

# 1999 ASSEMBLY BILL 253

March 25, 1999 – Introduced by Representatives LADWIG, KESTELL, ALBERS, KELSO, KRUSICK, SYKORA and WARD, cosponsored by Senator DARLING. Referred to Committee on Education Reform.

1     **AN ACT to amend** 118.16 (2) (cg) 1., 118.16 (2) (cg) 4., 118.165 (1) (e) and 938.345  
2             (2); and **to create** 118.15 (1) (am) of the statutes; **relating to:** extending the  
3             compulsory school attendance law to certain pupils enrolled in kindergarten.

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***Analysis by the Legislative Reference Bureau***

Current law requires children between the ages of six and eighteen to attend school. This bill requires a child who enrolls in a five-year-old kindergarten program in a public school to continue to attend school regularly, although not necessarily in the same school.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4             **SECTION 1.** 118.15 (1) (am) of the statutes is created to read:  
5             118.15 (1) (am) Except as provided under par. (d) and sub. (4), unless the child  
6             is excused under sub. (3), any person having under control a child who is enrolled in  
7             a 5-year-old kindergarten program in a public school shall cause the child to attend  
8             school regularly during the full period and hours, religious holidays excepted, that  
9             the school in which the child is enrolled is in session.

**ASSEMBLY BILL 253**

1           **SECTION 2.** 118.16 (2) (cg) 1. of the statutes is amended to read:

2           118.16 **(2)** (cg) 1. A statement of the parent's or guardian's responsibility, under  
3 s. 118.15 (1) (a) and (am), to cause the child to attend school regularly.

4           **SECTION 3.** 118.16 (2) (cg) 4. of the statutes is amended to read:

5           118.16 **(2)** (cg) 4. A statement of the penalties, under s. 118.15 (5), that may be  
6 imposed on the parent or guardian if he or she fails to cause the child to attend school  
7 regularly as required under s. 118.15 (1) (a) and (am).

8           **SECTION 4.** 118.165 (1) (e) of the statutes is amended to read:

9           118.165 **(1)** (e) The program is not operated or instituted for the purpose of  
10 avoiding or circumventing the compulsory school attendance requirement under s.  
11 118.15 (1) (a) or (am).

12           **SECTION 5.** 938.345 (2) of the statutes is amended to read:

13           938.345 **(2)** If the court finds that a juvenile is in need of protection or services  
14 based on the fact that the juvenile is a school dropout, as defined in s. 118.153 (1) (b),  
15 or based on habitual truancy, and the court also finds that the reason the juvenile has  
16 dropped out of school or is a habitual truant is a result of the juvenile's intentional  
17 refusal to attend school rather than the failure of any other person to comply with  
18 s. 118.15 (1) (a) or (am), the court, instead of or in addition to any other disposition  
19 imposed under sub. (1), may enter an order permitted under s. 938.342.

20           **SECTION 6. Initial applicability.**

21           (1) This act first applies to pupils enrolled in kindergarten in the 2000–01  
22 school year.

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(END)