



2003 ASSEMBLY BILL 395

June 10, 2003 - Introduced by Representatives TOWNS, VRUWINK, NISCHKE, J. LEHMAN, JENSEN, GRONEMUS, GUNDERSON, LADWIG, OTT, PETTIS, KREIBICH, MUSSER, KRAWCZYK, AINSWORTH, GIELOW, FRISKE, BIES, McCORMICK, HINES, J. WOOD, OWENS, ALBERS, SERATTI, PETROWSKI, KERKMAN, LOTHIAN, VRAKAS and VAN ROY. Referred to Committee on Education.

1 **AN ACT to repeal** 115.01 (10) (b) and 121.02 (1) (f) 1.; **to renumber** 115.01 (10)
2 (a) (intro.); **to renumber and amend** 121.006 (2) (a) and 121.02 (1) (f) 2.; **to**
3 **amend** 120.12 (15), 120.18 (1) (d), 121.004 (7) (c) 1. b., 121.004 (7) (cm) and
4 121.23 (2) (intro.); and **to create** 121.004 (5m) and 121.006 (2) (a) 2. of the
5 statutes; **relating to:** the number of school days required each school term.

Analysis by the Legislative Reference Bureau

Under current law, school is required to be held for at least 180 days during the school term (the time beginning with the first school day and ending with the last school day that the schools are in operation for the attendance of pupils in a school year). In addition, each 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 retains the requirement that school be held for these minimum required hours of instruction and eliminates the requirement that school be held for at least 180 days.

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:

ASSEMBLY BILL 395**SECTION 1**

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

3 **SECTION 2.** 115.01 (10) (b) of the statutes is repealed.

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

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

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

13 120.18 **(1)** (d) The number of school days taught, including holidays, hours of
14 direct pupil instruction provided by teachers legally qualified to teach.

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

16 121.004 **(5m)** MINIMUM REQUIRED HOURS OF INSTRUCTION. "Minimum required
17 hours of instruction" means the number of hours of direct pupil instruction required
18 for the grade in which a pupil is enrolled as specified in s. 121.02 (1) (f).

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

20 121.004 **(7)** (c) 1. b. A pupil enrolled in a 5-year-old kindergarten program
21 requiring full-day attendance for less than 5 days a week for an entire school year
22 term shall be counted as the result obtained by multiplying the number of hours in
23 each day in which the pupil is enrolled by the total number of days for which the pupil
24 is enrolled, and dividing the result by the ~~product of the~~ total number of hours of

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1 attendance per day required of first grade pupils in the school district multiplied by
2 180.

3 **SECTION 7.** 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 that
5 provides the minimum required number of hours of direct pupil instruction under s.
6 ~~121.02 (1) (f) 2.~~ shall be counted as 0.6 pupil if the program annually provides at least
7 87.5 additional hours of outreach activities.

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

10 121.006 (2) (a) (intro.) Hold school for at least ~~180 days each year~~ the minimum
11 required hours of instruction, less any days of the following:

12 1. Hours during which the state superintendent determines that school is not
13 held or educational standards are not maintained as the result of a strike by school
14 district employees, ~~the days to be computed in accordance with s. 115.01 (10).~~

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

16 121.006 (2) (a) 2. Hours during which school is closed by order of a local health
17 officer, as defined in s. 250.01 (5).

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

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

21 121.02 (1) (f) Annually, schedule at least 437 hours of direct pupil instruction
22 in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and
23 at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours
24 under this ~~subdivision~~ paragraph include recess and time for pupils to transfer
25 between classes but do not include the lunch period. Scheduled hours under this

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1 paragraph may include no more than 35 hours on Saturdays. A school board
2 operating a 4-year-old kindergarten program may use up to 87.5 of the scheduled
3 hours for outreach activities.

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

5 121.23 (2) (intro.) If a school district holds less than ~~180 days of school~~ the
6 minimum required hours of instruction as the result of a strike by school district
7 employees, for the purposes of computing general aid, the state superintendent shall
8 compute the school district's primary and secondary ceiling costs per member in
9 accordance with the procedure specified in pars. (a) to (e). In making the calculation,
10 the state superintendent shall:

11 **SECTION 13. Effective date.**

12 (1) This act takes effect on July 1, 2004.

13 (END)