

Informational Paper 33

Statutory Requirements for School Districts

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The responsibility for public education is one that is reserved to the states. Wisconsin's Constitution specifically recognizes this responsibility by requiring the Legislature to provide for the establishment of district schools and further requires that such schools be free and without charge for tuition to all children ages 4 through 20 (Article X, section 3). Furthermore, the Legislature has declared that education is a state function (s. 121.01 of the statutes).

Over the years, the state has encouraged local control of the system of elementary and secondary education. Local school boards and districts have been given a wide measure of discretion in many fiscal and administrative matters. Nevertheless, school boards and districts are agents of the state for the purpose of administering the educational system.

The purpose of this paper is to list the requirements prescribed by state law for elementary and secondary (K-12) school districts and school boards, based on the Wisconsin Statutes of 2005-06. This document identifies only statutory provisions. Administrative rules that have been promulgated by the Department of Public Instruction (DPI) and other state agencies which affect the operation and programs of school districts are not included in the paper since these rules are generally developed to assist in the interpretation and enforcement of statutory provisions.

The paper is organized into the following twelve general categories which begin at the indicated page numbers:

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Within each category, the requirements are listed in ascending order based on the section number of the statute. Four columns of information are provided for each requirement. The first column gives a title for the requirement. The second column identifies the specific statutory section(s) related to the item. The third column provides a brief description of the requirement. In many cases, the provisions have been described in very general terms. The narrative section of the table is not intended to serve as a comprehensive summary of every statutory provision. Therefore, the description should not substitute for the actual reading and review of the statutory provision.

The fourth column indicates whether the provision applies to all school districts, to all districts except the Milwaukee Public Schools (MPS) or to just the Milwaukee Public Schools. In some cases, the provision may have a special applicability which is indicated in the description section and identified by a single asterisk (*). There are several provisions which are not specifically referenced under the statutes affecting the Milwaukee Public Schools (Chapter 119; First Class City School System); however, the provisions have, in practice, been applied to MPS. Therefore, these

provisions are identified with a double asterisk (**).

In addition, the fourth column identifies those provisions that comprise what are commonly referred to as the state's 20 standards for school districts. Since 1988, school district compliance with the 20 standards has been audited by the Department of Public Instruction. A district must be audited at least once every ten years, but not more than once every six years. A determination of noncompliance with the standards may result in the withholding of up to 25% of the district's state aid. However, districts have the opportunity, after a requested public hearing, to develop a plan for compliance with DPI's assistance.

In 1993 Act 16, the Legislature authorized the establishment of charter schools in no more than ten school districts. In 1995 Act 27, the Legislature removed this cap; an unlimited number of charter schools can now be established. In 1997 Act 27, the Legislature authorized the City of Milwaukee, the University of Wisconsin-Milwaukee and the Milwaukee Area Technical College to establish or contract for the establishment of charter schools in the Milwaukee Public Schools. Under 2001 Act 16, UW-Parkside was authorized to establish or contract for the establishment of one charter school in the Racine Unified School District. Charter schools are exempt from the provisions of Chapters 115 through 121 of the statutes, with certain statutorily specified exceptions, including: the state's pupil assessment program, the school district's annual school performance report, and the licensure of all instructional staff.

In 1995 Act 27, the Legislature authorized school districts to request a waiver from any school board or school district requirement in Chapters 115 through 121, or any DPI administrative rule, except for statutes or rules relating to: (a) health or safety of pupils; (b) pupil discrimination; (c) pupil assessment programs; (d) pupil records; (e) collection of data for DPI; (f) uniform fund accounting and audits; (g) teacher and other school personnel certification or licensure; and (h)

commencement of the school term. School districts must hold public hearings before requesting such waivers and specify to DPI the reason for the waiver request. Waivers are effective for four years after which DPI may renew the waivers if the school district has evaluated the educational and financial effects of the waiver over the past four years. In its required report on waivers and in supplemental data, DPI indicates that from 1995 through 2006, DPI received 216 waiver requests from school districts. Of these requests, 195 were approved and 21 were denied.

A recurring issue has been the cost associated with state requirements on local school districts. There are a number of difficulties in estimating such costs. First, one could argue that the total cost of the K-12 system (approximately \$9.6 billion in 2004-05) is associated with the constitutional provision requiring the establishment of district schools that are to be free to all children. Second, even if one seeks to know the cost of a more narrowly defined requirement, information on school costs may not be aggregated in such a way as to permit such an estimation.

School districts submit annual financial reports to the Department of Public Instruction. These reports provide data on various expenditure items such as salaries, employee benefits, capital and noncapital purchases, debt service and purchased services. These items are also separated into general functional areas such as vocational education, special education, administration, pupil transportation and facilities acquisition. The reports, however, do not provide cost information on the subcategories of the general functional areas, making it difficult to identify the cost of specific statutory requirements in these areas. A further obstacle to overcome, even if data on the costs of particular programs are available, is the identification of which portion of a program's costs are due to a state requirement and which portion would be incurred in the absence of that requirement.

The abbreviations used in the tables follow:

AODA	Alcohol and other drug abuse	IEP	Individualized education program
CESA	Cooperative educational service agency	LEP	Limited-English proficient
DHFS	Department of Health and Family Services	MPS	Milwaukee Public Schools
DOT	Department of Transportation	UHS	Union high school districts
DPI	Department of Public Instruction	WTCS	Wisconsin Technical College System

PART I: SCHOOL DISTRICT ORGANIZATION AND GOVERNANCE			
Title	Statute	Description	Note
Election Laws	Chapters 5 thru 12	General provisions of Chapter 5 (elections--general provisions; ballots and voting systems); Chapter 6 (the electors); Chapter 7 (election officials; duties); Chapter 8 (nominations, primaries, elections); Chapter 9 (post election actions; direct legislation); Chapter 10 (election dates and notices); Chapter 11 (campaign financing); and Chapter 12 (prohibited election practices) apply to school district elections.	All
Board Election	5.58(1g) 5.58(3) 5.60(4) 7.53(3)(a) 120.06 120.42	Specifies procedures for the election of school board members including nomination requirements, primaries and school district clerk duties.	A/M
Board Election	5.58(1g)(b) 5.60(4)(b) 7.53(3)(b) 8.11(2m) 8.50 119.08	Specifies procedures and requirements for the election and special election of board members.	MPS
Cost of Elections	5.68(2)	In a first class city, all costs otherwise attributable to a school district are paid by the city.	MPS
Cost of Elections	5.68(2)&(3)	Requires school districts to pay for the cost of election ballot preparation and to pay for the entire cost of the election if the school district is the only governmental unit involved in the election.	A/M
Election Notices	10.07	Allows county, municipal and school district clerks to jointly publish election notices and requires school districts to share in the cost of publishing.	All
Resignations, Vacancies, Removals, and Recalls	9.10 17.01(11) 17.03(4m)&(11) 17.13 17.17(5) 17.26	Specifies procedures for the resignation of school district officers; the causes for vacancies and the manner in which they are to be filled; and the method for removing elective or appointive officers. Establishes general provisions for recall election by petition.	All

NOTE:

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|------------|--|---------------|--|
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PART I: SCHOOL DISTRICT ORGANIZATION AND GOVERNANCE

Title	Statute	Description	Note
Public Officials, Records and Meetings	Chapter 19	School boards and their employees are required to follow the procedures and requirements of Chapter 19 related to the general duties of public officials, which include official oaths and bonds, a code of ethics for public officials and employees, personal information practices, the public records law, and the open meetings law.	All
Annexations to First Class Cities	62.071 66.0217(8)(c)	If petition for annexation to a 1st class city would result in the detachment of more than 20% of the equalized value of a school district, electors in the remainder of such district would decide by referendum whether to be included in the city. School board is not required to administer the schools in any annexed territory until the following July 1.	MPS
Community Relations-- Social Development Commission	66.0125	School districts which elect to create community relations-social development commissions are subject to the requirements regarding the commission's duties, composition and organization.	All
Solid Waste Reduction and Recycling	66.0131 Chapter 287	Requires school districts as "local governmental units" to comply with requirements regarding purchasing of materials made from recycled or recovered materials. General provisions of Chapter 287 regarding solid waste reduction and recycling apply to school districts.	All
Territorial Transfer Adjustments	66.0235	Specifies procedures and requirements for the adjustment of assets and liabilities on the transfer of territory between school districts.	All
Cooperative Agreements	66.0303 120.25	For school districts entering into a cooperative arrangement regarding facilities with other school districts, limits length of contract to 50 years; requires annual meeting approval where applicable if contract longer than five years; requires adoption and maintenance of a written policy on contracting; and requires designation of an employer. For districts entering into a cooperative agreement with a governmental unit in another state, requires Attorney General approval of agreement.	All
Classifications	115.01	Definitions of "public schools," "grades," "school districts," "name," "school day," "distance", and "electors."	All
CESA Board of Control	116.02(1)(a)	Requires school boards to annually appoint one school board member to attend the CESA Board of Control organizational meeting to elect Board of Control members.	All**
CESA Professional Advisory Committee	116.05	Requires each school district administrator to be a member of the professional advisory committee in his/her CESA.	All**
School District Reorganization	117.05(2)(b)	Requires majority vote of full authorized membership of school board for any reorganization action.	A/M

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Title	Statute	Description	Note
Inclusion of All Territory	117.05(5)	Requires that all territory within the state be included in school district(s) operating elementary and high school grades; prohibits an order of detachment without inclusion of territory in another school district or a new school district; and prohibits a reorganization that would result in parts of a union high school district being noncontiguous.	A/M
Reorganization Fee	117.05(9)(b)	Requires school districts ordering dissolution of a district or requesting a review of a reorganization to pay a fee to the State Superintendent to reimburse the costs of the School District Boundary Appeal Board.	A/M
Consolidation of School Districts	117.08 117.09	Specifies procedures for the consolidation of school districts and the consolidation of union high and elementary school districts.	A/M
Dissolution of a School District	117.10	Specifies procedures for the dissolution of a school district.	A/M
Creation of a School District	117.105	Specifies procedures for the creation of a school district from the territory of one or more existing school districts	A/M
Detachment and Attachment of Territory to a School District	117.11 117.12 117.13 117.132	Specifies procedures for the detachment and attachment of: (a) large territory; (b) small territory initiated by the landowner; (c) small territory initiated by school boards; and (d) territory annexed by certain municipalities.	A/M
Criteria for District Reorganizations	117.15	Specifies factors school boards must consider when making reorganization decisions.	A/M
Reorganization Orders	117.17	Specifies contents and filing requirements for school district reorganization orders.	A/M
Reorganization Referendum	117.20	Specifies procedures for a referendum on reorganization.	A/M
School Boards in New School Districts	117.22	Specifies procedures for operation of a joint interim school board and for the election of a new school board in reorganized school districts.	A/M
Transfer of Assets, Liabilities, and Employees	117.25	Specifies conditions for the transfer of assets, liabilities, and employees in reorganized and newly created school districts.	A/M
Change of District Type	117.27	Specifies procedures school districts must follow in order to change district type.	A/M
District Failure to Operate School	117.30	Specifies procedures for the reorganization of school districts which fail to operate school for two or more successive years.	A/M
Initial Establishment of School Board	119.06	Specifies procedures for the initial establishment of the school board of a school system in a 1st class city.	MPS
Board Meetings	119.10(1),(2) & (3)	Requires school board to hold an annual organizational meeting and regular meetings at least monthly.	MPS
School Board President	119.10(1)&(2)	Requires board election of a board president and specifies term and duties of the position.	MPS
School Board Clerk	119.10(1)&(2)	Requires board designation of a board clerk.	MPS

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Title	Statute	Description	Note
Board Restrictions	119.12(1)	Subjects board members to all restrictions, liabilities, punishments and limitations, including recall, prescribed by law for common council members and requires board to provide by resolution a method of handling complaints against members.	MPS
Board Salaries	119.12(3)	Requires annual salaries for board members, set by the board, paid monthly.	MPS
Legal Counsel	119.12(6)	Requires the board to use the city attorney as its legal advisor except in certain specific situations.	MPS
Schools and Attendance Districts	119.16(2)	Require school board to establish, organize, and maintain schools and divide city into attendance districts.	MPS
Board Composition	120.01 120.41	Specifies number of school board members for common, union high and unified school districts.	A/M
Board Changes	120.02	Specifies procedures for changes to the number, apportionment, or election of school board members.	A/M
Board Officials	120.05, 120.43(1)	Specifies officers of a school district and method of replacement.	A/M
District Meetings	120.08	Requires an annual meeting of the district's electors on 4th Monday in July, for common school districts, or 3rd Monday in July, for UHS districts, which can be changed as long as held between May 15 and October 31. Specifies procedures and conditions for special meetings of the district. Does not apply to unified districts.	A/M*
Special Subjects	120.09	Specifies procedures for the consideration of special subjects at annual meetings. Does not apply to unified districts.	A/M*
Board Meetings	120.11(1)&(2) 120.43(2)	Requires regular school board meetings at least monthly and specifies procedures for special meetings of the board.	A/M
Publication of Board Proceedings	120.11(4) 120.43(4)	Requires publication of the proceedings of board meetings, including every official action taken, and requires board to make available a detailed financial record at each meeting and upon request.	A/M
General Board Authority	120.12(1) &(2)	Requires school boards to control and manage district property and affairs, and supervise district schools.	A/M
Duties of Board Officers	120.15, 120.16 & 120.17	Specifies duties of school board president, treasurer, and clerk of a common or union high school district.	A/M*
Unified School District	120.44	Specifies that the school board of a unified district has the same powers and duties of a school board and annual meeting in a common school district. Does not apply to common and UHS districts.	A/M*
Chapter 220 Planning Councils	121.85(9)	Requires school boards in Milwaukee County to organize planning councils with the Milwaukee Public Schools to facilitate pupil transfers between districts for racial balance purposes.	MPS*

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PART II: SCHOOL PERSONNEL			
Title	Statute	Description	Note
Public Employee Benefits	Chapter 40	Provisions of Chapter 40 related to Wisconsin Retirement System, social security, and various health, disability, and survivor benefits apply to school districts.	All
City Civil Service	63.53	Requires that all employees of the school board (except administrators and teachers) are to have their tenure and employment status determined by the laws and rules established for the city civil service commissioners, except staff of the Board of Directors can be excluded if the Board so decides.	MPS
Industry and Labor Regulations	Chapters 101 thru 104 and 108 and 109	School districts are an "employer" and an "owner" of a place of employment or public building and are subject to the provisions and requirements of Chapter 101 (industry, buildings, and safety); Chapter 102 (worker's compensation); Chapter 103 (employment regulations); Chapter 104 (minimum wage law); Chapter 108 (unemployment insurance); and Chapter 109 (wage payments).	All
Employment Relations	Chapter 111	Provisions of Chapter 111 particularly relating to unfair labor practices, fair employment (prohibits discrimination in hiring, firing, and condition of employment), and municipal employment relations, including mediation-arbitration, apply to school districts.	All
Limit on Compensation Increases for Represented School District Professional Employees	111.70(4)(cm)	No economic issues in dispute between a school district and its represented professional employees may be submitted to compulsory, final, and binding arbitration if the school district submits a "qualified economic offer" governing salary and fringe benefits increases.	All
Teacher License Revocation	115.31(3),(4) &(5)	Requires school administrator to report to the State Superintendent the names of employees charged with, or convicted of, certain crimes or found or reasonably suspected of having engaged in immoral conduct.	All
Sale of Goods and Services at Schools	118.12(2)	Requires that no school district employee may sell any goods or services on school grounds for which they receive anything of value for personal benefit.	All
Records and Reports	118.123	Requires officers and teachers of a school district to make required reports or to maintain required records under penalty of a forfeiture for each failure or neglect.	All**
Teacher Records	118.18	Requires teachers to keep certain records, including daily attendance.	All
Teacher Licenses	118.19	Requires teachers to obtain permits or licenses from DPI prior to teaching in a public school. Requires school districts to provide, upon the request of the State Superintendent, certain information about each person employed by the district who holds a DPI license with no expiration date.	All
Professional Teaching Permits for Music, Art, Foreign Language, Computer Science, Mathematics, and Science	118.192(3)&(4)	Requires supervision of each person holding professional teaching permits by a licensed teacher. Further, no licensed teacher may be laid off due to the employment of persons holding permits.	All**

