

1999 ASSEMBLY BILL 94

February 4, 1999 – Introduced by Representatives OLSEN, KESTELL, LA FAVE, HAHN, M. LEHMAN, MUSSER, OTT, PLOUFF, SPILLNER, STASKUNAS, STONE, SYKORA, VRAKAS, WARD, GUNDERSON and HUTCHISON, cosponsored by Senators RUDE, CLAUSING, DARLING and ROESSLER. Referred to Committee on Education.

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

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 pupil must be given at least two opportunities to take the examination. 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 eliminates all of the above provisions. The 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 (which are still required), 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.

ASSEMBLY BILL 94

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.** 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 ~~the examination administered under this subdivision that is sufficient for promotion~~
9 ~~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 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~~

ASSEMBLY BILL 94

1 ~~the examination administered under this subdivision that is sufficient for promotion~~
2 ~~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 the examination administered under this subdivision.~~

8 **SECTION 3.** 118.30 (2) (b) 3. of the statutes is amended to read:

9 118.30 **(2)** (b) 3. Upon the request of a pupil's parent or guardian, the school
10 board shall excuse the pupil from taking an examination administered under ~~this~~
11 ~~section sub. (1m) (b) or (d).~~

12 **SECTION 4.** 118.30 (5) of the statutes is repealed.

13 **SECTION 5.** 118.33 (title) of the statutes is amended to read:

14 **118.33** (title) **High school graduation standards; criteria for promotion.**

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

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

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

25 **(END)**