



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 41
[2009 Assembly Bill 119]

Mandatory Kindergarten

Act 41 provides that any person having under his or her control a child who is enrolled in five-year old kindergarten must cause the child to attend school regularly, religious holidays excepted, during the full period and hours that kindergarten is in session until the end of the school term.

The Act provides that, beginning on September 1, 2011, a school board may not enroll a child in the first grade in a school in the school district, including in a charter school located in the school district, unless the child has completed five-year old kindergarten. The Act requires each school board to adopt a written policy specifying the criteria for promoting a pupil from five-year old kindergarten to first grade.

Under the Act, each school board that operates a five-year old kindergarten program must establish procedures, conditions, and standards for exempting a child from the requirement to complete kindergarten as a prerequisite to enrollment in the first grade and standards for reviewing the denial of an exemption upon the request of the pupil's parent or guardian.

The Act provides that a school board that operates a five-year old kindergarten program must enroll in the first grade a child who has not completed kindergarten but who is otherwise eligible to be admitted to and to enroll in first grade as a new or continuing pupil at the time the child moves into this state if one of the following applies:

- Before either commencing or completing first grade, the child moved into this state from a state, country, or territory in which completion of five-year old kindergarten is a prerequisite for entering first grade and the child was exempted from the requirement to complete five-year old kindergarten in that state, country, or territory.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

- Before either commencing or completing first grade, the child moved into this state from a state, country, or territory in which completion of five-year old kindergarten is not a prerequisite to entering first grade.

The Act contains identical provisions that are applicable to operators of independent charter schools.

Effective date: The Act takes effect on October 21, 2009.

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AS:wu