



1997 SENATE BILL 357

November 18, 1997 – Introduced by Senators C. POTTER, RUDE, ROESSLER, WEEDEN, ROSENZWEIG, BRESKE, A. LASEE, HUELSMAN, SCHULTZ, DARLING, DRZEWIECKI and ZIEN, cosponsored by Representatives NASS, OLSEN, BRANDEMUEHL, AINSWORTH, J. LEHMAN, HARS DORF, HASENOHRL, GOETSCH, OTTE, PLOUFF, SPRINGER, GROTHMAN, RYBA, URBAN, BOCK, M. LEHMAN, STASKUNAS, GRONEMUS, PORTER, HANDRICK, MEYER, UNDERHEIM, KELSO, DOBYNS, KREIBICH, F. LASEE, JENSEN, LADWIG, VRAKAS, HUBER, WARD, SKINDRUD, GUNDERSON and POWERS. Referred to Committee on Education.

1 **AN ACT to repeal** 115.28 (8), 116.03 (13), 118.35 (3) (b) and 120.12 (8); **to**
2 **consolidate, renumber and amend** 118.35 (3) (intro.) and (a); **to amend**
3 115.92 (2) (a), 118.14 (1) (intro.), 118.145 (1), 119.04 (1), 120.12 (14), 121.004 (7)
4 (b), 121.004 (7) (c) 1. (intro.), 121.14 (1) and 121.78 (1) (a); and **to create** 120.12
5 (25) of the statutes; **relating to:** eliminating some of the school district and
6 cooperative educational service agency reporting requirements and granting
7 rule-making authority.

Analysis by the Legislative Reference Bureau

Current law requires each school board to submit an annual report to the state superintendent of public instruction on gifted and talented pupil programs; to obtain the advice and consent of the state superintendent when determining the course of study and the minimum standards for admission to high school; to conduct an annual inventory of school property; to report the school district of residence and the period of time that each school age parent receives instruction or is provided service; and to receive the state superintendent's approval of tuition agreements between school districts. This bill eliminates those requirements.

Current law requires the state superintendent to pre-approve summer school courses for which a district may receive state aid and to prescribe procedures, conditions and standards for early admission to kindergarten and first grade. This

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bill eliminates these requirements and instead requires the state superintendent to promulgate rules and provide information about which summer school courses may be counted for membership. It also requires each school board to prescribe its own procedures, conditions and standards for early admission.

Current law requires cooperative educational service agencies to submit an evaluation of agency programs and services to the state superintendent. This bill eliminates this requirement.

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.** 115.28 (8) of the statutes is repealed.

2 **SECTION 2.** 115.92 (2) (a) of the statutes is amended to read:

3 115.92 (2) (a) Annually, and at such other times as the department requires,
4 every school board that establishes a program under this subchapter shall submit
5 a written report to the department. The report shall specify the number of school age
6 parents instructed or provided service, ~~their school district of residence and the~~
7 ~~period of time each was instructed or otherwise served during the school year.~~

8 **SECTION 3.** 116.03 (13) of the statutes, as affected by 1997 Wisconsin Act 27,
9 is repealed.

10 **SECTION 4.** 118.14 (1) (intro.) of the statutes is amended to read:

11 118.14 (1) (intro.) Except as provided in s. ~~115.28 (8)~~ 120.12 (25):

12 **SECTION 5.** 118.145 (1) of the statutes, as affected by 1997 Wisconsin Act 27,
13 is amended to read:

14 118.145 (1) The school board of a district operating high school grades shall
15 determine, ~~with the advice and consent of the department,~~ the minimum standards
16 for admission to high school.

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1 **SECTION 6.** 118.35 (3) (intro.) and (a) of the statutes are consolidated,
2 renumbered 118.35 (3) and amended to read:

3 118.35 (3) Each school board shall: ~~(a) Ensure~~ ensure that all gifted and
4 talented pupils enrolled in the school district have access to a program for gifted and
5 talented pupils.

6 **SECTION 7.** 118.35 (3) (b) of the statutes, as affected by 1997 Wisconsin Act 27,
7 is repealed.

8 **SECTION 8.** 119.04 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is
9 amended to read:

10 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
11 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
12 (2), 115.40, 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to
13 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18, 118.19, 118.20, 118.24 (1),
14 (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43, 120.12 (5) and
15 (15) to ~~(24)~~ (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and
16 (35) and 120.14 are applicable to a 1st class city school district and board.

17 **SECTION 9.** 120.12 (8) of the statutes is repealed.

18 **SECTION 10.** 120.12 (14) of the statutes, as affected by 1997 Wisconsin Act 27,
19 is amended to read:

20 120.12 (14) COURSE OF STUDY. Determine the school course of study, ~~with the~~
21 advice of the state superintendent.

22 **SECTION 11.** 120.12 (25) of the statutes is created to read:

23 120.12 (25) EARLY ADMISSION TO KINDERGARTEN AND FIRST GRADE. Prescribe
24 procedures, conditions and standards for early admission to kindergarten and first
25 grade.

SENATE BILL 357**SECTION 12**

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

2 121.004 (7) (b) A first grade pupil may be counted only if the pupil attains the
3 age permitted under s. ~~115.28 (8)~~ 120.12 (25) or required under s. 118.14 for first
4 grade admission.

5 **SECTION 13.** 121.004 (7) (c) 1. (intro.) of the statutes is amended to read:

6 121.004 (7) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only
7 if the pupil attains the age permitted under s. ~~115.28 (8)~~ 120.12 (25) or required under
8 s. 118.14 for kindergarten admission. A kindergarten pupil shall be counted as
9 one-half pupil except that:

10 **SECTION 14.** 121.14 (1) of the statutes, as affected by 1997 Wisconsin Act 27,
11 is amended to read:

12 121.14 (1) State aid shall be paid to each district or county handicapped
13 children's education board only for those academic summer classes or laboratory
14 periods for which the department has given prior review and approval as to the
15 content of such classes or laboratory periods so as to assure that such classes and
16 laboratory periods are only that are for necessary academic purposes, as defined by
17 the state superintendent by rule. Recreational programs and team sports shall not
18 be eligible for aid under this section, and pupils participating in such programs shall
19 not be counted as pupils enrolled under s. 121.004 (5) nor shall costs associated with
20 such programs be included in shared costs under s. 121.07 (6).

21 **SECTION 15.** 121.78 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
22 is amended to read:

23 121.78 (1) (a) ~~Upon the approval of the state superintendent, the~~ The school
24 board of the district of residence and the school board of the district of attendance
25 may make a written agreement to permit an elementary or high school pupil to

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1 attend a public school, including an out-of-state school, outside the school district
2 of residence, and the school district of residence shall pay the tuition. The school
3 district of residence shall be paid state aid as though the pupil were enrolled in the
4 school district of residence.

5 **SECTION 16. Effective date.**

6 (1) This act takes effect on July 1, 1998.

7 (END)