



2009 SENATE BILL 593

March 8, 2010 – Introduced by Senators HOLPERIN, KREITLOW, OLSEN, LEHMAN and VINEHOUT, cosponsored by Representatives DEXTER, HILGENBERG, GARTHWAITE, DANOU, BERCEAU, CLARK, HRAYCHUCK, MOLEPSKE JR., PASCH, POPE-ROBERTS and SMITH. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 118.43 (4) (d); *to amend* 118.43 (2) (g) and
2 118.43 (3) (intro.); and *to create* 118.38 (1) (a) 9., 118.43 (2) (bt), 118.43 (3) (at),
3 118.43 (3m) and 118.43 (4) (d) 2. of the statutes; **relating to:** student
4 achievement guarantee in education program contracts.

Analysis by the Legislative Reference Bureau

Current law allows an eligible school board that has entered into a five-year renewable student achievement guarantee (SAGE) contract with the Department of Public Instruction (DPI) to reduce class size to 15 pupils in grades kindergarten to three in schools with specified low-income enrollment to receive \$2,250 for each low-income pupil enrolled in grades eligible for SAGE funding. Current law permits a school to renew and receive payments under a renewed SAGE contract if the school board maintains the reduced class size achieved during the last school year of the original SAGE contract for the grades specified for the last school year of the contract. Current law also permits DPI to waive requirements of the SAGE program in a contract entered into between DPI and a school board.

This bill changes the requirement that a school board maintain the reduced class size achieved during the last school year of the original SAGE contract as a condition for receiving payments under an existing SAGE contract, and permits a school board operating under an existing SAGE contract to do each of the following: 1) satisfy the class size requirement by reducing the class size to no more than 18 pupils; and 2) combine two classes with two classroom teachers to achieve a total class size of 30 pupils.

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The bill also authorizes a school board, in the 2010–11 school year, to enter into a new, renewable, five–year SAGE contract with DPI to reduce class size to 18 pupils in grades kindergarten to three in one or more schools in the school district if, in the previous school year, at least one school in the school district had an enrollment of at least 50 percent low income and all of the following are satisfied:

1. In the previous school year, the school had an enrollment that was at least 30 percent low income.

2. The school is not receiving a grant from DPI for a preschool to grade five program.

3. The school is not already a beneficiary of a SAGE contract.

The school board may combine two classes with two classroom teachers to achieve a total class size of 30 pupils.

Finally, under the bill, DPI may not waive any requirement of the SAGE program in any SAGE contract entered into or renewed after the effective date of the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 118.38 (1) (a) 9. of the statutes is created to read:

2 118.38 (1) (a) 9. The requirements established for achievement guarantee
3 contracts under s. 118.43.

4 **SECTION 2.** 118.43 (2) (bt) of the statutes is created to read:

5 118.43 (2) (bt) In the 2010–11 school year, the school board of an eligible school
6 district may enter into a 5–year achievement guarantee contract with the
7 department on behalf of one or more schools in the school district if all of the following
8 apply:

9 1. In the previous school year, each school had an enrollment that was at least
10 30 percent low income.

11 2. The school board is not receiving a grant under the preschool to grade 5
12 program on behalf of any of the schools under s. 115.45.

13 3. None of the schools is a beneficiary of a contract under this section.

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1 **SECTION 3.** 118.43 (2) (g) of the statutes is amended to read:

2 118.43 **(2)** (g) The department may renew an achievement guarantee contract
3 under pars. (b), (bg), ~~and (br)~~, and (bt) for one or more terms of 5 school years. As
4 Except as provided in sub. (3m), as a condition of receiving payments under a
5 renewal of an achievement guarantee contract, a school board shall maintain the
6 reduction of class size achieved during the last school year of the original
7 achievement guarantee contract for the grades specified for the last school year of the
8 contract.

9 **SECTION 4.** 118.43 (3) (intro.) of the statutes is amended to read:

10 118.43 **(3)** CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)
11 ~~and~~, (ar), and (at), an achievement guarantee contract shall require the school board
12 to do all of the following in each participating school:

13 **SECTION 5.** 118.43 (3) (at) of the statutes is created to read:

14 118.43 **(3)** (at) *Class size; additional contracts.* For contracts that begin in the
15 2010-11 school year, reduce each class size to 18 in the following manner:

- 16 1. In the 2010-11 school year, in at least grades kindergarten and one.
17 2. In the 2011-12 school year, in at least grades kindergarten to 2.
18 3. In the 2012-13 to 2014-15 school years, in at least grades kindergarten to
19 3.

20 **SECTION 6.** 118.43 (3m) of the statutes is created to read:

21 118.43 **(3m)** ADJUSTMENT TO CLASS SIZE. (a) Beginning in the 2010-11 school
22 year, notwithstanding sub. (3) (a), (am), and (ar), a school board operating under an
23 achievement guarantee contract on the effective date of this subsection [LRB
24 inserts date], may do any of the following:

