



**DALE KOOYENGA**  
STATE SENATOR · 5<sup>TH</sup> DISTRICT

State Capitol · P.O. Box 7882 · Madison, WI 53707-7882 · (608) 266-2512

---

April 18, 2019

TO: Members of the Assembly Committee on Education

FR: Senator Dale Kooyenga

RE: Support for AB 129 allowing private schools participating in a parental choice program to provide hours of direct pupil instruction virtually

Thank you for holding a hearing on Assembly Bill 129.

This year many schools across the state have been impacted by snow days or severe weather days. As school administrators have looked for various ways to meet the instructional time requirements one of the options that they have begun to explore is the use of virtual instruction.

The Department of Public Instruction made a recent determination that under an existing administrative rule (PI 8) that public schools could use virtual instruction to make up the time needed to meet the instructional time requirements.

Current law neither expressly prohibits nor allows a private school participating in a parental choice program from offering hours of instruction virtually. The Department of Public Instruction is using this silence to provide guidance to Choice schools indicating that they can not use virtual instruction to make up instructional time lost due to inclement weather.

This bill provides Choice schools with the same ability that public schools have to use virtual instruction to make up missed instructional time.

Thank you for hearing this bill. I respectfully ask for your support.



## WISCONSIN CATHOLIC CONFERENCE

TO: Representative Jeremy Thiesfeldt, Chair  
Members, Committee on Education

FROM: Larry Haas, Associate Director, Wisconsin Catholic Conference

DATE: April 18, 2019

RE: Support for AB 129, Virtual Instruction in Parental Choice Program Schools

---

The Wisconsin Catholic Conference (WCC) greatly appreciates the opportunity to testify today on behalf of the Wisconsin Catholic schools participating in the parental choice programs. The WCC testifies in support of Assembly Bill 129, which recognizes virtual instruction hours as contributing to the required number of instructional hours for private schools participating in the parental choice programs.

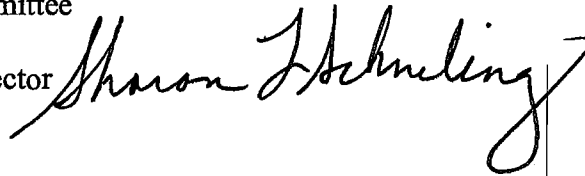
Most importantly, AB 129 recognizes that learning occurs not only in the physical classroom setting, but due to unforeseen circumstances, it may also appropriately occur through a virtual learning system. In today's world, opportunities to learn must be flexible. Virtual learning allows students and schools to adjust to any number of obstacles such as inclement weather, teacher shortages, or other issues arising out of a school's control. In order to meet the required 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, parental choice program schools need access to the same alternatives available to their public-school counterparts. Virtual instruction is a valuable resource that, in times of emergency for certain schools, becomes an absolute necessity.

Our state's education laws and policies should also permit all families and schools, including private choice schools, public schools, and especially those in rural communities or with limited means, to have an array of educational opportunities that provide access to quality programming and that can be adapted to a school or family's need. Assembly Bill 129 truly acknowledges the diverse quality resources that are available to schools today and ensures that those resources may be uniformly accessed by all schools. This legislation makes certain that students and schools are not limited in their efforts to be innovative in the pursuit of academic success.

We respectfully request your support for AB 129.

**TO:** Members, Assembly Education Committee

**FROM:** Sharon L. Schmeling, Executive Director



**DATE:** April 18, 2019

**RE:** Assembly Bill 129 – Virtual Instruction in Private Choice Schools

The Wisconsin Council of Religious and Independent Schools (WCRIS), strongly supports Assembly Bill 129.

This bill would allow private schools in the Parental Choice Programs to use virtual instruction in the event of an emergency or inclement weather, which would cover not just “snow days” but also ice storms, tornados, flooding, and the like, and have it count towards required hours of pupil instruction.

We are grateful that the bill covers other emergencies, which we specifically requested of sponsoring legislators, since schools encounter other incidents that warrant closing a building. While it’s common to think of the tragic school safety incident as the emergency that would require school closure, a school is far more likely to close because of a water main break, plumbing or heating issues, a neighborhood gas leak, or emergency building repairs.

Allowing Choice schools to include virtual instruction hours in their count of mandatory hours of pupil instruction is a sensible way to allow children to continue their education despite such incidents.

But if this is so commonsensical, why not allow virtual instruction to be counted in all cases – just like in the public schools, as allowed in PI-8? We would urge you to expand the law to allow Choice schools the same flexibilities.

Digital learning technology is more widespread and useable than in times past. Many schools are using virtual instruction as an extension of the brick and mortar school experience. Many Choice schools have developed full learning management systems where they can deliver their course content to students in a digital environment. Schools adjust their techniques and usage levels based on feedback from parents, students and faculty. These management systems also allow the schools to record and generate statistics for every user (students and faculty) to show the amount of time that each spends working in a digital platform.

Many schools report that they get a higher rate of assignment completion during digital learning days than “normal” school days.

Assembly Bill 129 is a necessary adjustment to the law regulating hours of classroom instruction and recognizes the reality of current education practices that utilize technology to educate our state’s K-12 school children.

We strongly urge you to support AB 129.

Archdiocese of Milwaukee

Association of Christian  
Schools International

Christian Schools  
International

Diocese of Green Bay

Diocese of LaCrosse

Diocese of Madison

Diocese of Superior

Lutheran Church  
Missouri Synod  
North Wisconsin District

Lutheran Church  
Missouri Synod  
South Wisconsin District

Wisconsin Association  
of Independent Schools

Wisconsin Conference  
of Seventh Day Adventists

Wisconsin Evangelical  
Lutheran Synod  
Northern Wisconsin District

Wisconsin Evangelical  
Lutheran Synod  
Western Wisconsin District

Wisconsin Evangelical  
Lutheran Synod  
Southeastern Wisconsin  
District

Associate Members

PHONE  
(608) 287-1224

E-MAIL  
wcris.staff@gmail.com

WEBSITE  
www.wcris.org

ADDRESS  
110 East Main Street  
Suite 802  
Madison, WI 53703

## Hours of Instruction and Virtual Learning

### Overview of PI-8

Within the definitions section of PI-8.001(6g), *“Innovative Instructional Design” means an instructional program aligned to school district standards and used to improve student academic achievement through instruction offered outside of the normal school day, virtually, or in an alternative setting.*

PI-8.01(2)(f) states: *“Scheduled hours may also include the hours of instructional programming offered through innovative instructional designs that apply to the entire school or grade level.”*

When combining this statement with the aforementioned definition of “innovative instructional designs,” it is clear that virtual learning, when applied across the entire school or grade level, may be counted as hours of instruction.

PI-8.01(2)(f) also states: *“In computing the minimum number of instructional hours under this subdivision, schools may not count days and parts of days on which parent and teacher conferences are held, staff development or inservice programs are held, schools are closed for inclement weather and no compensatory instruction is offered virtually, and when no direct instruction is provided.”*

When listing the details of what cannot be counted, which includes the qualifying detail of not offering compensatory instruction virtually when school is closed for inclement weather, the list of what not to count inversely claims that compensatory instruction offered virtually is therefore countable for hours of instruction.

The DPI’s website, under the “Hours of Instruction- Administrative Rule” page, quotes the wording from PI-8.01(2)(f).

AB129 Public Hearing  
4/18/19

Archdiocese of Milwaukee

Association of Christian  
Schools International

Christian Schools  
International

Diocese of Green Bay

Diocese of LaCrosse

Diocese of Madison

Diocese of Superior

Lutheran Church  
Missouri Synod  
North Wisconsin District

Lutheran Church  
Missouri Synod  
South Wisconsin District

Wisconsin Association  
of Independent Schools

Wisconsin Conference  
of Seventh Day Adventists

Wisconsin Evangelical  
Lutheran Synod  
Northern Wisconsin District

Wisconsin Evangelical  
Lutheran Synod  
Western Wisconsin District

Wisconsin Evangelical  
Lutheran Synod  
Southeastern Wisconsin  
District

Associate Members

PHONE  
(608) 287-1224

E-MAIL  
wcris.staff@gmail.com

WEBSITE  
www.wcris.org

ADDRESS  
110 East Main Street  
Suite 802  
Madison, WI 53703