for 2 consecutive school years, the private school
12 may agree to a corrective action plan developed by the department or by an
13 institution, as defined in s. 36.05 (9), within the University of Wisconsin System.

14 2. If the private school agrees to such a plan, the department shall pay to the
15 private school, from the appropriation under s. 20.255 (2) (am), an amount equal to
16 \$250 multiplied by the number of pupils attending the private school under this
17 section in each school year in which the school's raw score under s. 115.39 (2) (c) and
18 its raw score under s. 115.39 (2) (a) 2. improve. If the private school's overall grade
19 improves to "meets few expectations," the department shall cease making the
20 payments and the 2 consecutive school years in which the school received a grade of
21 "fails to meet expectations," and any subsequent year in which the school was
22 operating under a corrective action plan under this subdivision, do not count toward
23 the determination under par. (a).

24 3. If in any school year the private school's raw score under s. 115.39 (2) (c) and
25 its raw score under s. 115.39 (2) (a) 2. do not improve, the state superintendent shall

1 cease making the payments and shall issue an order barring the school from
2 participating in the program under this section. The private school is not required
3 to repay any payments received under subd. 2.

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

6 (d) If a private school is eligible for sanctions under par. (a) because it received
7 a grade of “fails to meet expectations” in at least 3 of 5 consecutive school years and
8 a grade no higher than “meets few expectations” in the other 2 school years, and is
9 also eligible for a corrective action plan under par. (b), the private school may agree
10 to a corrective action plan under par. (b). If the private school does not agree to such
11 a plan, par. (a) applies.

12 **SECTION 1tw.** 119.23 (10) (c) of the statutes, as affected by 2013 Wisconsin Act
13 20, is amended to read:

14 119.23 (10) (c) Whenever the state superintendent issues an order under par.
15 (a), (am), (ar), or (b), or sub. (9m), he or she shall immediately notify the parent or
16 guardian of each pupil attending the private school under this section.

17 **SECTION 1tx.** 119.23 (10) (d) of the statutes is amended to read:

18 119.23 (10) (d) The state superintendent may withhold payment from a private
19 school under subs. (4) and (4m) if the private school violates this section or fails to
20 participate in the student information system as required under s. 115.383 (3).

21 **SECTION 1ty.** 120.12 (26) of the statutes is created to read:

22 120.12 (26) STAFFING AND FINANCIAL DATA. Upon request, provide to the
23 department any staffing or financial data that the department needs to comply with
24 state or federal reporting requirements.

25 **SECTION 1tz.** 121.006 (2) (d) of the statutes is amended to read:

