

**Wisconsin Department of Public Instruction
Condensed Summary of 2015 Act 55
Final 2015-17 Biennial Budget**

**Provisions Related to
Elementary and Secondary Education and
State Agency Operations**

**Prepared by Policy and Budget Team
Department of Public Instruction**



August 2015

KEY TO ABBREVIATIONS

APPROPRIATIONS

GPR - Appropriations financed from general purpose revenues available in the state's general fund.

FED - Appropriations financed from federal revenues.

PR - Appropriations financed from program revenues, such as user fees or product sales.

PR-O - Program Revenue-Operations - Appropriations financed from revenue generated from agency operations.

PR-S - Program Revenue-Service - Appropriations financed from funds transferred between or within state agencies for the purpose of reimbursement for services or materials.

SEG - Appropriations financed from segregated revenues.

OTHER

FY - Fiscal Year, for example: FY16 means the 2015-16 state fiscal year (July 1, 2015 – June 30, 2016)

FTE - Full-Time Equivalent Position

FY15 Base - The total FY15 authorized funding level for an agency or program. The base equals FY15 appropriations, pay plan modifications and any other supplements. It is this base that serves as the beginning point for calculating budget changes for 2015-17.

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STATE SUPPORT FOR K-12 PUBLIC SCHOOLS

2015 Act 55 provides funding for state categorical and general aids as follows:

	FY15	FY16	FY17
Categorical Aids			
Special Education	\$ 368,939,100	\$ 368,939,100	\$ 368,939,100
Per Pupil Aid	\$ 126,975,000	\$ 126,842,300	\$ 211,248,200
SAGE	\$ 109,184,500	\$ 109,184,500	\$ 109,184,500
Pupil Transportation	\$ 23,703,600	\$ 23,954,000	\$ 23,954,000
Sparsity Aid	\$ 13,453,300	\$ 17,674,000	\$ 17,674,000
Bilingual-Bicultural	\$ 8,589,800	\$ 8,589,800	\$ 8,589,800
Tuition Payments	\$ 8,242,900	\$ 8,242,900	\$ 8,242,900
Head Start Supplement	\$ 6,264,100	\$ 6,264,100	\$ 6,264,100
Educator Effectiveness	\$ 5,746,000	\$ 5,746,000	\$ 5,746,000
High Cost Transportation	\$ 5,000,000	\$ 7,500,000	\$ 7,500,000
School Lunch Match	\$ 4,218,100	\$ 4,218,100	\$ 4,218,100
Aid for CCDEB's	\$ 4,067,300	\$ 4,067,300	\$ 4,067,300
Special Education-High Cost	\$ 3,500,000	\$ 3,500,000	\$ 8,500,000
CTE Incentive Grants*	\$ 3,000,000	\$ -	\$ -
School Breakfast Grants	\$ 2,510,500	\$ 2,510,500	\$ 2,510,500
TEACH Debt Service**	\$ 2,052,300	\$ 1,458,400	\$ 1,085,900
Special Education-Supplemental	\$ 1,750,000	\$ 1,750,000	\$ 1,750,000
Peer Review & Mentoring	\$ 1,606,700	\$ 1,606,700	\$ 1,606,700
4K Start Up Grants	\$ 1,350,000	\$ 1,350,000	\$ 1,350,000
School Day Milk	\$ 617,100	\$ 617,100	\$ 617,100
Open Enroll Transportation	\$ 434,200	\$ 434,200	\$ 434,200
Aid for CESAs***	\$ 260,600	\$ -	\$ -
Gifted and Talented Grants	\$ 237,200	\$ 237,200	\$ 237,200
SAGE-Debt Service	\$ 133,700	\$ 133,700	\$ 133,700
Supplemental Aid	\$ 100,000	\$ 100,000	\$ 100,000
Youth Options Transportation	\$ 17,400	\$ 17,400	\$ 17,400
Transition/Incentive Grants (new)	\$ -	\$ -	\$ 100,000
Tribal Languages	\$ 222,800	\$ 222,800	\$ 222,800
Aid for AODA	\$ 1,284,700	\$ 1,284,700	\$ 1,284,700
School Library Aids	\$ 34,000,000	\$ 36,000,000	\$ 38,000,000
Environmental Education (UW-Forestry)	\$ 200,000	\$ 200,000	\$ -
Environmental Education (UW-Env. Assess)	\$ 130,500	\$ -	\$ -
Educational Telecomm Access (DOA)	\$ 11,105,100	\$ 9,105,100	\$ 10,105,100
Total Categorical Aids	\$ 748,896,500	\$ 751,749,900	\$ 843,683,300
General Equalization Aids	\$ 4,475,960,500	\$ 4,475,960,500	\$ 4,584,098,000
High Poverty Aid	\$ 16,830,000	\$ 16,830,000	\$ 16,830,000
Total General Aids	\$ 4,492,790,500	\$ 4,492,790,500	\$ 4,600,928,000
Total State School Aids	\$ 5,241,687,000	\$ 5,244,540,400	\$ 5,444,611,300
School Levy Tax Credit	\$ 897,400,000	\$ 1,003,000,000	\$ 1,003,000,000
State Residential Schools	\$ 10,788,000	\$ 11,237,900	\$ 11,237,900
Total State Support for K-2 Education	\$ 6,149,875,000	\$ 6,258,778,300	\$ 6,458,849,200

*Funding for Career and Technology (CTE) Incentive Grants was transferred to the Department of Workforce Development.

**Reestimate.

***Aid provided to Cooperative Educational Service Agencies (CESA) for general program operations was eliminated.

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GENERAL AID AND REVENUE LIMITS

General Aids

- Increase funding for General (Equalization) Aid by \$108 million in FY17, an increase of 2.4 percent.

Integration Aid Program (Chapter 220)

- Begin the phase out of this program: the last year in which school districts could enroll newly participating pupils is the 2015-16 school year. Allow pupils currently attending a K-8 district under the Chapter 220 program to continue to attend the associated Unified High School (UHS) district under the program. Create a hold harmless provision in the Integration Aid formula, to smooth out reductions in aid to school districts as participation in this program diminishes.

Revenue Limits

- There is no adjustment to the revenue limit per pupil under Act 55 (\$0 in both FY16 and FY17).
- The low revenue ceiling threshold remains at \$9,100 per pupil for both FY16 and FY17.
- Create a new, recurring revenue limit exemption for districts that consolidated in 2009-10 or after, equal to 75 percent of the consolidation aid that was received outside of revenue limits by the districts in FY15. Create this provision for districts that consolidate in the future (revenue limit exemption would be applied in the sixth year of consolidation). Remove prior law provisions that provided consolidation aid to school districts in the sixth and seventh years of consolidation; current law provisions related to the calculation of consolidation aid in the first through fifth years after consolidation remain.
- Allow a school district to issue up to \$2,000,000 in debt for the costs associated with an environmental remediation project on district-owned property under a DNR and EPA approved remediation plan. Specify that the debt issuance would not be subject to current law referendum requirements, that the associated debt service costs would not be subject to the district's revenue limit, and that any debt service costs would be excluded from shared costs for the equalization aid formula

CATEGORICAL AIDS

Per Pupil Aid

- Provide funding to maintain this aid program at \$150 per pupil in FY16 and increase funding to provide \$250 per pupil in FY17. All school districts will receive Per Pupil Aid.

Sparsity Aid

- Eliminate the requirement that at least 20 percent of a district's pupils be eligible for Free and Reduced Price Lunch (FRPL) as a condition of eligibility for this aid program. Districts meeting the size and sparsity thresholds will be eligible for aid in the amount of \$300 per pupil in FY16 and FY17. Provide sufficient funding to avoid proration of aid to school districts.

Special Education Aids

- Maintain base level funding for state categorical Special Education Aid.
- Increase funding by \$5 million for *High Cost Special Education Aid*. The amount of aid a district could receive under this program may not exceed 70 percent of that district's prior year eligible costs (was previously not to exceed 90 percent of prior year eligible costs).

- Create a new categorical aid program – *Special Education Incentive Grants* program (\$100,000 beginning in FY17). School districts and independent charter schools could receive incentive payments up to \$1,000 per pupil, based on post-secondary education and employment outcomes for pupils with disabilities (payments would be prorated if the appropriation is not sufficient to pay all eligible amounts).
- Permit districts meeting special circumstances to receive Supplemental Special Education Aid in FY16.

Transportation Aid

- Increase the reimbursement rate for pupils transported 12 or more miles, from \$275 to \$300 per pupil.
- Permit independent charter schools to claim aid under this program (same program requirements and parameters as for public school districts).
- Increase funding by \$2.5 million each year for the *High Cost Transportation Aid* program, so as to increase the reimbursement rates for eligible school districts, from about 33 percent to 50 percent of estimated eligible costs. Also, a school district must have a pupil population density of 50 pupils per square mile or less to be eligible for this aid (new requirement beginning with aid payments in FY16).

School Library Aids

- Increase funding for school library aids by \$2 million in FY16 and \$4 million in FY17 (SEG funds), to reflect the reestimate of funding available from the Common School Fund for this aid program.

Career and Technical Education (CTE) Incentive Grants

- Transfer responsibility for administering the CTE Incentive Grants program (\$3,000,000 annually) from DPI to the Department of Workforce Development (DWD) – Wisconsin Fast Forward program. Require DWD to make awards of at least \$3,000,000 GPR annually to school districts based on criteria that existed when the program was administered by DPI. Under this grant program, school districts with an industry-recognized certification program approved by the State Superintendent are eligible for a payment of \$1,000 for each pupil who graduates from a high school in the district with an industry-recognized certificate in addition to a high school diploma or technical education diploma.

Environmental Education Programs*

- Eliminate \$130,500 SEG funding to school districts in FY16 for environmental education grants.
- Eliminate \$200,000 SEG funding to school districts in FY17 for environmental education grants related to forestry.

**Both of these programs are administered by University of Wisconsin System.*

Technology for Educational Achievement (TEACH) Program*

- Redirect \$2 million in FY16 and \$1 million in FY17 (SEG funds) from the appropriation for Educational Telecommunications Access for Schools to the Digital Learning Collaborative (see this item on page 18).
- Utilize the remaining funding in this appropriation for the purpose of making grants to school districts to purchase more than one data line or video link.
- Target the aid under this program to districts with lower pupil population densities (13 or fewer pupils per square mile) and relatively small size.

**This program is administered by the Department of Administration.*

COOPERATIVE EDUCATIONAL SERVICES AGENCIES (CESAs)

CESA Provisions

- Delete \$260,600 GPR annually to eliminate base level funding for state aid to the 12 CESAs.
- Allow any school district to withdraw from a CESA after adopting a resolution to do so and immediately notifying the CESA's Board of Control and the State Superintendent.

CHARTER, CHOICE, OPEN ENROLLMENT – PER PUPIL PAYMENTS

Indexing of Per Pupil Payments

- Beginning in FY16, implement the indexing mechanism for the per pupil payments for the following programs: Independent Charter School Program, the Milwaukee, Racine and Statewide Parental Choice Programs and the Public School Open Enrollment Program. Under the indexing mechanism, the annual adjustment to the per pupil aid payments for all these programs is equal to the maximum per pupil from the prior year, increased by the per pupil revenue limit adjustment, and the appropriated state categorical aids per member (if positive), for public school districts in the current year.
- The per pupil adjustment will be \$4 in FY16 and is estimated to be \$109 in FY17.

CHARTER SCHOOLS

Funding for Enrollment Reestimate

- Increase funding for the appropriation for existing Independent Charter Schools by \$2.5 million in FY16 and \$7.6 million in FY17 to reflect a reestimate of enrollment and estimated per pupil payments (\$8,079 in FY16 and \$8,188 [estimate] in FY17).

New Authorizers

- **Create four new authorizers of Independent Charter Schools:** 1) the UW System – Office of Educational Opportunity (in Madison and Milwaukee school districts only); 2) the County Executive of Waukesha County (school districts in Waukesha County only); 3) the College of Menominee Nation and the Lac Courte Oreilles Ojibwa Community College (up to a total of six independent charter schools, anywhere in the state); and 4) the Gateway Technical College District Board (STEM focus, within the boundaries of the technical college district only).
- Pupils attending independent charter schools authorized by any of these new authorizers would be counted by the district of residence for revenue limits and general schools aids. The charter schools would be paid the independent charter school per pupil payment, which would be offset by a reduction to the general aid payment of the pupil's district of residence. *School districts would be prohibited from levying to backfill for the aid reduction.*

Independent Charter School Provisions

- Delete provisions that restrict the location based on the authorizer (schools could be located anywhere in the state) and the residency restrictions for pupils attending so that pupils residing anywhere in the state could attend these charter schools.
- Delete provisions that require approval of the Board of Regents for charter schools established by UW-Milwaukee and UW-Parkside and the restriction that the Chancellor of UW-Parkside may establish only

one charter school and that the school enroll a maximum of 480 pupils (no limit on number of schools or enrollment).

- A contract with a school board or an authorizing entity of independent charter schools may provide for the establishment of more than one charter school and that the governing board may enter into more than one contract with a school board or an authorizing entity of independent charter school.
- For the purposes of the Open Enrollment program, the definition of a charter school excludes independent charter schools.
- Independent charter schools would be LEA's for the purpose of federal law.

Charter School Provisions

- See Appendix A for a summary of provisions related to requirements of charter schools (both school district and independently authorized) related to Admissions, Authorizing Entity Duties, Contract Requirements and Governing Boards.

PRIVATE SCHOOL PARENTAL CHOICE PROGRAMS

Milwaukee Parental Choice Program – Funding for Estimated Enrollment

- Increase funding for the appropriation for the Milwaukee Parental Choice Program by \$7.4 million in FY16 and \$10.4 million in FY17 to reflect a reestimate of enrollment and estimated per pupil payments (\$7,214/\$7,860 in FY16 and \$7,323/\$7,969 [estimate] in FY17).

Racine Parental Choice Program (RPCP) and Wisconsin Parental Choice Programs (WPCP)

Funding for Estimated Enrollment of Existing Participants

- Adjust funding for the appropriation for the Racine and Statewide Parental Choice Programs by -\$2.0 million in FY16 and -\$1.5 million in FY17 to reflect a reestimate of the number of participating pupils who will continue and estimated per pupil payments (\$7,214/\$7,860 in FY16 and \$7,323/\$7,969 [estimate] in FY17).

Expansion of the WPCP and RPCP – New Funding Mechanism for Incoming Pupils

Modify the funding mechanism for pupils who begin attending a private school under the RPCP or the WPCP in the 2015-16 school year and thereafter (“incoming pupils”):

- The “incoming pupils” could be counted by their district of residence for general aids and revenue limit purposes. These pupils would be fully counted by their school district of residence under revenue limits in the first and all years of their participation in the programs. This would be accomplished by providing districts with a nonrecurring revenue limit exemption equal to the number of incoming pupils multiplied by the district's base revenue limit per pupil. If a pupil were to return to a public school, they would be counted by their district of residence in the regular pupil count, rather than as part of the revenue limit exemption.
- Each district's general aid would be reduced by an amount equal to the total amount paid by the state to participating private schools attributable to incoming pupils residing in that district, beginning in FY16. *Specify that districts could not levy to backfill the aid reduction.*
- If the school district did not receive an equalization aid payment sufficient to cover the aid reduction, the balance would be reduced from other state aid received by the district.

- The total number of pupils residing in the district who could participate in the choice program from each district in any year would be limited to no more than 1% of the district’s prior year membership. The enrollment limit would increase by one percentage point in each year beginning in FY18 until the enrollment limit reaches 10% of the district’s prior year enrollment. In the year following, no enrollment limit would apply.
- Require each school to report the following information to DPI following the close of the application period in each year: (a) the number of pupils who have applied to attend the school under the statewide choice program; and (b) the applicants who are siblings of pupils who have applied. If the number of applications from any district exceeds the number of available slots from that district, require DPI to select pupils from that district by random draw, with preference given to pupils according to the pupil order of preference established in the bill.
- The prior year attendance requirements in the bill would first apply to pupils participating in the program beginning in FY17.

Random Selection and Pupil Lottery (for Statewide Program)

- Establish pupil preferences for random selection for the statewide program in the following order: (1) continuing choice pupils applying to the same school; (2) siblings of continuing choice pupils accepted to the same school; (3) continuing choice pupils applying to a different school; (4) siblings of continuing choice pupils applying to a different school who were accepted to that school; (5) siblings of pupils accepted to the school. These preferences apply to all three parental choice programs.
- Each private school participating in the statewide private school choice program would be required to report to DPI the number of pupils who have applied to attend the school under the choice program beginning in 2016. For the 2016-17 and 2017-18 school years, if the total number of pupils residing in a district who apply to attend a private school under a choice program does not exceed the school district's pupil participation limit, DPI would be required to determine which pupils the private school could accept on a random basis, rather than each private school randomly selecting pupils.

Milwaukee Choice Program Research

- Require that the Department of Workforce Development, the Department of Children and Families, and the Department of Health Services Office of Vital Records to allow “qualified independent researchers” to cross-match databases already in their possession containing information regarding pupils participating in the Milwaukee private school choice program with other databases maintained by the agencies for purposes of evaluating the effects of the Milwaukee choice program. The state agencies could not charge a fee to the researchers greater than the cost incurred by the agencies for providing the data. Define a “qualified independent researcher” as a faculty member of a university who: (a) has an approved protocol from an institutional review board for human subjects to work with data containing personal information for the purposes of evaluating the Milwaukee choice program; and (b) has already received and properly managed data with personal information from the state for the same purposes.

Parental Choice Programs – Program Changes

- See Appendix B for a summary of various program changes for the parental choice programs.

Special Education Voucher Program

- Beginning with the 2016-17 school year, allow a child with a disability to receive a voucher in the amount of \$12,000 (FY17) to attend a participating private school of the child or the child's parent's choice, if that child has previously been rejected from attending school in a nonresident district under the open enrollment program. An eligible child may begin attending an eligible school at any time during the school year. There

is no income eligibility test for the special education voucher and no limit on number of eligible children that can receive voucher. See Appendix C for more information on the Special Needs Voucher Program.

PUBLIC SCHOOL OPEN ENROLLMENT, TUITION AND COURSE OPTIONS

Open Enrollment per Pupil Amount

- The per pupil payment for full time Open Enrollment will be \$6,639 in FY16 and is estimated to be \$6,748 in FY17 (per pupil payment indexing mechanism becomes effective in FY16).

Special Education Open Enrollment

- Modify the public school open enrollment program, beginning in the 2016-17 school year, to eliminate undue financial burden (resident district could no longer deny an application for open enrollment) and establish a \$12,000 open enrollment transfer amount for students with disabilities.

Tuition for Pupils Attending a School Out of State

- Require that a written agreement between a school board of a pupil's district of residence and that of a pupil's district of attendance to permit a pupil to attend a public school outside the school district of residence (including an out-of-state school) must specify the amount of tuition that the school district of residence would pay to the school district of attendance. Provide that the school district of residence would be paid state aid for the pupil, in an amount *up to* the amount specified in the written agreement, as though the pupil were enrolled in the district of residence. (First apply to pupils attending a nonresident school in the 2015-16 school year.)
- Delete provisions requirement that: 1) if a school board provides for the enrollment of a pupil in a public school located outside of this state, the school must be at least 1.5 miles nearer to the pupil's home than any public school in Wisconsin; and 2) that the school board pay for the transportation of a pupil who resides two or more miles from an out-of-state school (districts would no longer be eligible for state aid for the transportation of the pupil as if the pupil were transported to a school in the district of residence).

Course Options

- Permit an institution of higher education (IHE) to charge tuition and fees to pupils for course taken through the course options program if the course is offered for post-secondary credit. Only the IHE is permitted to charge tuition to the family. In this situation, the tuition and fees would be negotiated between the institution of higher education and the school district. Otherwise, tuition would be set in a manner determined by the State Superintendent.

ACCOUNTABILITY AND PUPIL ASSESSMENTS

School and School District Accountability

- Modify the components required to be included by the Department in the school and school district accountability reports and require the Department to exclude data of certain pupils (in attendance less than one year) when determining a school's performance or improvement. Also, required the Department to weight pupil data for length of enrollment and economic status. For a listing of the specific changes to the accountability report requirements of the Department included under Act 55, see Appendix D.
- Star Rating System: Require that a school's level of performance and a school district's level of improvement is identified using between one and five stars out of five, with one star out of five assigned to

a school that fails to meet expectations and five stars out of five assigned to a school that significantly exceeds expectations, with the phrase “out of five” used in every instance.

- Require the accountability reports would be published for independent charter schools and private schools participating in a private school choice program beginning in FY16, using the same criteria that are used for public schools and school districts.
- Prohibit the Department from including data from a virtual charter school when measuring a school district’s improvement under the school accountability reports if at least 50% of the pupils in the virtual charter school are attending through the open enrollment program.
- Specify that the appropriate standing committee of the Assembly and Senate conduct a review of school and school district accountability reports beginning in FY18 and every two years thereafter.

Pupil Assessments

- Act 55 eliminated the requirement that schools administer the fall ACT exam to 9th graders. Schools are required administer the ACT in the spring to pupils in 9th, 10th and 11th grades.
- The State Superintendent is directed to adopt a new statewide standardized assessment (not the Smarter / Balanced (SBAC) assessments) for statewide assessments required under 4th, 8th, 9th, 10th and 11th grades.

Alternative Pupil Assessments

- Under Act 55, the Department is directed to request a waiver from the federal Department of Education to allow the state to approve between three and five alternative pupil assessments and allow to school districts, independent charter and private choice schools to select one of the alternative assessments to administer. If such a waiver is granted, \$750,000 GPR will be released to the Department for the purposes of contracting with the UW-Madison’s Value Added Research Center (VARC) to identify a list of nationally recognized, norm-referenced alternative pupil assessments that are acceptable for statistical comparison with the assessment adopted or approved by the State Superintendent. VARC would then be required to evaluate and approve at least three and no more than five alternative assessments and submit the list of approved assessments to the Department.
- School districts, independent charter and private choice schools could administer the alternative assessment instead of the assessment chosen by the State Superintendent beginning in the first full school year following the date on which VARC submitted the list of approved assessments to the Department.

Assessment of Reading Readiness

- All public and charter schools must continue to administer PALS during the FY16. Beginning in FY17, all schools will be responsible for administering a reading readiness (literacy screener) for pupils enrolled in four-year-old kindergarten through second grade, but they may choose the assessment tool for this purpose and may administer computer adaptive assessments. Districts and schools may claim reimbursement from the Department for the costs of administering the reading readiness assessment; payments will be prorated if funding is insufficient to fully reimburse all claims.

Civics Exam Requirement for High School Graduation

- Specify that a school board, independent charter or private choice school may not grant a high school diploma, and the State Superintendent may not grant a declaration of equivalency of high school graduation (includes GED and HSED), to an individual unless he or she has successfully completed a civics exam beginning in the FY17.

- Require that the civics exam consist of 100 questions that are identical to the 100 questions that may be asked of an individual during the process of applying for U.S. citizenship by the United States Citizenship and Immigration Services.
- A pupil must correctly answer at least 60 of those questions to be considered “successfully” completing, but a pupil may retake the exam until the pupil obtains a passing score on the exam.
 - A pupil for whom an individualized education program (IEP) is in effect would be required to complete the civics exam, but would not be required to successfully complete the exam prior to graduation.
 - Schools must permit limited-English proficient pupils to take the test in the pupils’ language of choice.
 - The civics exam requirement does not apply to a high school diploma awarded to a veteran meeting specific requirements specified in current law.
- The school board, an independent charter or a private choice school could determine the format of the test and when in the school year the test would be administered. The responsibility to administer the civics exam lies with the school district, or the charter or private choice school.
- School boards, independent charter and private choice schools must periodically review and revise their written policy specifying criteria for granting a high school diploma, which would have to include successful completion of the civics exam.

TEACHER LICENSURE

Alternative Teacher License

- Establish three alternative methods for the granting of teacher licenses. Specify that other current law requirements regarding teacher licensing would not apply, except that the individual would be required to undergo a background investigation like other candidates for licensure.
 - (1) *Experienced-Based Licensure for Technical Education*: individuals meeting specified point ranges within the areas of experience in a technical field and pedagogical experience. See Appendix E for the specific requirements for this license type.
 - (2) *Industrial Arts Subjects (permit)*: to an applicant who is certified by the technical college system board to teach an industrial arts or similar subject.
 - (3) *Licensure Based on Reciprocity*: to any individual who was granted a teaching or administrator license by another state, who completed at least one year of teaching (or administrative) experience in that state, and who is in good standing. The individual must have received an offer of employment from a school in Wisconsin prior to applying for such a license, and the application must be completed by both the applicant and the employing school or school district in order for this license to be issued. The license type, including the subject area and grade level, would be determined by the Department based on the individual’s out-of-state license type or experience.

Teacher License Based on Completion of Montessori Teacher Education Program

- Require that the Department grant an initial license to teach to an individual who meets the following requirements: (a) has a bachelor's degree; (b) successfully completed a teacher education program accredited by the Montessori Accreditation Council for Teacher Education; (c) successfully completed an introductory course in special education for which the individual earned at least three postsecondary credits; and (d) earned a passing score on any standardized examinations required by the State Superintendent for a license to teach the same educational levels and subjects issued in accordance with existing state law regarding teacher licenses, and on an examination identical to the foundations of reading test administered in 2012 as part of the Massachusetts tests for educator licensure. Specify that other current law requirements

regarding teacher licensing would not apply, except that the individual would be required to undergo a background investigation equivalent to that of other candidates for licensure.

Regional or National Accreditation of Teacher Education Programs

- Require the State Superintendent to accept accreditation by a regional or national institutional accrediting agency recognized by the U.S Department of Education or by a programmatic accrediting agency, if the State Superintendent requires that an institution of higher education be accredited for the purpose of granting a license to teach or for approving a teacher preparatory program.

Requirements to Renew a Teaching License

- Require the Department to accept credits earned at any institution of higher education, as defined in federal law, if credits from an institution of higher education are required to renew a license to teach.

SCHOOL DISTRICT OPERATIONS

Notice of Academic Standards, Accountability Ratings and Educational Options

Act 55 contains requirements that school districts, independent charter and private choice schools provide certain notices to families. All noticing requirements are effectively immediately, with the 2015-16 school year.

Academic Standards

1. Annually, include as an item on the agenda of the first school board meeting of the school year a notice that clearly identifies the **pupil academic standards** adopted by the school board that will be in effect for the school year. *[For the 2015-16 school year, districts should fulfill this requirement as soon as possible, at the next scheduled board meeting.]*
2. Annually, prior to the beginning of the school term, notify the parents and guardians of pupils enrolled in the school district of the **pupil academic standards** that will be in effect for the school year. Notice may be provided electronically, including by posting the notice or a link to the pupil academic standards on the school district's Internet site.

Accountability Reports and Educational Options

3. Annually, each public school, including a charter school, must provide to the parent or guardian of each pupil enrolled in or attending the school:
 - A copy of the **school's accountability report***; and simultaneously,
 - A **list of the educational options** available to children who reside in the pupil's resident school district – including public schools, private schools participating in a parental choice program, charter schools, virtual schools, full-time open enrollment, youth options, course options and options for pupils enrolled in a home-based private educational program.

By January 31, 2016, and annually thereafter

4. Publish as a class 1 notice (under Chapter 985, Stats.) and post on its Internet site a description of available educational options (as specified above). The notice must also:
 - Include the **most recent school accountability performance category*** assigned to each school within the school district's boundaries, including public, independent charter schools and private schools participating in a private school choice program; and
 - Inform parents that the full school and school district accountability report would be available on the school board's Internet site.

***Note:** 2015 Act 20 (passed in May 2015) prohibits the Department from issuing accountability reports based on data from the 2014-15 school year.

High School Graduation Standards

- Allow school districts to adopt a resolution to create a process through which a high school pupil could earn credit through demonstrating competency or creating a learning portfolio, and require a school board that pursues this option to develop and implement written policies and procedures for awarding credits under this paragraph. Specify certain parameters: 1) if a pupil meets criteria defined by the school board, the course could be listed on the pupil's high school transcript and could be used to meet the requirements for high school graduation; 2) a pupil could earn no more than half of the credits required for high school graduation through the learning portfolio process; and 3) for a pupil who earns credit under this process, a school board may waive state law requiring pupils to participate in a class or activity approved by the school board during each class period of each class day. A high school diploma earned through this process would be equivalent to a diploma earned through course completion, and would be treated equivalently by institutions of higher education.

Participation in Athletics and Extra-Curricular Activities

- Require a school board to permit a pupil who is a resident of the school district who is enrolled in a home-based private education program to participate in interscholastic athletics or extracurricular activities on the same basis and to the same extent as pupils enrolled in the district. A school board could charge participation fees to a non-public school pupil who participates in interscholastic athletics or extracurricular activities, on the same basis and to the same extent as it does for public school pupils (including fees for uniforms, equipment and musical instructions).
- Provide that for a pupil enrolled in a home-based private education program, the home-based program must provide the school board with a written statement that the pupils meets the requirements for participation, based on age and on the pupil's academic and disciplinary records. The school district may not question the accuracy or validity of the statement and could not request additional information.

Whole Grade Sharing

- Create a Whole Grade Sharing (WGS) program to allow the school boards of two or more school districts to enter into a WGS agreement. The proposal would allow two or more school districts to consolidate pupils in a particular grade level by offering that grade in only one of the participating districts. See Appendix F for a summary of the provisions surrounding WGS agreements under Act 55.

Geographic Representation of School Board – Unified School Districts

- Require the geographic representation for a School Board of a Unified School District that meets specific criteria (currently, these criteria apply to the Racine Unified School District only).

Sale of Excess Property

- Specify that the school board of a common or union high school district may sell any property belonging to and not needed by the district.

Renewal of Child Care Program Contract

- Delete current law requiring a school board to refer a child care provider to the Department of Children and Families for a criminal history and child abuse record search when renewing a contract for the provision of a child care program. Under the bill, the referral to the Department of Children and Families would only be

required for a new contract. Current law allows school boards to provide child care programs for children directly or through a contract with a child care provider.

DEPARTMENT OPERATIONS/ INFORMATION TECHNOLOGY / PUBLIC LIBRARIES

Community Eligibility Provision

- Allow the Department to utilize an alternative data collection mechanism for school districts participating in the Community Eligibility Provision (CEP) Option, where current law references the National School Lunch and School Breakfast Programs [42 USC 1758 (b)].

BadgerLink

- Increase funding by \$245,300 SEG in FY16 and \$305,700 SEG in FY17 to maintain the current level of service.

Microsoft IT Academy

- Require DPI to designate one individual to serve as a coordinator for the Microsoft IT Academy.

Student Information System

- Reduce funding in the appropriation for the student information system by \$2,350,000 GPR in FY16.

Wisconsin Digital Learning Collaborative

- Provide \$2,000,000 SEG in FY16 and \$1,000,000 SEG in FY17 in a new appropriation for a Digital Learning Collaborative established for the statewide web academy and for delivery of digital content and collaborative instruction. Segregated funding for this purpose would be provided from the state Universal Service Fund, which receives its funding through assessments on annual gross operating revenues from intrastate telecommunications providers.

WISEdash – DET Hosting

- Increase funding by \$175,000 GPR annually for servicing costs related to the centralized hosting.

APPENDIX A – CHARTER SCHOOL PROVISIONS

Charter School Authorizing Entity Duties

- Require that a school board that has authorized a charter school, or an entity authorized to contract to establish a charter school, do all of the following: (a) solicit and evaluate charter school applications; (b) approve only high-quality charter school applications that meet identified educational needs and promote a diversity of educational choices; (c) in accordance with the terms of each charter school contract, monitor the performance and compliance with state charter school law of each charter school with which it contracts; and (d) annually submit a report to the State Superintendent and Legislature that would summarize several aspects of charter school contracts, academic and financial performance, and the operating costs of, and services provided to the charter school by, the school district board or the charter school authorizing entity.
- For a contract for the establishment of a charter school that is entered into, renewed, or modified upon the effective date of the bill, require that an authorizing entity adhere to the principles and standards for quality charter schools established by the National Association of Charter School Authorizers.

Contract Requirements for Independent Charter Schools

- Require that, in addition to the contract requirements applicable for all charter schools, the contracts between the governing boards of independent charter school and their authorizers include the several provisions relating to: (a) adherence to specified annual academic and operational performance standards developed in accordance with the performance framework of the entity with which it is contracting; (b) the corrective measures the charter school governing board will take if the charter school fails to meet performance standards; (c) allowing the governing board of a charter school open additional charter schools if all of the schools operated by the governing board have received one of the top two ratings on the most recent school accountability reports, and specify that this provision would apply to future independent charter school contracts; (d) the methodology that will be used by the charter school governing board to monitor and verify pupil enrollment, credit accrual, and course completion; (e) access by the authorizing entity to pupil data; (f) a description of the administrative relationship between the parties to the contract; (g) the charter school governing board holding parent-teacher conferences at least annually; (h) a requirement that if more than one charter school is operated under the contract, the charter school governing board report to the authorizing entity on each charter school separately; (i) a requirement that the charter school governing board provide the data needed by the authorizing entity for purposes of making a required annual report to the State Superintendent and Legislature; (j) a requirement that the charter school governing board participate in any training provided by the authorizing entity; and (k) a description of all fees the authorizing entity will charge the charter school governing board.

Charter School Governing Boards

- Effective September 1, 2015, require each charter school (both independent and school district charter schools) to be governed by a governing board that is a party to the contract with the authorizing entity. Require that no more than a minority of the governing board's members could be employees of the charter school or employees or officers of the school district in which the charter school is located. Subject to the terms of its contract, provide that a charter school governing board has all the powers necessary to carry out the terms of its contract, including the following: (a) to receive and disburse funds for school purposes; (b) to secure appropriate insurance; (c) to enter into contracts, including contracts with a University of Wisconsin institution or college campus, technical college district board, or private college or university, for technical or financial assistance, academic support, curriculum review, or other services; (d) to incur debt in reasonable anticipation of the receipt of funds; (e) to pledge, assign, or encumber its assets to be used as collateral for loans or extensions of credit; (f) to solicit and accept gifts or grants for school purposes; (g) to acquire real property for its use; and (h) to sue and be sued in its own name.

Charter School Admissions

- Require that, with the following specified exceptions, a contract with a school board or independent charter school authorizing entity specify that if the capacity of the charter school is insufficient to accept all pupils who apply, the charter school would have to accept pupils at random. Require that a charter school give preference in enrollment to pupils who were enrolled in the charter school in the previous school year, and to siblings of pupils who are enrolled in the charter school. Permit a charter school to give preference in enrollment to the children of the charter school's founders, governing board members, and full-time employees, but limit the total number of such children given preference to no more than 10 percent of the charter school's total enrollment. Provide that these changes would first apply to a contract entered into, renewed, or modified on the effective date of the bill. In addition, as under current law, provide that if a charter school replaces a public school in whole or in part, the school must give preference in admission to any pupil who resides within the attendance area or former attendance area of that public school.

APPENDIX B – PARENTAL CHOICE PROGRAMS – PROGRAM CHANGES

Document Retention Policy for Choice Schools

- Private schools participating in the Milwaukee, Racine, or statewide choice programs could maintain pupil applications and correspondence electronically, rather than maintaining original applications and correspondence with applicants. Specify that schools would be required to maintain documentation related to pupil applications for a period of at least five years.

Eliminate Occupancy Permit Requirement for Statewide Choice Program

- Delete current law requiring a private school participating in the statewide choice program to submit to DPI a current certificate of occupancy issued by the municipality within which the school is located.

Income Eligibility Verification

- The family income of a pupil who applies to attend a private school under the MPCP or RPCP would not need to be verified if the pupil attended a private school under the statewide private school choice program in the previous school year.

Independent Financial Audits for Private Choice Schools

- Each private school participating in a PCP would be required to submit an independent financial audit by October 15 following a school year in which the school participated in the program. The audit must fairly present the private school's eligible education expenses, and beginning in the second school year a private school participates in the program, includes a copy of a management letter prepared by the auditor. Require the independent auditor to review any concerns raised in the private school's management letter.
- A negative reserve balance alone would not be considered evidence that the private school does not have the financial ability to continue operating or does not follow sound fiscal and internal control practices.
- If the independent auditor determines that the governing body of the private school has not taken reasonable actions to remedy concerns raised in the management letter, the private school must submit a report to DPI (with the financial audit), prepared by the independent auditor that includes the auditor's findings.
- Require that the independent financial audit be prepared in accordance with generally accepted accounting principles with allowable modifications for long-term fixed assets; and that the audit include a calculation of the private school's net eligible education expenses (all direct and indirect costs associated with the school's educational programming, grades K-12) and a calculation of the balance of the private school's fund for future eligible education expenses.
- If a private school participating in a PCP is part of an organization with which it shares assets, liabilities or eligible education expenses, the private school may submit an audit of the private school or of the organization. If a private school in this situation submits an audit of only the private school, require the independent auditor to use professional judgment to allocate any shared assets, liabilities and eligible education expenses between the organization and the school.
- Require DPI to certify the financial audit within 90 days after receiving the audit. During the 90 day period between receipt and certification, DPI's allowable contact with the auditor would be limited to a single written communication that may include only matters that individually impact the private school's financial statement by an amount that is greater than 1% of the total amount the private school received in choice program payments in the previous school year. Require that an auditor who receives a written communication from DPI respond within 15 days of receiving the communication.

- If a private school participating in a PCP has a cash or investment reserve balance that is greater than 50% of the total amount the private school received in choice program payments in the previous school year, the governing body of the private school would be required to approve a plan for how it would use that portion of its cash or investment reserve.

Private School Eligibility (Statewide Private School Choice Program)

- For private schools participating in the statewide private choice program in 2015-16 and 2016-17 school years (only), the private school would be required to have been in continual operation as a private school since prior to May 1, 2013

Pupil Assessments

- Modify current law to require only private schools attended by at least 20 private school choice program pupils to administer assessments to pupils attending under a choice program.

Regional or National Accreditation of Teacher Education Programs

- Require that in a private school participating in the Milwaukee, Racine, or statewide private school choice programs, all administrators have at least a bachelor's degree, and that all teachers have a bachelor's degree, or a degree or educational credential higher than a bachelor's degree, from a nationally or regionally accredited institution of higher education.

Teachers' Aides in Private Choice Schools

- A private school participating in a private school choice program could employ a teacher's aide who has been granted a high school diploma by the administrator of a home-based private educational program.

Other Miscellaneous Provisions

- Change the date by which schools must annually register to participate in the program from February 1 to January 10 to ensure that schools are registered before pupil applications are accepted on February 1.
- Change the due date for the summer school report from October 15 to October 1 and make technical modifications related to summer school provisions.
- Expand the allowable teacher and administrator credentials to include a DPI-issued teaching license rather than requiring that teachers and administrators provide a copy of a bachelor's degree from an accredited institution of higher learning.
- Delete the statutory requirement for a grade promotion report indicating the number of pupils who successfully completed 12th, 8th, and 4th grades; and for the pupil assignment council meetings.
- Delete the provision under which the state pays the lesser of the established maximum per-pupil payment or the schools per-pupil cost. Request that the state instead pay the set per-pupil amount for each eligible pupil.

APPENDIX C – SPECIAL NEEDS SCHOLARSHIP (VOUCHER) PROGRAM

- Allow a child with a disability to receive a voucher in the amount of \$12,000 (FY17) to attend a participating private school of the child or the child's parent's choice, if that child has previously been rejected from attending school in a nonresident district under the open enrollment program. An eligible child may begin attending an eligible school at any time during the school year. There is no income eligibility test for the special education voucher and no limit on number of eligible children that can receive voucher.
- An “eligible child” is a child who has an individualized education program (IEP) or services plan in place; has attended a Wisconsin public school for the entire school year immediately preceding the school year in which the child first receives a voucher and has applied for open enrollment in one or more nonresident school districts for the same year for which he or she is submitting an application for a voucher and was rejected or prohibited from attending (except that a child may have attended part of the 2015-16 school year to be eligible for a voucher in 2016-17 if they had applied to attend a public school in one or more nonresident school districts in at least one of the previous five school years, was rejected by the school boards of each district or prohibited from attending public school in the nonresident districts).
 - The eligible child may participate in the special education voucher program as long as child attends an eligible private school, until child graduates from high school, or until end of school term child is age 21, whichever comes first.
 - If an IEP team unanimously determines the child is no longer a child with a disability, the child is ineligible to receive a special education voucher beginning the following school term.
 - *Continued state payments:* specify that for children who previously qualified for a special needs voucher, who were determined to be no longer eligible and who continue to attend the same private school following that determination, the Department would have to pay the private school that the child is attending an amount equal to the private school choice program per pupil payment applicable to the private school parental choice program in the child’s school district of residence in the same year.
- An “eligible school” is a private school located in Wisconsin that is either (1) approved by the State Superintendent as a private school under state requirements; or (2) accredited as of August 1 preceding the school term in which pupils first attend the school under this program. Private schools participating in the program must meet several requirements specified in statute.
 - If an eligible school were to receive more applications than the number of pupils for whom it has space, the school would be required to select pupils on a random basis, except that it could give preference to siblings of pupils already attending the school.
- Voucher Amount: \$12,000 for FY17 and beginning FY18, adjusted by the per pupil indexing mechanism that also applies to the parental choice, independent charter and open enrollment programs.
- Funding: a child using a voucher under this program would be counted by their district of residence for general aids and revenue limit purposes. The resident district’s general aid would be reduced by an amount equal to the voucher amount multiplied by the number of resident children participating in the program. *The resident district is prohibited from levying to back fill for this aid reduction.* If the resident district did not receive a general aid payment sufficient to cover the aid reduction, the balance would be reduced from other state aid received by the district.
- The pupil’s resident school district has several responsibilities under the program:
 - Provide child’s IEP to private school and DPI within 3 days of being notified child was accepted by a private school with a special education voucher;
 - Reevaluate the child’s IEP at least once every three years for eligibility;

- Provide standardized testing at no cost to children receiving special education vouchers if requested by child's parent and the eligible private school does not administer the testing;
- Provide transportation to and from the school if the private school is located at least two miles from the child's residence, the child resides in the private school's attendance area, and the private school is within the school district of residence, or five miles or less beyond the district's boundaries.
- All Wisconsin school boards are required to annually **notify the parents of each child with a disability** enrolled in the school district of the special education voucher program.
- The Legislative Audit Bureau is required to conduct study and report the results to the Legislature by January 9, 2019.

APPENDIX D – ACCOUNTABILITY REPORTS

- Modify the components required to be included by the Department in the school and school district accountability reports as follows:
 - Categorize all measures by English language proficiency, disability, income level, and race or ethnicity;
 - Calculate growth in pupil achievement in reading and mathematics using a value-added methodology;
 - Remove (as required measures) the measures of college and career readiness for high school pupils and measures indicative of being on track for college and career readiness in the elementary grades;
 - Indicate gap closure in pupil achievement in reading and mathematics in addition to graduation rates, when graduation rates are available;
 - Include rates of attendance or of high school graduation; and
 - Identify a school's level of performance and a school district's level of improvement using a five star rating system, linking the star ratings to existing performance categories.
- Require that the Department exclude data a pupil that falls into one of the categories below when determining a school's performance or improvement:
 - A pupil who was enrolled in a private school under a private school choice program in the eighth grade and transferred to a public school, including a charter school, for the ninth grade;
 - A pupil who was enrolled in a public school, including a charter school, in the eighth grade and transferred to a private school under a private school choice program in the ninth grade; and
 - A pupil in a grade other than ninth grade who was enrolled in the school or school district for less than one year prior to taking the pupil assessment.
- Require that if the Department used pupil assessment scores to determine a school or school district's accountability grade, a weighted formula would be used to account for the amount of time that a pupil was enrolled in the school or school district prior to taking the pupil assessment.
- Require the Department to use a formula to adjust the weight given to the measures of pupil achievement and pupil growth in reading and mathematics based on the number of economically disadvantaged pupils enrolled in the school or school district. (For further information regarding new accountability and report card requirements please refer to the Department's Office of Educational Accountability (OEA) [website](#)).
- Require the Department to specify the percentage of pupils attending a private school under a private school choice program on the accountability report of the private school. Specify that if a private school submitted data for just those pupils attending the school under a private school choice program, the Department would be required to identify the resulting grade as the "choice pupil" grade; and if the school submitted data for all pupils attending that private school, the Department would be required to include two grades on the private school's report card – one for just pupils attending under the private school choice program and one for all pupils attending the private school.
- Prohibit the Department from including data from a virtual charter school when measuring a school district's improvement under the school accountability reports if at least 50% of the pupils in the virtual charter school are attending through the open enrollment program.

APPENDIX E - EXPERIENCED-BASED LICENSURE FOR TECHNICAL EDUCATION

Act 55 requires the Department to grant an initial teaching license to teach a technical education subject, including technology education and any technology related occupation, to an individual who scores at least 100 points based on a point system, with at least 25 points based on the individual's experience in a technical field and at least 25 points based on pedagogical experience, and agrees to complete a curriculum determined by the school board of the district in which the individual would teach. The following provisions apply to this license type:

- An individual granted a teaching license under this provision would not be required to possess a bachelor's degree.
- The following point values would be assigned based on the individual's experience in a technical field:
 - (a) for a bachelor's degree in any science, technology, engineering, or mathematics (STEM) field and any teaching license or permit, 100 points;
 - (b) for a bachelor's degree in any STEM field, 75 points;
 - (c) for a bachelor's degree in another field, 65 points;
 - (d) for industry certification, 90 points;
 - (e) for industry experience in a trade or technical field, five points per 40 hours worked up to a maximum of 90 points; (f) for an internship in a trade or technical field, 25 points;
 - (g) for being mentored in a trade or technical skill by a colleague or a Wisconsin Technology Education Association approved mentor, 25 points; and
 - (h) for an apprenticeship in a trade or technical field, five points per 40 hours worked up to a maximum of 90 points.
- The following point values would be assigned based on the individual's pedagogical experience:
 - (a) for a bachelor's degree in technical or technology education, 100 points;
 - (b) for a bachelor's degree in a non-STEM field and any teaching license or permit, 75 points;
 - (c) for credit earned at an accredited institution of higher education or technical college, three points per credit up to a maximum of 75 points for technical or technology education courses and STEM courses and three points per credit up to a maximum of 75 points for education and pedagogical course; and
 - (d) for completing at least 100 hours of training in pedagogy, five points per 50 hours up to a maximum of 75 points.
- Require the Department to verify the applicant's qualifications using the following:
 - (a) the applicant's transcript for the applicable degree or credits, for bachelor's degrees or credits earned at an accredited institution of higher education or technical college;
 - (b) the applicant's industry certificate, for industry certification;
 - (c) the signature of a supervisor, employer, or other reliable observer, for industry experience, an internship, or mentoring; or
 - (d) verification by a course instructor, transcript, or certificate for pedagogy training. Provide that if the individual is unable to provide the required verification, the Department could use any other proof of the applicant's experience approved by the Department.

- The individual must agree to complete the curriculum determined by the school board of the school district in which the individual would teach during the term of the license. An initial teaching license granted under this procedure would be valid for three years. Require that the Department issue to the license holder a professional teaching license to teach the technical education subject if the individual successfully completed the curriculum, as determined by the school board of the school district.
- Require the Department to approve or deny an application for a technical education license no later than 45 business days after receipt of the application. Require Department to provide, in writing, the reason for the denial if the application is denied. Specify that if does not act within 45 business days, the application would be considered approved and the applicant considered a licensed teacher until the Department approves or denies the application.
- These provisions would not prohibit the Department from granting a teaching license or permit to teach a technical education subject under current law provisions.

APPENDIX F – WHOLE GRADE SHARING (WGS)

The WGS program would authorize the school boards of two or more school districts to enter into a WGS agreement. Agreements could be made for a term of a whole school year (only), and could include pre-kindergarten, 4K and 5K grades. Requirements of the WGS agreements include the following provisions:

- Provide for all or a substantial portion of the pupils in one or more grades in any of the school districts to attend school in one or more of the other school districts for all or a substantial portion of a school day.
- Specify all of the following:
 - The term of the agreement and date by which each school board must notify the other school boards of its intent to renew the agreement.
 - The grade levels affected by the agreement.
 - The annual per pupil amount a resident school district pays the nonresident school district (see also “Special Education” below).
 - The school board that will award graduation diplomas.
 - The school board that is required to maintain pupil records.
 - The school board that provides transportation required per IEPs for student with disabilities.
 - The school board responsible for transporting pupils (without an IEP) during the school term:
 - *School Year*: Must be provided by the resident district unless negotiated in the agreement.
 - *Summer School*: The school board responsible for transporting pupils during summer school if transportation is provided. If school district provides transportation for resident pupils to attend summer school, transportation must also be provided to pupils who attend summer classes in the district under a WGS agreement.
 - The attendance areas within the school district if a school board enters into a WGS agreement that designates more than one school district for the attendance of its pupils.
 - Agreements must be signed no later than January 10 in order to be effective for the ensuing school year.
- The school boards interested in entering into, extending or renewing a WGS agreement must:
 - Adopt a resolution stating its intention to enter into, extend, or renew an agreement at least 150 days before doing so.
 - Publish notice of the adoption of the resolution.
 - Request a feasibility study of the WGS agreement if the school board receives a petition.
 - Hold a public hearing.
 - Enter into, extend, or renew a WGS agreement by January 10.
 - Provide agreement to DPI within 10 days of completing an agreement.
- Course Options: District the pupil is attending under an agreement will review and approve or deny course options applications.
- Open Enrollment: A pupil’s open enrollment status is held in abeyance when attending a school under a WGS agreement if the pupil was already open enrolled into the district.
- Special Education:
 - Resident district payment amount for a pupil with a disability attending a school under an agreement is \$12,000 in FY17 and increased beginning in FY18 per current law indexing adjustment. Payment is prorated for pupils attending less than full school year.
 - The district the pupil with a disability is attending can submit eligible special education costs to DPI for reimbursement under state special education categorical aid programs.

- State Aid: School districts participating in a WGS agreement would be held harmless from reductions in state equalization aid resulting from the decision to enter into a WGS agreement. These districts would be eligible for aid in an amount that is no less than the amounts to which the individual districts were eligible in the school year prior to the school year in which the agreement takes effect, for the first five years of the WGS agreement. The hold harmless aid for WGS districts would continue into the sixth and seventh years of the agreement, in an amount equal to 66 percent and 33 percent (respectively) of the hold harmless aid received by the districts (if any) in the fifth year of the agreement. This provision applies only to new agreements only.
- Act 55 provides the Department with rule making authority.

APPENDIX G – OPPORTUNITY SCHOOLS AND PARTNERSHIP PROGRAM (MILWAUKEE PUBLIC SCHOOLS)

Act 55 creates the Opportunity Schools and Partnership Program (OSPP) within the Milwaukee Public Schools under the management and control of a Commissioner. Provide that the Commissioner shall exercise the powers, duties, and functions prescribed by law independently of the MPS Board and under the supervision of the Milwaukee County Executive.

- Require the State Superintendent to annually submit a report to the Commissioner that identifies the schools in Milwaukee County that are operated by a school district that has received the lowest rating on the most recent school district accountability report and that either received the lowest rating on the most recent school accountability report or was identified as a vacant or underutilized building.
- Require the Commissioner to establish criteria for determining whether the school is suitable for transfer to the OSPP. Require the Commissioner to include as criteria the interest within the school and the school's community of transferring the school to the OSPP, as determined from community engagement as evaluated by the Commissioner.
- Require the Commissioner to select the following number of eligible schools from the report submitted by the State Superintendent to be transferred to the OSPP in the following school year for operation in the subsequent year: (a) no less than one and no more than three during the 2015-16 school year; (b) no more than three during the 2016-17 school year; (c) no more than five during the 2017-18 school year and in each school year thereafter.
- Require the Commissioner to develop a process for soliciting proposals from individuals, organizations, and governing bodies of private schools to operate and manage an eligible school upon transfer of the school to the OSPP.
- Require the Commissioner to determine which of the following will be responsible for the operation and general management of the school upon its transfer to the OSPP: (a) an individual or group operating a charter school; (b) the governing body of a nonsectarian private school participating in a private school choice program; or (c) an individual or group not currently operating a school.
- Specify that the MPS Superintendent would have parallel powers as the Commissioner with respect to transferring operation and general management to the same set of operators as the Commissioner. The Commissioner would select schools from the list first and that the Superintendent would select listed schools second. Specify that the MPS Superintendent may enter into a contract for cooperative action under the statutory provisions for intergovernmental cooperation without the approval of the MPS Board.
- Require the Commissioner, under the direction of the County Executive, to assume general supervision over public schools transferred to the OSPP, including a charter school authorized by the Commissioner. Provide that the Commissioner and the schools operated by the Commissioner be subject to state and federal special education law and to statutory provisions pertaining to pupil assessments, reading readiness assessments, pupil nondiscrimination, and the waiver of laws and rules, with the exception of achievement guarantee contracts. Provide that the Commissioner or a school in the OSPP could not abrogate an existing contract.
- Require the Commissioner to provide alternative public school attendance arrangements for pupils who do not wish to attend a school that has been transferred to the OSPP. Require a school in the OSPP to use random selection if the number of applicants exceeds the number of seats. Prohibit an OSPP school from charging tuition.

- Create parallel provisions under which a program substantially similar to the OSPP could be created in another school district. Specify that the program would apply to any district that: (a) received intradistrict transfer aid; (b) has a pupil membership of over 15,000; and (c) the school district received the lowest rating on the most recent school district accountability report in any two consecutive years.
- Create a sum sufficient appropriation for payments to the operators of schools in the OSPP. Specify that the per pupil payment for a school operated by an individual or group under the OSPP would be equal to \$8,075 and adjusted annually similarly to the per pupil payments for K-12 programs. Specify that the general school aid that would otherwise be paid to MPS would be reduced by an amount equal to the payments from the OSPP appropriation. Specify that MPS would not be able to levy to backfill that aid reduction. Provide that MPS would count these pupils for revenue limit and equalization aid purposes.
- Provide that, if the Commissioner transfers a school to a “2r” operator, he or she enter into a five-year contract authorizing the individual or group to be responsible for the operation and general management of the school. Require that, under the terms of the contract: (a) the individual or group, and schools operated by the individual or group, be subject to the statutory provisions pertaining to pupil nondiscrimination and the waiver of laws and rules, with the exception of achievement guarantee contracts; (b) the individual or group must submit achievement data of pupils attending the school directly to the Commissioner, who shall submit that data to the MPS Board and specify for statewide reporting purposes to DPI, the Board may not modify the Commissioner's report; and (c) the Commissioner must evaluate the performance of the school at the end of the third school year under the contract to determine whether the school is demonstrating adequate growth in pupil achievement, and that if the Commissioner determines that the school is not demonstrating adequate growth in pupil achievement, he or she may select an alternative individual or group operating a charter school or a governing body of a choice school, under the procedures outlined above, to be responsible for the operation and general management of the school.
- Provide that that Commissioner may select, hire, and terminate staff as appropriate. Require Commissioner to determine the compensation, duties, and qualifications for staff. Specify that these staff would not be subject to the statutory provisions regarding civil service for a city of the first class. Provide that if the Commissioner transfers a school to the OSPP, he or she may reassign the school's staff members out of the school without regard to seniority in service. Require the Commissioner to terminate all employees of the school who are MPS employees and require any individual seeking to remain employed at the school to reapply for employment at the school. Specify that employees of the OSPP are not employees of the MPS Board. Upon transfer of a school out of the OSPP, require the Commissioner to reassign staff members of the school only in consultation with the Board.
- Specify that the Commissioner may transfer a school out of the OSPP if the Commissioner determines that the school has been placed in a performance category of "meets expectations" or higher on the three preceding consecutive accountability reports published for the school. Specify that a school transferred to the OSPP may not be transferred out of the OSPP for five consecutive school years. Provide that the Commissioner may: (a) return operation and general management of the school to the MPS Board; (b) transfer operation and management of the school to an individual or group as a non-instrumentality charter; or (c) transfer operation and general management of the school to the governing body of a private school. Specify that the Commissioner may not return operation of a school to the resident district if the school remains an eligible school, or MPS has received in the three most recent consecutive school years a grade of "fails to meet expectations," or its equivalent, on the school district accountability report.