



2009 ASSEMBLY BILL 200

April 7, 2009 - Introduced by Representatives RHOADES, MURSAU, KERKMAN, LOTHIAN, LEMAHIEU, GOTTLIEB, STRACHOTA, A. OTT, MURTHA, BIES, GUNDERSON and TOWNSEND, cosponsored by Senators KREITLOW, SCHULTZ and KEDZIE. 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); *to renumber and amend* 121.006 (2) (a) and 121.02 (1) (f) 2.; *to amend*
3 118.40 (8) (d) 2., 120.12 (15), 120.18 (1) (d), 121.004 (7) (c) 1. b., 121.004 (7) (cm)
4 and 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 but 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 200**SECTION 1**

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

2 **SECTION 2.** 115.01 (10) (b) of the statutes is repealed.

3 **SECTION 3.** 118.40 (8) (d) 2. of the statutes is amended to read:

4 118.40 (8) (d) 2. Ensure that its teachers are available to provide direct pupil
5 instruction for at least the applicable number of hours specified in s. 121.02 (1) (f) 2.
6 each school year. No more than 10 hours in any 24-hour period may count toward
7 the requirement under this subdivision.

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

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

16 **SECTION 5.** 120.18 (1) (d) of the statutes is amended to read:

17 120.18 (1) (d) ~~The number of school days taught, including holidays, and the~~
18 number of hours of direct pupil instruction provided in each school, by teachers
19 legally qualified to teach.

20 **SECTION 6.** 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 in s. 121.02 (1) (f).

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

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1 121.004 (7) (c) 1. b. A pupil enrolled in a 5-year-old kindergarten program
2 requiring full-day attendance for less than 5 days a week for an entire school year
3 term shall be counted as the result obtained by multiplying the number of hours in
4 each day in which the pupil is enrolled by the total number of days for which the pupil
5 is enrolled, and dividing the result by the ~~product of the~~ total number of hours of
6 attendance ~~per day~~ required of first grade pupils in the school district ~~multiplied by~~
7 180.

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

9 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,
10 including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b),
11 that provides the minimum required ~~number of~~ hours of ~~direct pupil~~ instruction
12 ~~under s. 121.02 (1) (f) 2.~~ shall be counted as 0.6 pupil if the program annually provides
13 at least 87.5 additional hours of outreach activities.

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

16 121.006 (2) (a) (intro.) Hold school for at least ~~180 days each year~~ the minimum
17 required hours of instruction, less any days of the following:

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

21 **SECTION 10.** 121.006 (2) (a) 2. of the statutes is created to read:

22 121.006 (2) (a) 2. Hours during which school is closed by order of a local health
23 officer, as defined in s. 250.01 (5).

24 **SECTION 11.** 121.02 (1) (f) 1. of the statutes is repealed.