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PART II: SCHOOL PERSONNEL			
Title	Statute	Description	Note
Discrimination Against Teachers	118.195** 118.20	Requires that school districts not discriminate against handicapped teachers when hiring. Further, no discrimination because of sex, race, nationality, or political or religious affiliation may be practiced.	All
Teacher Contracts	118.21	Requires school districts to contract in writing with qualified teachers.	All**
Renewal of Teacher Contracts	118.22	Requires school districts to give written preliminary notice of nonrenewal of a contract and written notice of final renewal or nonrenewal of a contract.	A/M
Lunch Periods for Teachers	118.235	Requires school districts provide teachers a duty free lunch period.	All**
School District Administrator	118.24	Requires that school district administrators be granted contracts that may not exceed two years. Specifies procedures for renewal or nonrenewal. Specifies duties of the position. Certain provisions not cited in Chapter 119 as applying to MPS.	All*
Limit on Administrator Compensation Increases	118.245	Prohibits school districts from granting DPI-licensed, nonrepresented employees (primarily administrators) an average annual increase in compensation, in any 12-month period ending June 30, which exceeds certain percentage levels. Specifies method of computation.	All
Health Examinations	118.25	Requires physical exams of employees who come in contact with children and requires the school district to pay for the exams.	A/M
Custodian of School Premises	119.16(6)	Requires school board to fix duties and responsibilities of principals as the custodian of the school premises.	MPS
Superintendent of Schools	119.32 119.36	Requires board election of superintendent and specifies position's duties. Specifies procedures for board dismissal of the superintendent.	MPS
Teacher Salary Schedule	119.40	Requires board to annually establish a teacher salary schedule.	MPS
Interest in Contracts	119.66	Prohibits school board members during their term, and for two years after, from being employed by the board or the Department of Employee Trust Funds. Prohibits board members and its employees from having any interest in the purchase or sale of school property.	MPS
Health Care Benefits	120.12(24)	Requires school boards to solicit sealed bids prior to selection of group health care benefits provider for school district professional employees.	All
Professional Staff Licensure	121.02(1)(a) 121.006(2)(b)	Requires school districts to ensure that every teacher, supervisor, administrator, and professional staff member holds a certificate, license, or permit to teach issued by DPI; and that all instructional staff in charter schools established by a school district hold a DPI license or permit.	All 20 STD
Staff Development	121.02(1)(b)	Requires school districts to annually establish with school board employees a professional staff development plan designed to meet the needs of individuals or curriculum areas in each school.	All 20 STD
Personnel Evaluation	121.02(1)(q)	Requires school districts to evaluate, in writing, the performance of all certified school personnel at the end of their first year and at least every third year thereafter.	All 20 STD

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PART III: CURRICULUM AND INSTRUCTION			
Title	Statute	Description	Note
Driver Education Courses	115.28(11) 121.41	Requires that driver education courses be approved by the State Superintendent. Requires that such courses acquaint students, and provide instruction in safely dealing, with the hazards posed by farm machinery, railroad grade crossings, and animals on highways. Requires at least 30 minutes instruction relating to organ and tissue donation. Requires that courses provide information on motorcycle, bicycle, and pedestrian awareness.	All
School and School District Performance Report	115.38 121.02(1)(o)	Requires school districts annually to notify each pupil's parent or guardian of the right to request a performance disclosure report developed by DPI. Requires school districts to distribute the report upon request. Requires that the report include certain information and performance indicators by school, school district, and athletic conference. If the district maintains an Internet site, then the report must be made available to the public on that site.	All 20 STD
Educational Goals	118.01(2)	Requires school districts to teach academic skills, vocational skills, citizenship, and personal development.	All
Reading Instruction	118.015	Requires school districts to employ a certified reading specialist, develop reading program goals, assess reading program needs, and annually evaluate school district reading curriculum.	All
Instruction in English	118.017	Requires all instruction to be in English, except for foreign language classes and in bilingual-bicultural education.	All
Human Growth and Development	118.019	For school districts providing instruction in human growth and development, requires district to offer a program which is appropriate to each grade level and the age and maturity of the pupils and distribute an outline of the program's curriculum to parents, allow pupils to be excused from the program and establish an advisory committee. Requires district to include instruction in marriage and parental responsibility, during the same course in the same year, as any instruction in human sexuality, reproduction, family planning, and HIV and AIDS, prenatal development, childbirth, adoption, available prenatal and postnatal support, and male and female responsibility, if such instruction is offered. Also, requires district to ensure that such instruction presents abstinence from sexual activity as the preferred behavior for unmarried pupils and emphasizes that abstinence from sexual activity before marriage is the most effective way to prevent pregnancy and sexually transmitted diseases, including HIV and AIDS.	All*
Special Observance Days	118.02	Requires that specified special observance days be appropriately observed.	All
Textbooks	118.03	Requires school districts to adopt all necessary textbooks and file the list with the school district clerk.	All

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PART III: CURRICULUM AND INSTRUCTION			
Title	Statute	Description	Note
Summer Classes	118.04	For school districts operating summer classes, requires district to establish rules governing attendance and to enroll resident pupils in summer classes without tuition charge (provided district receives state equalization aid for such classes).	All*
Commencement of School Term	118.045	Prohibits school districts from commencing the school term before September 1, unless the school board submits a request and reasons for the request to DPI, and DPI determines that there are extraordinary reasons for granting it. Athletics, in-service days, work days, and year-round school are not affected.	All
Flag and Pledge of Allegiance	118.06	Requires every public and private school to display the U.S. flag every school day and offer the pledge of allegiance or national anthem in grades one to twelve every school day.	All
High School Admission	118.145	Requires school boards to determine the minimum requirements for high school admission.	All**
High School Admission	118.145(4)	Requires school boards to allow resident pupils enrolled in private school or home-based educational programs, who have met the requirements for high school admission, to take up to two courses each semester in the public school if there is sufficient space in the classroom.	All
WTCS Admission for Certain High School Students	118.15(2)(a)	Requires school boards to pay WTCS districts for pupils who attend WTCS schools in lieu of high school or on a part-time basis. Specifies determination of payment amount.	All
Graduation Standards	118.33 121.02(1)(p)	Requires school districts to require at least a specific number of courses in certain subject areas in order to graduate a pupil from high school. Requires that school district graduation standards policies be approved by the State Superintendent if equivalent to statutory requirements.	All 20 STD
Graduation Standards	118.33(1)(f)	Prohibits school districts, beginning September 1, 2005, from granting a pupil a high school diploma unless the pupil satisfies criteria set by the school board, including teacher recommendations and the pupil's academic performance.	All
Criteria for Promotion from 4 th and 8 th Grade	118.33(6)	Requires school districts to adopt a written policy for promotion from 4 th and 8 th grade. Requires that the criteria include the pupil's score on the 4 th and 8 th grade knowledge and concepts examination, unless the pupil has been excused from taking the examination. The criteria also include the pupil's academic performance, teacher recommendations, and any other academic criteria specified by the board. Prohibits promotion unless pupil satisfies criteria.	All
Technical Preparation Programs	118.34	Requires school districts, in cooperation with WTCS district boards, to establish in each high school a technical preparation program consisting of courses designed to allow high school students to gain advanced standing in WTCS associate degree programs upon graduation from high school, and to establish tech-prep consortia. Requires districts to annually evaluate programs and report the results to DPI and the WTCS Board.	All

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Youth Options Program	118.55	<p>For college attendance, requires school districts to pay the cost of tuition, fees, books, and other necessary materials or an amount based on the statewide average cost per high school credit, if the postsecondary course is taken for high school credit, a comparable course is not offered in the district, and the pupil earns a passing grade in the course. Requires a school board to determine: (a) whether a comparable course is offered in the district; (b) whether a course satisfies any of the high school graduation requirements; and (c) the number of credits to award the pupil for the course.</p> <p>For technical college attendance, requires school districts to pay the cost of tuition, course fees and books if the course is taken for high school credit, a comparable course is not offered in the district, and the pupil earns a passing grade in the course. Requires school board to notify the pupil if a course in which the pupil will be enrolled does not meet the high school graduation requirements and whether the course is comparable to one offered in the district.</p> <p>Requires school districts to annually provide information about the youth options program to all pupils enrolled in grades 9 - 11.</p>	All
Educational Goals	119.16(1)	Requires school board to identify educational objectives and priorities and issue an annual report on pupil progress.	MPS
Special Courses	119.16(5)	Requires school board to, within budgetary limitations, establish special classes of instruction at the petition of a sufficient number of parents of pupils in grades 7 or higher.	MPS
Length of School Year	119.18(6)(a)	Prohibits the period of teaching from exceeding 200 days, including legal holidays and convention days.	MPS
Curriculum	120.12(14)	Requires school boards to determine the school course of study.	A/M
Length of School Day	120.12(15)	Requires school boards to establish rules for scheduling hours in a normal school day, with 180 days held during a school term.	All
University of Wisconsin Tuition	120.12(17)	Requires school districts to pay the tuition of pupils who are attending a UW institution, if the pupil is not participating in the youth options program, the course is not offered by the school district, and the pupil will receive high school credit for the course.	All
Advanced Placement Examinations	120.12(22)	Requires school districts to pay for advanced placement examinations taken by pupils enrolled in the district who are eligible for free or reduced-price lunches under the federal school lunch program.	All
Remedial Reading	121.02(1)(c)	Requires school districts to provide remedial reading services to pupils in grades K to 4 if the pupil either fails to meet the district's reading objectives or fails to meet the minimum performance standard for reading on the third grade knowledge and concepts exam, and a teacher determines that the pupil's performance accurately reflects the pupil's reading ability.	All 20 STD

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PART III: CURRICULUM AND INSTRUCTION			
Title	Statute	Description	Note
Five-Year-Old Kindergarten	121.02(1)(d)	Requires each school district (except union high school districts) to operate a five-year-old kindergarten program.	All* 20 STD
Days and Hours of Instruction	121.02(1)(f) 120.12(15) 121.006(2)(a)	(1) Requires school districts to schedule at least 180 school days annually, less any days during which the State Superintendent determines that school is not held or educational standards are not maintained as the result of a strike by school district employees; and (2) Requires school districts to annually schedule at least 437 hours of direct pupil instruction in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6, and at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours include recess and time for pupils to transfer between classes but exclude lunch.	All 20 STD
Instructional Materials, Texts, and Library Services	121.02(1)(h)	Requires school districts to provide adequate instructional materials, texts, and library services which reflect the cultural diversity and pluralistic nature of American society.	All 20 STD
Health, Physical Education, Art, and Music	121.02(1)(j)	Requires school districts to ensure that instruction in elementary and high schools in health, physical education, art, and music is provided by qualified teachers.	All 20 STD
Curriculum Plans	121.02(1)(k)	Requires school districts to maintain a written, sequential curriculum plan that includes reading, language arts, mathematics, social studies, science, health, computer literacy, environmental education, vocational education, physical education, art, and music. The plan must specify objectives, course content, and resources and include a program evaluation method.	All 20 STD

