

State of Wisconsin



2021 Senate Bill 302

Date of enactment: **June 29, 2021**
Date of publication*: **June 30, 2021**

2021 WISCONSIN ACT 56

AN ACT *to amend* 118.38 (4) (a) (intro.), 118.38 (4) (a) 1. (intro.), 118.38 (4) (a) 2. a., 118.38 (4) (a) 2. b. and 118.38 (4) (c); and *to create* 118.38 (4) (am) of the statutes; **relating to:** the department of public instruction's waiver authority related to parental choice programs, the Special Needs Scholarship Program, and independent charter schools.

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

SECTION 1. 118.38 (4) (a) (intro.) of the statutes is amended to read:

118.38 (4) (a) (intro.) Beginning on the first day of the public health emergency declared on March 12, 2020, by executive order 72, and ending on October 31, ~~2020~~ 2021, the department may do all of the following:

SECTION 1m. 118.38 (4) (a) 1. (intro.) of the statutes is amended to read:

118.38 (4) (a) 1. (intro.) Waive any requirement in chs. 115 to 121 or the administrative rules promulgated by the department under the authority of those chapters, except as provided in par. (am), related to any of the following:

SECTION 2. 118.38 (4) (a) 2. a. of the statutes is amended to read:

118.38 (4) (a) 2. a. A deadline that occurs during the period beginning on the first day of the public health emergency declared on March 12, 2020, by executive order 72, and ending on October 31, ~~2020~~ 2021.

SECTION 3. 118.38 (4) (a) 2. b. of the statutes is amended to read:

118.38 (4) (a) 2. b. A deadline for a requirement that affects a date during the period beginning on the first day of the public health emergency declared on March 12, 2020, by executive order 72, and ending on October 31, ~~2020~~ 2021.

SECTION 3m. 118.38 (4) (am) of the statutes is created to read:

118.38 (4) (am) Paragraph (a) does not authorize the department to waive any requirement in chs. 115 to 121 or rules promulgated under the authority of those chapters related to any of the following:

1. The pupil assessment program under s. 118.30.
2. The standardized reading test developed by the department that is required to be administered to pupils enrolled in grade 3.
3. Pupil records, as defined in s. 118.125, including the requirements in ss. 118.60 (7) (b) 4. and 119.23 (7) (b) 4.

SECTION 4. 118.38 (4) (c) of the statutes is amended to read:

118.38 (4) (c) A waiver under par. (a) 1. applies may apply only to the 2019–20 school year, the 2020–21 school year, or both the 2019–20 and 2020–21 school years. In each waiver under par. (a) 1., the department shall specify the school year or school years to which the waiver applies.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."