



## 1995 ASSEMBLY BILL 972

February 29, 1996 - Introduced by Representatives HAHN, OWENS, MUSSER, GOETSCH and SERATTI. Referred to Committee on Education.

1     **AN ACT to repeal** 115.01 (10) (a) 1., 115.01 (10) (a) 2., 115.01 (10) (b), 121.004 (7)  
2           (c) 1. a., 121.004 (7) (c) 2. and 121.02 (1) (f) 1.; **to renumber and amend** 115.01  
3           (10) (a) (intro.), 121.006 (2) (a) and 121.02 (1) (f) 2.; **to consolidate, renumber**  
4           **and amend** 121.004 (7) (c) 1. (intro.) and b.; **to amend** 119.71 (1), 120.12 (15),  
5           121.004 (7) (a), 121.004 (7) (cm), 121.05 (1) (a) 8. and 121.23 (2) (intro.); and **to**  
6           **create** 121.004 (5m) and 121.006 (2) (a) 2. of the statutes; **relating to:** the num-  
7           ber of school days required each school term.

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### ***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 requires that school be held for these minimum required hours of instruction and eliminates the requirement that school be held at least 180 days.

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:***

1           **SECTION 1.** 115.01 (10) (a) (intro.) of the statutes is renumbered 115.01 (10) and  
2 amended to read:

3           115.01 **(10)** SCHOOL DAY. School days are days on which school is actually taught  
4 ~~and the following days on which school is not taught.~~

5           **SECTION 2.** 115.01 (10) (a) 1. of the statutes is repealed.

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 of the statutes is repealed.

7           **SECTION 4.** 115.01 (10) (b) of the statutes is repealed.

8           **SECTION 5.** 119.71 (1) of the statutes is amended to read:

9           119.71 **(1)** In this section, “full-day” ~~has the meaning given in s. 121.004 (7) (c)~~  
10 2. means the length of the school day for pupils in the first grade of the school district  
11 operating the 5-year-old kindergarten program.

12           **SECTION 6.** 120.12 (15) of the statutes is amended to read:

13           120.12 **(15)** SCHOOL HOURS. Establish rules scheduling the hours of a normal  
14 school day. The school board may differentiate between the various elementary and  
15 high school grades in scheduling the school day. ~~The equivalent of 180 such days, as~~  
16 ~~defined in s. 115.01 (10), shall be held during the school term.~~ This subsection shall  
17 not be construed to eliminate a school district’s duty to bargain with the employe’s  
18 collective bargaining representative over any calendaring proposal which is primari-  
19 ly related to wages, hours and conditions of employment.

20           **SECTION 7.** 121.004 (5m) of the statutes is created to read:

21           121.004 **(5m)** MINIMUM REQUIRED HOURS OF INSTRUCTION. “Minimum required  
22 hours of instruction” means the number of hours of direct pupil instruction required  
23 for the grade in which a pupil is enrolled as specified under s. 121.02 (1) (f).

24           **SECTION 8.** 121.004 (7) (a) of the statutes is amended to read:

1           121.004 (7) (a) "Pupils enrolled" is the total number of pupils, as expressed by  
2           official enrollments, in all schools of the school district. A pupil shall be counted as  
3           the number obtained by dividing the total number of hours of instruction in which  
4           the pupil is enrolled during the school term by the minimum required hours of  
5           instruction, except as provided in pars. (b) to (d). If such total contains a fraction, it  
6           shall be expressed as the nearest whole number. The same method shall be used in  
7           computing the number of pupils enrolled for resident pupils, nonresident pupils or  
8           both.

9           **SECTION 9.** 121.004 (7) (c) 1. (intro.) and b. of the statutes are consolidated, re-  
10          numbered 121.004 (7) (c) and amended to read:

11          121.004 (7) (c) A pupil enrolled in kindergarten may be counted only if the pupil  
12          attains the age permitted under s. 115.28 (8) or required under s. 118.14 for kinder-  
13          garten admission. A kindergarten pupil shall be counted as one-half pupil except  
14          that: ~~b. A~~ a pupil enrolled in a ~~5-year-old~~ kindergarten program requiring full-day  
15          ~~attendance for less than 5 days a week for an entire school year~~ attendance for more  
16          than 525 hours in a school term shall be counted as the result obtained by multiply-  
17          ~~ing the number of hours in each day in which the pupil is enrolled by the total number~~  
18          ~~of days for which the pupil is enrolled, and dividing the result by the product of the~~  
19          ~~number of hours of attendance per day required of first grade pupils in the school dis-~~  
20          ~~trict multiplied by 180~~ dividing the number of hours of direct pupil instruction sched-  
21          uled for the pupil during the school term by 1,050.

22          **SECTION 10.** 121.004 (7) (c) 1. a. of the statutes is repealed.

23          **SECTION 11.** 121.004 (7) (c) 2. of the statutes is repealed.

24          **SECTION 12.** 121.004 (7) (cm) of the statutes is amended to read:

1           121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program that  
2 provides the required number of hours of direct pupil instruction under s. 121.02 (1)  
3 (f) ~~2~~, shall be counted as 0.6 pupil if the program annually provides at least 87.5 addi-  
4 tional hours of outreach activities.

5           **SECTION 13.** 121.006 (2) (a) of the statutes is renumbered 121.006 (2) (a) (intro.)  
6 and amended to read:

7           121.006 (2) (a) (intro.) Hold school for at least ~~180 days each year~~ the minimum  
8 required hours of instruction, less any days of the following:

9           1. Hours during which the department determines that school is not held or  
10 educational standards are not maintained as the result of a strike by school district  
11 employes, ~~the days to be computed in accordance with s. 115.01 (10).~~

12           **SECTION 14.** 121.006 (2) (a) 2. of the statutes is created to read:

13           121.006 (2) (a) 2. Hours during which school is closed by order of a local health  
14 officer, as defined in s. 250.01 (5).

15           **SECTION 15.** 121.02 (1) (f) 1. of the statutes is repealed.

16           **SECTION 16.** 121.02 (1) (f) 2. of the statutes is renumbered 121.02 (1) (f) and  
17 amended to read:

18           121.02 (1) (f) Annually, schedule at least 437 hours of direct pupil instruction  
19 in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and  
20 at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours  
21 under this subdivision paragraph include recess and time for pupils to transfer be-  
22 tween classes but do not include the lunch period. A school board operating a 4-year-  
23 old kindergarten program may use up to 87.5 of the scheduled hours for outreach ac-  
24 tivities.

25           **SECTION 17.** 121.05 (1) (a) 8. of the statutes is amended to read:

