

State of Wisconsin



2005 Assembly Bill 84

Date of enactment:
Date of publication*:

2005 WISCONSIN ACT

AN ACT *to repeal* 115.01 (10) (b) and 121.02 (1) (f) 1.; *to renumber* 115.01 (10) (a) (intro.); *to renumber and amend* 121.006 (2) (a) and 121.02 (1) (f) 2.; *to amend* 120.12 (15), 120.18 (1) (d), 121.004 (7) (c) 1. b., 121.004 (7) (cm) and 121.23 (2) (intro.); and *to create* 121.004 (5m) and 121.006 (2) (a) 2. of the statutes; **relating to:** the number of school days required each school term.

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

SECTION 1. 115.01 (10) (a) (intro.) of the statutes is renumbered 115.01 (10) (intro.).

SECTION 2. 115.01 (10) (b) of the statutes is repealed.

SECTION 3. 120.12 (15) of the statutes is amended to read:

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

SECTION 4. 120.18 (1) (d) of the statutes is amended to read:

120.18 (1) (d) The number of school days taught, including holidays, hours of direct pupil instruction provided in each school by teachers legally qualified to teach.

SECTION 5. 121.004 (5m) of the statutes is created to read:

121.004 (5m) MINIMUM REQUIRED HOURS OF INSTRUCTION. "Minimum required hours of instruction" means the number of hours of direct pupil instruction required for the grade in which a pupil is enrolled as specified in s. 121.02 (1) (f).

SECTION 6. 121.004 (7) (c) 1. b. of the statutes is amended to read:

121.004 (7) (c) 1. b. A pupil enrolled in a 5-year-old kindergarten program requiring full-day attendance for less than 5 days a week for an entire school year term shall be counted as the result obtained by multiplying the number of hours in each day in which the pupil is enrolled by the total number of days for which the pupil is enrolled, and dividing the result by the product of the total number of hours of attendance per day required of first grade pupils in the school district multiplied by 180.

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

121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program that provides the minimum required number of hours of direct pupil instruction under s. 121.02 (1) (f) 2. shall be counted as 0.6 pupil if

* Section 991.11, WISCONSIN STATUTES 2003-04: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

the program annually provides at least 87.5 additional hours of outreach activities.

SECTION 8. 121.006 (2) (a) of the statutes is renumbered 121.006 (2) (a) (intro.) and amended to read:

121.006 (2) (a) (intro.) Hold school for at least 180 days each year the minimum required hours of instruction, less any days of the following:

1. Hours during which the state superintendent determines that school is not held or educational standards are not maintained as the result of a strike by school district employees, ~~the days to be computed in accordance with s. 115.01 (4).~~

SECTION 9. 121.006 (2) (a) 2. of the statutes is created to read:

121.006 (2) (a) 2. Hours during which school is closed by order of a local health officer, as defined in s. 250.01 (5).

SECTION 10. 121.02 (1) (f) 1. of the statutes is repealed.

SECTION 11. 121.02 (1) (f) 2. of the statutes is renumbered 121.02 (1) (f) and amended to read:

121.02 (1) (f) Annually, 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, or the number of hours of direct pupil instruction the school board scheduled during the 2005-06 school year, whichever is greater. Scheduled hours under this ~~subdivision~~ paragraph include recess and time for pupils to transfer between classes but do not include the lunch period. Scheduled hours under this paragraph may include no more than 35 hours on Saturdays. A school board operating a 4-year-old kindergarten program may use up to 87.5 of the scheduled hours for outreach activities.

SECTION 12. 121.23 (2) (intro.) of the statutes is amended to read:

121.23 (2) (intro.) If a school district holds less than ~~180 days of school~~ the minimum required hours of instruction as the result of a strike by school district employees, for the purposes of computing general aid, the state superintendent shall compute the school district's primary and secondary ceiling costs per member in accordance with the procedure specified in pars. (a) to (e). In making the calculation, the state superintendent shall:

SECTION 13. Effective date.

(1) This act takes effect on July 1, 2006.