

1999 SENATE BILL 98

March 23, 1999 – Introduced by Senators GROBSCHMIDT, DARLING, SHIBILSKI, JAUCH, FARROW, BAUMGART, LAZICH, ROBSON, HUELSMAN, ERPENBACH, ROESSLER, CHVALA, RISSER, RUDE, BURKE, PANZER, DECKER, ROSENZWEIG, GEORGE, PLACHE, BRESKE, CLAUSING, MOORE, MOEN and WIRCH, cosponsored by Representatives SINICKI, WASSERMAN, HAHN, J. LEHMAN, URBAN, SCHOOFF, LA FAVE, MUSSER, POCAN, MILLER, PLALE, BOCK, STASKUNAS, PLOUFF and BOYLE. Referred to Committee on Education.

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

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 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 (unless the pupil has been excused from taking the examination), 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.

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Under current law, with certain exceptions, beginning in the 2002–03 school year, a school board may not grant a high school diploma to a pupil unless the pupil passes a high school graduation examination.

This bill directs each school board to adopt a written policy specifying the criteria for granting a high school diploma. The criteria must include the pupil's score on the high school graduation examination (unless the pupil has been excused from taking the examination), 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, with certain exceptions, a school board may not grant a high school diploma to a pupil unless the pupil satisfies the criteria specified in the school board's policy.

Finally, the bill requires that the high school graduation examination be administered only to pupils in the 11th and 12th grades. Currently, the school board determines the high school grades in which to administer the examination.

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

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1 district, in the 4th grade. ~~The school board shall provide a pupil with at least 2~~
2 ~~opportunities to pass the examination administered under this subdivision.~~

3 **SECTION 2.** 118.30 (1m) (am) of the statutes is amended to read:

4 118.30 **(1m)** (am) 1. Except as provided in sub. (6), administer the 8th grade
5 examination adopted or approved by the state superintendent under sub. (1) (a) to
6 all pupils enrolled in the school district, including pupils enrolled in charter schools
7 located in the school district, in the 8th grade. ~~Beginning on July 1, 2002, if the~~
8 ~~school board has not developed and adopted its own 8th grade examination, the~~
9 ~~school board shall provide a pupil with at least 2 opportunities to achieve a score on~~
10 ~~the examination administered under this subdivision that is sufficient for promotion~~
11 ~~under sub. (5) (b) 1.~~

12 2. Beginning on July 1, 2002, if the school board has developed or adopted its
13 own 8th grade examination, administer that examination to all pupils enrolled in the
14 school district, including pupils enrolled in charter schools located in the school
15 district, in the 8th grade. ~~The school board shall provide a pupil with at least 2~~
16 ~~opportunities to pass the examination administered under this subdivision.~~

17 **SECTION 3.** 118.30 (1m) (d) of the statutes is amended to read:

18 118.30 **(1m)** (d) If the school board operates high school grades, beginning in
19 the 2000–01 school year administer the high school graduation examination adopted
20 by the school board under sub. (1g) (b). The school board shall administer the
21 examination at least twice each school year. ~~The school board shall determine the~~
22 ~~high school grades in which the examination will be administered each school year~~
23 and may administer the examination only to pupils enrolled in the 11th and 12th
24 grades.

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

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

2 **118.33** (title) **High school graduation standards; criteria for promotion.**

3 **SECTION 6.** 118.33 (1) (cm) of the statutes is repealed.

4 **SECTION 7.** 118.33 (1) (e) of the statutes is repealed.

5 **SECTION 8.** 118.33 (1m) of the statutes is created to read:

6 **118.33 (1m)** (a) Each school board shall adopt a written policy specifying the
7 criteria for granting a high school diploma to a pupil that are in addition to the
8 requirements under sub. (1). The criteria shall include the pupil's score on the
9 examination administered under s. 118.30 (1m) (d), unless the pupil has been
10 excused from taking the examination under s. 118.30 (2) (b), the pupil's academic
11 performance, the recommendations of teachers and any other criteria specified by
12 the school board. A school board shall provide a pupil with at least 4 opportunities
13 in the high school grades to take the examination under s. 118.30 (1m) (d).

14 (b) Beginning on September 1, 2002, a school board may not grant a high school
15 diploma to a pupil unless the pupil satisfies the criteria specified in the school board's
16 policy under par. (a).

17 **SECTION 9.** 118.33 (6) of the statutes is created to read:

18 **118.33 (6)** (a) Each school board shall adopt a written policy specifying the
19 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
20 grade to the 9th grade. The criteria shall include the pupil's score on the examination
21 administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from
22 taking the examination under s. 118.30 (2) (b), the pupil's academic performance, the
23 recommendations of teachers and any other criteria specified by the school board.

24 (b) Beginning on July 1, 2002, a school board may not promote a 4th grade pupil
25 to the 5th grade, and may not promote an 8th grade pupil to the 9th grade, unless

