
Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 56 [2021 Senate Bill 302]

Department of Public Instruction Waiver Authority

2021 Wisconsin Act 56 makes changes to the Department of Public Instruction's (DPI) waiver authority related to requirements for parental choice programs, the Special Needs Scholarship Program, and independent charter schools.

2019 Wisconsin Act 185 authorized DPI to waive any requirement in chs. 115 to 121, Stats., and the administrative rules related to a parental choice program, the Special Needs Scholarship Program, a private school participating in either of those programs, or an independent charter school. The act authorized DPI to waive these requirements for the period of time beginning March 12, 2020 and ending October 31, 2020.

2021 Wisconsin Act 56 extends the length of time DPI may exercise this authority to October 31, 2021, but also limits DPI's waiver authority. Where 2019 Wisconsin Act 185 allowed DPI to waive **any** requirement related to a parental choice program, Special Needs Scholarship Program, or an independent charter school, 2021 Wisconsin Act 56 prohibits DPI from granting any waiver related any of the following:

- Pupil assessments required under s. 118.30, Stats.
- The standardized reading test schools are required to administer in the third grade.
- Maintenance of pupil records, as defined in s. 118.125, Stats.

Effective date: July 1, 2021

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