## ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1995 ASSEMBLY BILL 212

April 21, 1995 - Offered by Representatives DuFf and Ward.

AN ACT to create 118.38 of the statutes; relating to: authorizing the department of public instruction to waive school district requirements.

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

Section 1. 118.38 of the statutes is created to read:
118.38 Waivers of laws and rules. (1) (a) A school board may request the department to waive any school board or school district requirement in chs. 115 to 121 or in the administrative rules promulgated by the department under the authority of those chapters, except for statutes or rules related to any of the following:

1. The health or safety of pupils.
2. Pupil discrimination under s. 118.13.
3. Pupil records under s. 118.125 .
4. The collection of data by the department.
5. The uniform financial fund accounting system under ss. 115.28 (13) and 115.30 (1) and audits of school district accounts under s. 120.14.
(b) Before requesting a waiver, the school board shall hold a public hearing in the school district on the request.
(2) In determining whether to grant the waiver, the department shall consider all of the following:
(a) Whether the requirement impedes progress toward achieving a local improvement plan developed under sec. 309 (a) (3) of P.L. 103-227.
(b) Whether the school board has adopted educational goals for the school district.
(c) Whether the waiver will improve the quality of education in the school district.
(3) A waiver is effective for 4 years. The department shall renew the waiver for additional 4-year periods, 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.
(END)
