



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-1599/P3  
FFK:amn

DOA:.....Hynek, BB0286 - School district flexibilities

**FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT** ...; **relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

This bill eliminates all of the following:

1. The requirement that each school board annually schedule a minimum number of hours of direct pupil instruction, that a private school participating in a parental choice program provide a minimum number of hours of direct pupil instruction, and that a virtual charter school ensure that its teachers are available to provide a minimum number of hours of direct pupil instruction.
2. The requirement that a school board hold a monthly regular school board meeting.
3. The statutory default hour and date for annual meetings held by common and union high school districts.
4. The prohibition against a school board entering into an employment contract with a school administrator that is for a term that exceeds two years.
5. The requirement that a school district clerk submit a statement of the school district's indebtedness to the secretary of state, upon request.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 66.0131 (6) of the statutes is created to read:

66.0131 (6) SCHOOL DISTRICTS. Subsections (3) to (5) do not apply to school districts.

**SECTION 2.** 69.68 of the statutes is amended to read:

**69.68 Statement of indebtedness to secretary of state.** Each county, city, village, town, and technical college district ~~and school district clerk~~ shall, whenever required by the secretary of state, furnish a full and complete statement showing the bonded and all other indebtedness of the respective county, city, village, town, or technical college district ~~or school district~~, the purposes for which the same was incurred and all accrued interest, if any, remaining unpaid.

**SECTION 3.** 115.001 (3m) of the statutes is amended to read:

115.001 (3m) INTERIM SESSION. "Interim session" means a period of time in a school year when school is held by a school in a school district to provide hours of direct pupil instruction in addition to ~~the hours of direct pupil instruction provided by the school district as required under s. 121.02 (1) (f) providing 437 hours of direct pupil instruction in kindergarten, 1,050 hours of direct pupil instruction in grades 1 to 6, and 1,137 hours of direct pupil instruction in grades 7 to 12.~~

**SECTION 4.** 118.24 (1) of the statutes is amended to read:

118.24 (1) A school board may employ a school district administrator, a business manager, and school principals and assistants to such persons. ~~The term~~

~~of each employment contract may not exceed 2 years. A contract for a term of 2 years may provide for one or more extensions of one year each.~~

**SECTION 5.** 118.24 (6) of the statutes is amended to read:

118.24 (6) The employment contract of any person described under sub. (1) shall be in writing and filed with the school district clerk. At least 4 months prior to the expiration of the employment contract, the employing school board shall give notice in writing of either renewal of the contract or of refusal to renew such person's contract. ~~If no such notice is given, the contract then in force shall continue in force for 2 years.~~ Any such person who receives notice of renewal or who does not receive notice of renewal or refusal to renew the person's contract at least 4 months before the contract expiration shall accept or reject the contract in writing on or before a date 3 months prior to the contract expiration. No such person may be employed or dismissed except by a majority vote of the full membership of the school board. Nothing in this section prevents the modification or termination of an employment contract by mutual agreement of the parties. No school board may enter into a contract of employment with any such person for a period of time as to which such person is then under a contract of employment with another school board.

**SECTION 6.** 118.24 (8) of the statutes is repealed.

**SECTION 7.** 118.38 (2) (am) of the statutes is renumbered 118.38 (2).

**SECTION 8.** 118.38 (2) (bm) of the statutes is repealed.

**SECTION 9.** 118.40 (8) (d) 2. of the statutes is repealed.

**SECTION 10.** 118.60 (2) (a) 8. of the statutes is repealed.

**SECTION 11.** 119.10 (3) of the statutes is amended to read:

119.10 (3) The board shall hold a regular meeting ~~at least once each month~~ at times fixed and published by the board in its rules. If a regular board meeting falls

on a legal holiday, it shall be held on the next business day. Special meetings may be called and held as provided by the rules of the board. No business may be transacted at a special meeting other than that specified in the notice of the meeting, which shall be delivered personally or by mail to each member at least 24 hours before the time of such meeting.

**SECTION 12.** 119.23 (2) (a) 8. of the statutes is repealed.

**SECTION 13.** 119.61 (1) (c) 3. of the statutes is amended to read:

119.61 (1) (c) 3. The number of hours of pupil instruction offered in the school building in the previous school year was less than 80 percent of the number of hours of pupil instruction required to be scheduled under s. 121.02 (1) (f) ~~2., 2015 stats.~~

**SECTION 14.** 120.08 (1) (a) of the statutes is amended to read:

120.08 (1) (a) ~~Common school~~ School districts shall hold an annual meeting ~~on the 4th Monday in July at 8 p.m. and union high school districts shall hold an annual meeting on the 3rd Monday in July at 8 p.m. on a date and hour determined by the school board~~ unless the electors at one annual meeting determine to thereafter hold the annual meeting on a different date or hour, ~~or authorize the school board to establish a different date or hour.~~ No annual meeting may be held before May 15 or after October 31. The first school district meeting in a common or union high school district created under s. 117.08, 117.09, or 117.27 shall be considered an annual meeting.

**SECTION 15.** 120.11 (1) of the statutes is amended to read:

120.11 (1) The school board in a common or union high school district shall hold a regular meeting ~~at least once each month~~ at a time and place determined by the school board and may hold special school board meetings under sub. (2). A majority of the school board members constitute a quorum at a regular or special school board

meeting. The school district president shall preside at school board meetings. In the president's absence, the school district vice president shall preside or, in the case of a 3-member board, the school board may select another school board member to preside. The school district clerk shall record the minutes of school board meetings and, in his or her absence, the school board may select another school board member to act as the clerk of the meeting.

**SECTION 16.** 120.43 (2) of the statutes is amended to read:

120.43 (2) The school board shall meet at ~~least once each month~~ times fixed and published by the board in its rule and at other times upon the call of the school district president or upon the filing of a request with the school district clerk signed by a majority of the school board members.

**SECTION 17.** 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, including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b), ~~that provides the required number of hours of direct pupil instruction under s. 121.02 (1) (f)~~ shall be counted as 0.6 pupil if the program annually provides at least 87.5 additional hours of outreach activities.

**SECTION 18.** 121.006 (2) (intro.) of the statutes is amended to read:

121.006 (2) (intro.) Unless the state superintendent is satisfied that the failure to meet the requirements of ~~pars. (a) and~~ par. (b) was occasioned by some extraordinary cause not arising from intention or neglect on the part of the responsible officers, every school district shall:

**SECTION 19.** 121.006 (2) (a) of the statutes is repealed.

**SECTION 20.** 121.02 (1) (f) of the statutes is repealed.

**SECTION 21.** 121.23 (1) of the statutes is amended to read:

121.23 (1) In the event that the state superintendent finds that school is not held, or educational standards are not maintained ~~in accordance with s. 121.02 (1) (f)~~ as the result of a strike by school district employees, make-up days are authorized to be scheduled but no make-up days are required.

**SECTION 22.** 121.23 (2) (intro.) of the statutes is amended to read:

121.23 (2) (intro.) If a school district fails to provide ~~the number of hours of~~ direct pupil instruction ~~specified under s. 121.02 (1) (f)~~ 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:

(END)