



1995 SENATE BILL 300

August 16, 1995 - Introduced by Senators DARLING, FITZGERALD, WEEDEN, PETAK and HUELSMAN, cosponsored by Representatives BRANDEMUEHL, SERATTI, MUSSER, SILBAUGH, LEHMAN, ZIEGELBAUER, FOTI, SCHNEIDERS, F. LASEE, LADWIG, GROTHMAN, WARD, HUEBSCH and OTTE. Referred to Committee on Education and Financial Institutions.

1 **AN ACT to repeal** 118.15 (1) (cm); and **to amend** 38.04 (11) (a) 2., 38.24 (1m) (b),
2 115.28 (38), 118.15 (1) (a), 118.15 (1) (c) 2., 118.15 (1) (c) 3., 118.163 (2m), 118.33
3 (3m) and 119.44 (2) (a) 1. a. of the statutes; **relating to:** the age of compulsory
4 school attendance.

Analysis by the Legislative Reference Bureau

Current law requires any person having under his or her control a child between the ages of 6 and 18 years to ensure that the child attends school regularly. Current law provides certain exceptions to that general rule:

1. With the written approval of the parent or guardian of a child who is at least 16 years old and a child at risk, the child may attend, part time or in lieu of high school, a technical college.

2. With the written approval of the parent or guardian of a child who is 16 years old, the child may be excused by the school board from school attendance if the child will participate in an alternative program that leads to high school graduation.

3. With the written approval of the parent or guardian of a child who is at least 17 years old, the child may be excused by the school board from regular school attendance if the child will participate in an alternative program leading to high school graduation or to a high school equivalency diploma.

4. With the written approval of the parent or guardian of a child who is at least 17 years old, the child must be excused by the school board from regular school attendance if the child began a program leading to a high school equivalency diploma in a secured correctional facility and the child and his or her parent or guardian agree that the child will continue to participate in such a program.

This bill reduces the age of compulsory school attendance from 18 to 17 years of age. The bill modifies the exception described in item 3, above. Under the bill, upon the request of any child who is at least 17 years old, the school board may allow the child to participate in an alternative program. Finally, the bill eliminates the exception described in item 4, above.

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:

1 **SECTION 1.** 38.04 (11) (a) 2. of the statutes, as affected by 1995 Wisconsin Act
2 27, is amended to read:

3 38.04 **(11)** (a) 2. In consultation with the department of public instruction, the
4 board shall establish, by rule, a uniform format for district boards to use in reporting
5 the number of pupils attending district schools under ss. 118.15 (1) (b), ~~(em)~~ and (d)
6 and 118.37 and in reporting pupil participation in technical preparation programs
7 under s. 118.34, including the number of courses taken for advanced standing in the
8 district's associate degree program and for technical college credit. The format shall
9 be identical to the format established by the department of public instruction under
10 s. 115.28 (38).

11 **SECTION 2.** 38.24 (1m) (b) of the statutes is amended to read:

12 38.24 **(1m)** (b) *Postsecondary and vocational-adult programs.* Uniform fees
13 based on not less than 14% of the combined estimated statewide operational cost of
14 postsecondary, exclusive of collegiate transfer, and vocational-adult programs. The
15 board shall maintain statewide uniformity in the program fees charged for
16 postsecondary and vocational-adult credits. Students 62 years old and over shall be
17 exempted from program fees under this paragraph in vocational-adult programs.
18 Students enrolled in adult high school, ~~including students enrolled under s. 118.15~~
19 ~~(1) (em) 3,~~ adult basic education and English as a 2nd language courses shall be
20 exempted from program fees under this paragraph. The board shall establish fees
21 under this paragraph as if students exempt from fees under sub. (4) were not exempt.

1 **SECTION 3.** 115.28 (38) of the statutes, as affected by 1995 Wisconsin Act 27,
2 is amended to read:

3 115.28 **(38)** REPORTING OF PUPILS ATTENDING TECHNICAL COLLEGES. In
4 consultation with the technical college system board, promulgate rules establishing
5 a uniform format for school boards to use in reporting the number of pupils attending
6 technical college districts under ss. 118.15 (1) (b), ~~(c)~~ and (d) and 118.37 and in
7 reporting pupil participation in technical preparation programs under s. 118.34,
8 including the number of courses taken for advanced standing in a technical college
9 district's associate degree program and for technical college credit. The format shall
10 be identical to the format established by the technical college system board under s.
11 38.04 (11) (a) 2.

12 **SECTION 4.** 118.15 (1) (a) of the statutes is amended to read:

13 118.15 **(1)** (a) Except as provided under pars. (b) to (d) and sub. (4), unless the
14 child is excused under sub. (3) or has graduated from high school, any person having
15 under control a child who is between the ages of 6 and ~~18~~ 17 years shall cause the
16 child to attend school regularly during the full period and hours, religious holidays
17 excepted, that the public or private school in which the child should be enrolled is in
18 session until the end of the school term, quarter or semester of the school year in
19 which the child becomes ~~18~~ 17 years of age.

20 **SECTION 5.** 118.15 (1) (c) 2. of the statutes is amended to read:

21 118.15 **(1)** (c) 2. Upon the child's request ~~and with the written approval of the~~
22 ~~child's parent or guardian, of~~ any child who is 17 years of age or over ~~may be excused~~
23 ~~by, the school board from regular school attendance if the child and his or her parent~~
24 ~~or guardian agree, in writing, that the child will~~ may allow the child to participate

1 in a program or curriculum modification under par. (d) leading to the child's high
2 school graduation or leading to a high school equivalency diploma under s. 115.29 (4).

3 **SECTION 6.** 118.15 (1) (c) 3. of the statutes is amended to read:

4 118.15 (1) (c) 3. Prior to a child's admission to a program leading to the child's
5 high school graduation or a high school equivalency program under par. (b) or subd.
6 1. or 2., the child, ~~his or her parent or guardian~~, the school board and a representative
7 of the high school equivalency program or program leading to the child's high school
8 graduation shall enter into a written agreement. If the child is 16 years of age, his
9 or her parent or guardian shall also enter into the agreement. The written
10 agreement shall state the services to be provided, the time period needed to complete
11 the high school equivalency program or program leading to the child's high school
12 graduation and how the performance of the pupil will be monitored. The agreement
13 shall be monitored by the school board on a regular basis, but in no case shall the
14 agreement be monitored less frequently than once per semester. If the school board
15 determines that a child is not complying with the agreement, the school board shall
16 notify the child, ~~his or her parent or guardian~~ and the high school equivalency
17 program or program leading to the child's high school graduation that the agreement
18 may be modified or suspended in 30 days. If the child is 16 years of age, the school
19 board shall also notify the child's parent or guardian.

20 **SECTION 7.** 118.15 (1) (cm) of the statutes is repealed.

21 **SECTION 8.** 118.163 (2m) of the statutes is amended to read:

22 118.163 (2m) A county, city, village or town may enact an ordinance permitting
23 a court to suspend the operating privilege, as defined in s. 340.01 (40), of a child who
24 is at least 16 years of age ~~but less than 18 years of age~~ and is a dropout. The ordinance
25 shall provide that the court may suspend the child's operating privilege, as defined

1 in s. 340.01 (40), until the child reaches the age of ~~18~~ 17. The court shall immediately
2 take possession of any suspended license and forward it to the department of
3 transportation together with a notice stating the reason for and the duration of the
4 suspension.

5 **SECTION 9.** 118.33 (3m) of the statutes is amended to read:

6 118.33 **(3m)** A course taken at a technical college by a child attending the school
7 part-time or in lieu of high school under s. 118.15 (1) (b), ~~or attending the school~~
8 ~~under s. 118.15 (1) (em)~~, does not fulfill any of the high school graduation
9 requirements under sub. (1) (a) unless the state superintendent has approved the
10 course for that purpose.

11 **SECTION 10.** 119.44 (2) (a) 1. a. of the statutes is amended to read:

12 119.44 **(2)** (a) 1. a. Attending a technical college under s. 118.15 (1) (b) ~~or (em)~~.

13 **(END)**