



## 1999 SENATE BILL 35

February 10, 1999 – Introduced by Senators DARLING, RUDE, HUELSMAN, ROESSLER and ROSENZWEIG, cosponsored by Representatives JESKEWITZ, KLUSMAN, LA FAVE, PLOUFF, J. LEHMAN and MUSSER. Referred to Committee on Education.

1     **AN ACT** *to repeal* 118.30 (5); *to amend* 118.30 (1m) (a), 118.30 (1m) (am) and  
2           118.33 (title); and *to create* 118.33 (6) of the statutes; **relating to:** promoting  
3           a pupil from the 4th grade to the 5th grade and from the 8th grade to the 9th  
4           grade.

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### *Analysis by the Legislative Reference Bureau*

Under current law, beginning in the 2002–03 school year a school board may not promote a fourth grade pupil to the fifth grade, or an eighth grade pupil to the ninth grade, unless the pupil passes a statewide examination or an examination developed or approved by the school board. A school board must excuse the pupil from the examination if the pupil’s parent or guardian so requests. The school board must develop alternative criteria for promoting a pupil who does not take the examination.

This bill directs each school board to adopt a written policy specifying the criteria for promoting a pupil from the fourth to the fifth grade and from the eighth to the ninth grade. The criteria must include the pupil’s score on the fourth or eighth grade examination (unless the pupil is excused from taking the examination), and may include the pupil’s academic performance, the recommendations of teachers and any other criteria specified by the school board. Beginning in the 2002–03 school year, the bill provides that a school board may not promote a fourth grade pupil to the fifth grade, or an eighth grade pupil to the ninth grade, unless the pupil satisfies the criteria specified in the school board’s policy.

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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.** 118.30 (1m) (a) of the statutes is amended to read:

2           118.30 **(1m)** (a) 1. Except as provided in sub. (6), administer the 4th grade  
3 examination adopted or approved by the state superintendent under sub. (1) (a) to  
4 all pupils enrolled in the school district, including pupils enrolled in charter schools  
5 located in the school district, in the 4th grade. Beginning on July 1, 2002, if the  
6 school board has not developed and adopted its own 4th grade examination, the  
7 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~  
8 take the examination administered under this subdivision ~~that is sufficient for~~  
9 ~~promotion under sub. (5) (a) 1.~~

10           2. Beginning on July 1, 2002, if the school board has developed or adopted its  
11 own 4th grade examination, administer that examination to all pupils enrolled in the  
12 school district, including pupils enrolled in charter schools located in the school  
13 district, in the 4th grade. The school board shall provide a pupil with at least 2  
14 opportunities to pass take the examination administered under this subdivision.

15           **SECTION 2.** 118.30 (1m) (am) of the statutes is amended to read:

16           118.30 **(1m)** (am) 1. Except as provided in sub. (6), administer the 8th grade  
17 examination adopted or approved by the state superintendent under sub. (1) (a) to  
18 all pupils enrolled in the school district, including pupils enrolled in charter schools  
19 located in the school district, in the 8th grade. Beginning on July 1, 2002, if the  
20 school board has not developed and adopted its own 8th grade examination, the  
21 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~

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1 ~~take~~ the examination administered under this subdivision ~~that is sufficient for~~  
2 ~~promotion under sub. (5) (b) 1.~~

3 2. Beginning on July 1, 2002, if the school board has developed or adopted its  
4 own 8th grade examination, administer that examination to all pupils enrolled in the  
5 school district, including pupils enrolled in charter schools located in the school  
6 district, in the 8th grade. The school board shall provide a pupil with at least 2  
7 opportunities to ~~pass~~ take the examination administered under this subdivision.

8 **SECTION 3.** 118.30 (5) of the statutes is repealed.

9 **SECTION 4.** 118.33 (title) of the statutes is amended to read:

10 **118.33** (title) **High school graduation standards; criteria for promotion.**

11 **SECTION 5.** 118.33 (6) of the statutes is created to read:

12 118.33 **(6)** (a) Each school board shall adopt a written policy specifying the  
13 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th  
14 grade to the 9th grade. The criteria shall include the pupil's score on the examination  
15 administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from  
16 taking the examination under s. 118.30 (2) (b), and may include the pupil's academic  
17 performance, the recommendations of teachers and any other criteria specified by  
18 the school board.

19 (b) Beginning on July 1, 2002, a school board may not promote a 4th grade pupil  
20 to the 5th grade, and may not promote an 8th grade pupil to the 9th grade, unless  
21 the pupil satisfies the criteria for promotion specified in the school board's policy  
22 under par. (a).

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(END)