#### Bill

Received: 04/23/2003			Received By: pgrant				
Wanted: As time permits				Identical to LRB:			
For: Kitt	y Rhoades (6	08) 266-1526			By/Representing	Rene	
This file	may be shown	to any legislat	or: NO		Drafter: pgrant		
May Con	ntact:				Addl. Drafters:		
Subject:		ion - school bo ion - state supe			Extra Copies:	MJL	
Submit v	ia email: YES						
Requeste	r's email:	Rep.Rhoad	les@legis.st	ate.wi.us			
Carbon c	opy (CC:) to:						
Pre Top	ic:						
No specia	fic pre topic gi	ven					
Topic:	· · · · · · · · · · · · · · · · · · ·						<u> </u>
Waiver o	f laws and rule	es					
Instruct	ions:						
Same as	-2489						
Drafting	History:						
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	pgrant 04/23/2003	kgilfoy 04/23/2003					
/1	pgrant 05/05/2003	kgilfoy 05/05/2003	jfrantze 04/23/200	)3	sbasford 04/23/2003	sbasford 04/29/2003 sbasford 04/29/2003	

Vers.	Drafted	Reviewed	<u>Typed</u>	<u>Proofed</u>	Submitted	Jacketed	Required
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May Co	ntact:				Addl. Drafters:		
Subject:		ion - school bo ion - state supe		;	Extra Copies:	MJL	
Submit v	via email: YES	}					
Requeste	er's email:	Rep.Rhoad	des@legis.s	tate.wi.us			
Carbon o	copy (CC:) to:						
Pre Top	oic:						
No speci	ific pre topic g	iven					
Topic:			<u> </u>				
Waiver	of laws and rul	es		•			
Instruct	tions:				· · · · · · · · · · · · · · · · · · ·		
Same as	-2489						
Drafting	g History:						
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
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For: Ki	tty Rhoades (6	508) 266-1526			By/Representing: Rene			
This file	e may be shown	to any legislat	or: NO		Drafter: pgran	t		
May Co	ontact:				Addl. Drafters:			
Subject		ion - school bo ion - state supe		t	Extra Copies:	MJL		
Submit	via email: YES							
Request	ter's email:	Rep.Rhoad	des@legis.s	tate.wi.ns				
Carbon	copy (CC:) to:							
Pre To	pic:							
No spec	rific pre topic gi	ven						
Topic:					· · · · · · · · · · · · · · · · · · ·			
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Bill

FE Sent For:

Received: 04/23/2003	Received By: pgrant			
Wanted: As time permits	Identical to LRB:			
For: Kitty Rhoades (608) 266-1526	By/Representing: Rene			
This file may be shown to any legislator: NO	Drafter: pgrant			
May Contact:	Addl. Drafters:			
Subject: Education - school boards Education - state superintendent	Extra Copies: MJL			
Submit via email: YES				
Requester's email: Rep.Rhoades@legis.state.wi.us				
Carbon copy (CC:) to:				
Pre Topic:	· · · · · · · · · · · · · · · · · · ·			
No specific pre topic given				
Topic:				
Waiver of laws and rules				
Instructions:				
Same as -2489				
Drafting History:	·			
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## **2003 BILL**

AN ACT to repeal 118.38 (4); to amend 118.38 (3); and to repeal and recreate

118.38 (2) of the statutes; relating to: waivers of laws and administrative rules

governing elementary and secondary education.

#### Analysis by the Legislative Reference Bureau

With certain exceptions, current law authorizes the Department of Public Instruction (DPI), upon receiving a request from a school board, to waive any school board or school district requirement in the laws and administrative rules governing elementary and secondary education. Before making a request, the school board must hold a public hearing on the request in the school district. In determining whether to grant the waiver, DPI must consider whether the requirement impedes progress toward achieving a local improvement plan and, if the school district has adopted educational goals, whether it impedes progress toward achieving those goals.

This bill requires DPI to grant a waiver upon receiving a request from a school board if the school board has held a public hearing on the request.

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

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118.38 (2)	The department shall approve a request under sub. (1) (a) if the
school board con	mplies with subs. (1) (b) and (1m).

**Section 2.** 118.38 (3) of the statutes is amended to read:

118.38 (3) A waiver is effective for 4 years. The department shall renew the waiver for additional 4-year periods if the school board has evaluated the educational and financial effects of the waiver over the previous 4-year period, except that the department is not required to renew a waiver if the department determines that the school district is not making adequate progress toward improving pupil academic performance and held an additional public hearing in the school district.

**SECTION 3.** 118.38 (4) of the statutes is repealed.

#### SECTION 4. Initial applicability.

(1) This act first applies to requests for waivers received by the department of public instruction on the effective date of this subsection.

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(END)

## **2003 BILL**

- referents

1 AN ACT to repeal 118.38 (4); to amend 118.38 (3); and to repeal and recreate

118.38 (2) of the statutes; relating to: waivers of laws and administrative rules

governing elementary and secondary education.

#### Analysis by the Legislative Reference Bureau

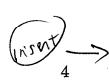
With certain exceptions, current law authorizes the Department of Public Instruction (DPI), upon receiving a request from a school board, to waive any school board or school district requirement in the laws and administrative rules governing elementary and secondary education. Before making a request, the school board must hold a public hearing on the request in the school district. In determining whether to grant the waiver, DPI must consider whether the requirement impedes progress toward achieving a local improvement plan and, if the school district has adopted educational goals, whether it impedes progress toward achieving those goals.

This bill requires DPI to grant a waiver upon receiving a request from a school board if the school board has held a public hearing on the request.

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

SECTION 1. 118.38 (2) of the statutes is repealed and recreated to read:

The bill also prohibite DPI from granting a waive that works exempt a school district from the vevenue limits.



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#### SECTION 4. Initial applicability.

(1) This act first applies to requests for waivers received by the department of public instruction on the effective date of this subsection.

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(END)

# STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU - LEGAL SECTION (608-266-3561)

(608–266–3561)
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SE( (0, UE 25(1)(2) c
SEC. CR, 118.38(1)(a) 9.
118.38 (1) (a) 9. School district revenue limits
under subch. VIT of ch. 121.
Which south. 11 81 th - 121.