



2019 ASSEMBLY BILL 464

September 18, 2019 - Introduced by Representatives KITCHENS, BOWEN, ALLEN, KULP, L. MYERS, SPIROS, TUSLER and SKOWRONSKI, cosponsored by Senators OLSEN, COWLES, JACQUE, PETROWSKI and L. TAYLOR. Referred to Committee on Education.

1 **AN ACT** *to repeal* 118.14 (3) (b); *to amend* 118.14 (1) (a), 118.14 (3) (a), 121.004
2 (7) (c) 1. (intro.) and 121.004 (7) (cm); and *to create* 118.14 (3) (c) of the statutes;
3 **relating to:** the age at which a child may attend four-year-old kindergarten.

Analysis by the Legislative Reference Bureau

This bill changes the age at which a child may attend four-year-old kindergarten. Under current law, a child is eligible to attend four-year-old kindergarten if the child is four years old on September 1 in the year the child proposes to enter school. The bill provides that a child may attend four-year-old kindergarten if the child is four years old on September 1 or will be four years old on December 31 in the school year that the child proposes to enter school. In addition, a child may be admitted to the first quarter or semester of a four-year-old kindergarten beginning after January 1 of that school year if the child is four years old on January 1 or will be four years old on June 30 in that school year.

Under current law, if a school board establishes a four-year-old kindergarten program, the school board must make the program available to all pupils who are eligible for the program. The bill provides a transitional period for school boards that were operating a four-year-old kindergarten program in the 2019-20 school year. Under the bill, such a school board does not have to make its existing four-year-old kindergarten program available to the additional pupils eligible under the bill until the beginning of the 2025-26 school year.

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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.** 118.14 (1) (a) of the statutes is amended to read:

2 118.14 (1) (a) No child may be admitted to a 4-year-old kindergarten unless
3 he or she is 4 years old on or before September 1, or will be 4 years old on or before
4 December 31, in the school year that he or she proposes to enter school. A child may
5 be admitted to the first quarter or semester of a 4-year-old kindergarten beginning
6 after January 1 of that school year if the child is 4 years old on or before January 1,
7 or will be 4 years old on or before June 30, in that school year.

8 **SECTION 2.** 118.14 (3) (a) of the statutes is amended to read:

9 118.14 (3) (a) Except a provided in par. (b) (c), if a school board establishes a
10 4-year-old kindergarten program, the program shall be available to all pupils
11 eligible for the program under sub. (1) (a) or s. 120.12 (25).

12 **SECTION 3.** 118.14 (3) (b) of the statutes is repealed.

13 **SECTION 4.** 118.14 (3) (c) of the statutes is created to read:

14 118.14 (3) (c) A school board that was operating a 4-year-old kindergarten
15 program in the 2019-20 school year that did not comply with par. (a) shall make a
16 4-year-old kindergarten program available to all pupils eligible for the program
17 under sub. (1) (a) or s. 120.12 (25) by the beginning of the 2025-26 school year.

18 **SECTION 5.** 121.004 (7) (c) 1. (intro.) of the statutes is amended to read:

19 121.004 (7) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only
20 if the pupil attains the age permitted under s. 120.12 (25) or required under s. 118.14
21 for kindergarten admission. A kindergarten pupil, ~~including a pupil enrolled in a~~

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1 ~~4-year-old kindergarten program being phased in under s. 118.14 (3) (b)~~, shall be
2 counted as one-half pupil except that:

3 **SECTION 6.** 121.004 (7) (cm) of the statutes is amended to read:

4 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,
5 ~~including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b)~~,
6 that provides the required number of hours of direct pupil instruction under s. 121.02
7 (1) (f) shall be counted as 0.6 pupil if the program annually provides at least 87.5
8 additional hours of outreach activities.

9 **SECTION 7. Initial applicability.**

10 (1) The treatment of s. 118.14 (1) (a) first applies to a child admitted to a
11 4-year-old kindergarten in the 2020-21 school year.

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(END)