



## 1995 ASSEMBLY BILL 457

June 26, 1995 - Introduced by Representatives BALDUS, WILDER, ALBERS, SCHNEIDERS, F. LASEE, PLOMBON and MEYER, cosponsored by Senator CLAUSING. Referred to Committee on Education.

1     **AN ACT to amend** 120.12 (15), 121.006 (2) (a) and 121.02 (1) (f) 1.; and **to create**  
2           121.02 (4m) of the statutes; **relating to:** authorizing the department of public  
3           instruction to waive the requirement that school be held for at least 180 days  
4           each school year.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a school board must hold school for at least 180 days each school year, less days on which school is closed because of inclement weather and days on which parent-teacher conferences are held, not to exceed a total of 5 days. In addition, annually a school board must schedule at least 437 hours of direct pupil instruction in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and at least 1,137 hours of direct pupil instruction in grades 7 to 12.

This bill authorizes the department of public instruction (DPI) to waive the 180-school-day requirement. Before requesting a waiver, the school board must hold a public hearing in the school district on the issue.

DPI may grant the waiver if the school board is in compliance with the requirement relating to the number of hours of direct pupil instruction. In determining whether to grant a waiver, DPI must consider whether the requirement impedes progress toward achieving a local improvement plan under the federal Goals 2000: Educate America Act, whether the school board has adopted educational goals and whether the waiver would jeopardize educational equity in the school district, as determined by DPI. A waiver is effective for 4 years and may be renewed for additional 4-year periods.

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

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

1           **SECTION 1.** 120.12 (15) of the statutes is amended to read:

2           120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal  
3 school day. The school board may differentiate between the various elementary and  
4 high school grades in scheduling the school day. The Except as provided under s.  
5 121.02 (4m), the equivalent of 180 such days, as defined in s. 115.01 (10), shall be held  
6 during the school term. This subsection shall not be construed to eliminate a school  
7 district's duty to bargain with the employe's collective bargaining representative  
8 over any calendaring proposal which is primarily related to wages, hours and  
9 conditions of employment.

10           **SECTION 2.** 121.006 (2) (a) of the statutes is amended to read:

11           121.006 (2) (a) ~~Hold~~ Except as provided under s. 121.02 (4m), hold school for  
12 at least 180 days each year, less any days during which the state superintendent  
13 determines that school is not held or educational standards are not maintained as  
14 the result of a strike by school district employes, the days to be computed in  
15 accordance with s. 115.01 (10).

16           **SECTION 3.** 121.02 (1) (f) 1. of the statutes is amended to read:

17           121.02 (1) (f) 1. ~~Schedule~~ Except as provided under sub. (4m), schedule at least  
18 180 school days annually, less any days during which the state superintendent  
19 determines that school is not held or educational standards are not maintained as  
20 the result of a strike by school district employes.

21           **SECTION 4.** 121.02 (4m) of the statutes is created to read:

