2025 BILL

1 AN ACT *to amend* 118.30 (1); *to create* 115.385 (7) and 118.30 (1j) of the

2 statutes; **relating to:** changes to the educational assessment program, the

3 school and school district accountability report, and granting rule-making

4 authority.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Public Instruction is required to annually publish a school and school district accountability report, commonly known as school and school district report cards, for the previous school year. To measure school performance and school district improvement for purposes of the report cards, particularly measures related to pupil achievement in reading and math, DPI uses data derived from pupil performance on assessments administered in the previous school year, including assessments commonly referred to as the Wisconsin Student Assessment System, which includes the Wisconsin Forward Exam, PreACT, the ACT with Writing, and Dynamic Learning Maps.

Under the bill, for the report cards published for the school year in which the bill becomes law, DPI must use the same cut scores, score ranges, and school and school district performance categories that DPI used for the report cards for the 2019-20 school year. Beginning with the report cards published for the school year following the school year in which the bill becomes law, the bill prohibits DPI from making technical changes to the report cards, including changes to cut scores, score

ranges, and performance categories, unless DPI does so by rule or the change is expressly required by law.

Beginning with the WSAS administered in the school year in which the bill becomes law, the bill requires DPI to do the following:

1.   For the Wisconsin Forward exam in English Language Arts and Mathematics, align cut scores, score ranges, and pupil performance categories to the cut scores, score ranges, and pupil performance categories set by the National Assessment of Educational Progress.

2.   For the PreACT and ACT with Writing in English, Reading, and Mathematics, use the terms "below basic," "basic," "proficient," and "advanced" for pupil performance categories; set the cut score for proficient at the college readiness benchmark established by the publisher of the examination; and set cut scores for the basic and advanced performance categories by rule.

Finally, under current law, DPI must adopt or approve the examinations designed to measure pupil attainment of knowledge and concepts in grades 4, 8, 9, 10, and 11. These examinations include some but not all of the WSAS. Under the bill, DPI must adopt or approve these examination by rule and may modify these examinations only by rule.

For further information see the state 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.** 115.385 (7) of the statutes is created to read:

2   115.385 **(7)** (a) The department shall promulgate rules to implement and

3   administer this section.

4   (b) Beginning with the first report following the report published under 2025

5   Wisconsin Act .... (this act), section 4 (1), the department may not make a change to

6   any component of the report under sub. (1), including the measures under sub. (1)

7   (a), the value-added methodology used in sub. (1) (a) 1m., the index system under

8   sub. (1) (b), and the qualitative definitions under sub. (1) (c), or to any cut score,

9   score range, or performance category used in a component of the report under sub.

10   (1), unless the department does so by rule or the change is expressly required by

11   law.

1   **SECTION 2.** 118.30 (1) of the statutes is amended to read:

2   118.30 **(1)** The state superintendent shall, by rule, adopt or approve

3   examinations designed to measure pupil attainment of knowledge and concepts in

4   the 4th, 8th, 9th, 10th, and 11th grades. The state superintendent may modify

5   examinations adopted or approved under this subsection only by rule. Beginning in

6   the 2015-16 school year, the state superintendent may not adopt or approve

7   assessments developed by the Smarter Balanced Assessment Consortium.

8   **SECTION 3.** 118.30 (1j) of the statutes is created to read:

9   118.30 **(1j)** Beginning with examinations administered under this section or

10   20 USC 6311 (b) (2) in the school year beginning on the July 1 immediately

11   preceding the effective date of this subsection .... [LRB inserts date], the

12   department shall do all of the following:

13   (a) For examinations in English language arts and mathematics administered

14   to pupils in grades 3 to 8, use cut scores, score ranges, and pupil performance

15   categories that are aligned to the cut scores, score ranges, and pupil performance

16   categories set by the National Assessment of Educational Progress for the same

17   subject and the same grade.

18   (b) For examinations in English, reading, and mathematics administered to

19   pupils in grades 9 to 11, do all of the following:

20   1. Use the following pupil performance categories:

21   a. Below Basic.

22   b. Basic.

23   c. Proficient.

24   d. Advanced.

1   2. Set the cut score between the performance categories under subd 1. b. and

2   c. at the college readiness benchmark established by the publisher of the

3   examination.

4   3. Establish, by rule, the cut score between the performance categories under

5   subd. 1. a. and b. and the cut score between the performance categories under subd.

6   1. c. and d.

7   **SECTION 4. Nonstatutory provisions.**

8   (1) SCHOOL AND SCHOOL DISTRICT ACCOUNTABILITY REPORT. For the purpose

9   of assigning schools and school districts to performance categories under s. 115.385

10   (1) (b) on the school and school district accountability report under s. 115.385

11   published for the school year in which this subsection takes effect, the department

12   of public instruction shall use the same cut scores, the same score ranges, and the

13   same performance categories that the department used for the report for the 2019-

14   20 school year.

15   **(END)**