



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2724/1
FFK:jld

2017 ASSEMBLY BILL 233

April 13, 2017 - Introduced by Representatives TUSLER, THIESFELDT, GANNON, KATSMA, KITCHENS, KREMER, KULP, QUINN, WEATHERSTON and WICHGERS. Referred to Committee on Education.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT relating to:** submitting a state plan under the Every Student Succeeds
2 Act.

Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Public Instruction from submitting the state plan required under the Every Student Succeeds Act to the federal Department of Education without first responding to any objections submitted to DPI by the Assembly Committee on Education and the Senate Committee on Education. The Every Student Succeeds Act requires the state to submit a state plan to the federal Department of Education as a condition of receiving certain federal funding.

Under the bill, for a proposed state plan submitted to the Assembly Committee on Education and to the Senate Committee on Education by May 15, 2017, a member of either education committee may submit any objections he or she has to the proposed state plan to the chairperson of his or her committee. If a chairperson receives an objection from a member of the education committee, the chairperson must call a committee meeting for the purpose of approving or disapproving all objections received from members of the committee. Following the committee hearing, the chairperson must submit all objections approved by the committee to DPI. If DPI receives objections to the proposed state plan from an education committee, DPI must provide a written response to each objection raised by the committee within 14 days. DPI's response to the education committee must indicate whether DPI will modify the proposed state plan based on each of the committee's

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objections and, if so, a description of the modification and, if not, an explanation for why DPI will not modify the proposed state plan based on the objection.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1. Nonstatutory provisions.**

2 (1) DEFINITIONS. In this SECTION:

3 (a) "Department" means the department of public instruction.

4 (b) "State plan" means the plan the department is required to file with the
5 secretary of the federal department of education under 20 USC 6311 (a) (1).

6 (2) SUBMITTAL OF STATE PLAN. The department may not submit a state plan to
7 the secretary of the federal department of education until the department does all
8 of the following:

9 (a) For a proposed state plan the department submits to the assembly
10 committee on education or to the senate committee on education before May 15, 2017,
11 provides the committee the opportunity to object to the proposed state plan in
12 accordance with subsection (3).

13 (b) Responds to any objections submitted by the assembly committee on
14 education and the senate committee on education in accordance with subsection (4).

15 (3) PROCEDURE FOR COMMITTEE OBJECTIONS.

16 (a) A member of the assembly committee on education or the senate committee
17 on education who wishes to object to any portion of the proposed state plan submitted
18 to that committee before May 15, 2017, shall submit his or her objection in writing
19 to the chairperson of his or her committee no later than May 25, 2017, or 5 days after
20 the effective date of this paragraph, whichever is later.

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1 (b) If the chairperson of the assembly committee on education or of the senate
2 committee on education receives an objection under paragraph (a), the chairperson
3 shall schedule a committee meeting for the purpose of reviewing all objections
4 received by the chairperson under paragraph (a). The chairperson shall schedule the
5 committee hearing for a date that is no later than 7 days after the applicable deadline
6 for making objections under paragraph (a). At the committee hearing, the committee
7 shall approve or disapprove each objection received by the chairperson under
8 paragraph (a). If the chairperson of the assembly committee on education or the
9 senate committee on education does not schedule a meeting under this paragraph,
10 the department may proceed as if that committee has no objections to the proposed
11 state plan.

12 (c) Within 5 days after a committee meeting to review objections to the proposed
13 state plan, the chairperson of the assembly committee on education or the senate
14 committee on education shall submit to the department all of the objections approved
15 by that committee. If the chairperson of the assembly committee on education or the
16 senate committee on education does not submit objections to the department by the
17 deadline provided in this paragraph, the department may proceed as if that
18 committee has no objections to the proposed state plan.

19 (4) RESPONSES TO OBJECTIONS. No later than 14 days after receiving an objection
20 from a committee under subsection (3) (c), the department shall provide the
21 committee a written response to each objection submitted by the committee. For
22 each objection, the department shall include all of the following in the written
23 response:

24 (a) A statement of whether the department will modify the state plan to address
25 that objection.

