

Date: November 5, 2015

To: Members, Assembly Committee on Education

From: Dee Pettack, Legislative Liaison, Department of Public Instruction

RE: Statement on AB 144

Current Law

Beginning in the year 2000, state law requires that no public school may commence a school term until September 1 of any year; with the exception of public schools whose term runs year-round.

State law also allows a school board to commence the school term prior to September 1 in any school year, if (1) the school board requests the Department of Public Instruction to allow it to commence the school term before September 1; and (2) the school board demonstrates extraordinary reasons for this request. The Department has promulgated rules that define extraordinary reasons, as follows:

- major construction projects that cause the school term to be altered and necessitate an earlier start date for the entire district;
- closure of school due to forces of nature, code violations, or environmental orders;
- excessive costs associated with the transportation of pupils who attend private schools that start prior to September;
- participation by a high school in the International Baccalaureate (IB) program with more than 75 percent of the 11th and 12th grade pupils enrolled in the high school also being enrolled in one or more of the courses that are offered under the IB program.

Assembly Bill 144

This bill allows school districts in which more than 20 percent of students at any school took at least one Advanced Placement (AP) exam to request a waiver from the September 1 start date mandate. Using 2013-14 figures, the Department estimates that 54 schools would be eligible to waive the September 1 start date under the proposed bill.

The proposed exemption to the school start requirement would apply to entire districts where 20 percent of students took an AP exam; it is not limited to a particular school that meets the 20 percent threshold. Consequently, as long as one high school in the school district has a 21 percent participation rate in AP exams, the entire district would be able to waive the school start requirement for all its schools.

AB 144 creates an exemption similar to the IB program, but the thresholds are vastly different. In order to apply for a school start date exemption under current law, the IB program must have more than 75 percent of its students participating while the proposed bill would allow for a school start date exemption at a much lower level of participation—over 20 percent. It is important to note that most IB programs tend to be school-wide programs with high overall student participation in a particular school. Higher numbers of Wisconsin students participate in AP classes statewide and participation varies greatly from school to school.