



## 2005 SENATE BILL 101

March 8, 2005 – Introduced by Senators HARSDORF, DARLING, LEIBHAM, REYNOLDS, A. LASEE, GROTHMAN, STEPP, ROESSLER and KAPANKE, cosponsored by Representatives RHOADES, GRONEMUS, GIELOW, AINSWORTH, GARD, OTT, JENSEN, KERKMAN, NASS, MUSSER, KRAWCZYK, HAHN, HINES, PETTIS, F. LASEE, MEYER, MCCORMICK, VRAKAS and TOWNSEND. Referred to Committee on Education.

1     **AN ACT to repeal** 118.38 (4); **to amend** 118.38 (3); **to repeal and recreate**  
2             118.38 (2); and **to create** 118.38 (1) (a) 9. of the statutes; **relating to:** waivers  
3             of laws and administrative rules governing elementary and secondary  
4             education.

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### *Analysis by the Legislative Reference Bureau*

With certain exceptions, current law authorizes the Department of Public Instruction (DPI), upon receiving a request from a school board, to waive any school board or school district requirement in the laws and administrative rules governing elementary and secondary education. Before making a request, the school board must hold a public hearing on the request in the school district. In determining whether to grant the waiver, DPI must consider whether the requirement impedes progress toward achieving a local improvement plan and, if the school district has adopted educational goals, whether it impedes progress toward achieving those goals.

This bill requires DPI to grant a waiver upon receiving a request from a school board if the school board has adopted a resolution authorizing the request and has held a public hearing on the request. The bill also prohibits DPI from granting a waiver that would exempt a school district from the revenue limits.

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

