



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1473/1
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2021 SENATE BILL 6

January 15, 2021 - Introduced by Senators WIMBERGER, STROEBEL, BERNIER and WANGGAARD. Referred to Committee on Human Services, Children and Families.

1 **AN ACT relating to:** requirements for a school board to close a school building
2 to in-person instruction for more than 14 consecutive days during the 2020-21
3 and 2021-22 school years and a school board requirement to offer a full-time,
4 in-person option to all pupils.

Analysis by the Legislative Reference Bureau

Under the bill, during the remainder of the 2020-21 school year and during the 2021-22 school year, a school board may not close a school building to in-person instruction or to in-person instruction for a specific grade or grades for a period that exceeds 14 consecutive days. To extend such a closure beyond 14 consecutive days, the bill requires a two-thirds vote of the members of the school board. Under the bill, each extension may not exceed 14 consecutive days. The bill specifies that a school building is considered closed to in-person instruction if the school building is open to in-person instruction only for pupils receiving special education or related services.

This bill also requires a school board to offer a full-time, in person option to all pupils enrolled in the district by no later than 15 days after the date on which the Department of Health Services indicates that COVID-19 vaccinations may be allocated to individuals in phase 1c. of the state's vaccination prioritization guidelines. Under the bill, only upon a unanimous vote of the members of a school board, may a school board decide not to offer a full-time, in-person option to some or all pupils enrolled in the school district.

Nothing in this bill applies to a virtual charter school.

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For further information see the 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. Nonstatutory provisions.**

2 (1) SCHOOL BOARD REQUIREMENTS; SCHOOL CLOSURE TO IN-PERSON INSTRUCTION.

3 (a) Beginning on the effective date of this paragraph and ending on June 30,
4 2022, a school board may not do any of the following:

5 1. Close a school building to in-person instruction for a period that exceeds 14
6 consecutive days.

7 2. Close a school building to in-person instruction for a grade level for a period
8 that exceeds 14 consecutive days.

9 (b) Notwithstanding par. (a), a school board may extend an action described in
10 par. (a) 1. or 2. by a two-thirds vote of the members of the school board. Each
11 extension under this paragraph may be for no more than 14 consecutive days.

12 (c) For purposes of par. (a), a school building is considered to be closed to
13 in-person instruction if a school building is open for in-person instruction to only
14 pupils receiving special education or related services.

15 (2) SCHOOL BOARD REQUIREMENT TO OFFER A FULL-TIME, IN-PERSON OPTION TO
16 PUPILS; 2020-21 AND 2021-22 SCHOOL YEARS.

17 (a) In this subsection:

18 1. "COVID-19 vaccine" means a vaccine against the SARS-CoV-2 coronavirus,
19 which causes COVID-19.

20 2. "Full-time, in-person option" means an option under which a pupil receives
21 all of his or her instruction from a school board employee who is physically present

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1 in the same school building as the pupil and the regular schedule for the option is
2 five-days per week.

3 (b) Subject to par. (c), beginning on the 15th day after the date on which the
4 department of health services indicates that COVID-19 vaccines may be allocated
5 to individuals in phase 1c. of the state's vaccination prioritization guidelines, a school
6 board shall offer a full-time, in-person option to all pupils enrolled in the school
7 district.

8 (c) By unanimous vote of the members of a school board, a school board may opt
9 not to offer a full-time, in-person option to some or all of the pupils enrolled in the
10 school district.

11 (3) VIRTUAL CHARTER SCHOOL; EXCEPTION. Nothing in this section applies to a
12 virtual charter school, as defined in s. 115.001 (16).

13 (END)