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PART III: CURRICULUM AND INSTRUCTION			
Title	Statute	Description	Note
Regular Instruction	121.02(1)(L) 253.15(5)	Requires school districts to: (1) In elementary grades, provide regular instruction in reading, language arts, social studies, mathematics, science, health, physical education, art, and music. (2) In grades 5-8, provide regular instruction in language arts, social studies, mathematics, science, health, physical education, art, and music. The school board must also provide pupils with an introduction to career exploration and planning. (3) In grades 9-12, provide access to an educational program that enables pupils each year to study English, social studies, mathematics, science, vocational education, foreign language, physical education, art, and music. "Access" means an opportunity to study through school district course offerings, independent study, CESAs or cooperative arrangements between school boards and post-secondary institutions. (4) At least twice in grades K-8 and at least once in grades 9-12, as part of the social studies curriculum, include instruction on the history, culture, and sovereignty of the state's American Indian tribes and bands. (5) In grades 7-8, provide regular instruction in foreign language. (6) In one of grades 5 to 8 and in one of grades 10 to 12, provide pupils with instruction on shaken baby syndrome and impacted babies.	All 20 STD
Education for Employment	121.02(1)(m)	Requires school districts to provide access to an education for employment program that has been approved by the State Superintendent. Requires that the program incorporate: applied curricula; guidance and counseling services; technical preparation; college preparation; youth apprenticeship or other job training and work experience; and instruction in employment skills.	All 20 STD
Third Grade Knowledge and Concepts Exam	121.02(1)(r)	Requires school districts to annually administer a standardized reading test developed by DPI to all third grade pupils enrolled in the school district, including pupils enrolled in charter schools located in the district.	All 20 STD
Pupil Assessment	121.02(1)(s) 118.30	Requires school districts to: (1) Administer the 10 th grade knowledge and concepts exam. (2) Administer the exam developed by DPI or the school district to 4 th and 8 th grade pupils. (3) Excuse pupil from taking examination at the request of the pupil's parent or guardian.	All 20 STD

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PART IV: SPECIAL EDUCATION			
Title	Statute	Description	Note
Local Educational Agency Duties	115.77(1m)	Requires school districts to demonstrate that they meet the specified requirements under s. 115.77(1m) to the Division for Learning Support, Equity and Advocacy in DPI.	All
Identification of Children with Disabilities	115.77(1m)(a)	Requires school districts to identify, locate, and evaluate all children with disabilities who are in need of special education and related services.	All
Free Appropriate Public Education	115.77(1m)(b)	Requires school districts to provide a free appropriate public education to children with disabilities, except those under age three and participating in an early intervention program under DHFS, in accordance with state and federal law.	All
Pupil Assessments	115.77(1m)(bg)	Requires school districts to include children with disabilities in statewide and school district assessments, including those required by No Child Left Behind, with appropriate accommodations, or in alternate assessments if needed and as indicated in their IEPs.	All
Children Participating in Early Intervention Programs	115.77(1m)(c)	Requires school districts to ensure that children with disabilities participating in early intervention programs experience a smooth and effective transition to preschool programs and that an IEP be implemented for the child by age three.	All
Children Enrolled in Private Schools or Facilities by the School District	115.77(1m)(d)	Requires school districts to ensure that children with disabilities who are enrolled in private schools and facilities are provided special education services in accordance with the IEP at no charge to the parents, if the children are referred to such facilities by the school district to satisfy state or federal law.	All
Children Enrolled in Private Schools or Facilities by their Parents	115.77(1m)(e)	Requires school districts to ensure that children with disabilities enrolled by their parents in private schools and facilities located within the district have an opportunity to participate in special education services and that the amount spent by the school district for those services equals a proportionate amount of the federal funds provided.	All
Written Policies	115.77(1m)(f)	Requires school districts to establish written policies, procedures, and programs for implementing applicable state and federal law.	All
Information on Funding	115.77(1m)(g)	Requires school districts to make available upon request all documents relating to the school district's eligibility for state and federal funding.	All
Information on Special Education Services	115.77(1m)(h)	Requires school districts to regularly publicize information regarding its special education procedures and services.	All
Information to DPI	115.77(2)	Requires school districts to provide the Division for Learning Support, Equity and Advocacy in DPI with information needed by the Division to carry out its duties under state and federal law.	All
Use of State and Federal Funding	115.77(3)	Requires school districts to use any state or federal aid provided for special education to comply with state law governing children with disabilities.	All

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PART IV: SPECIAL EDUCATION			
Title	Statute	Description	Note
Plan for Provision of Special Education	115.77(4)	Requires school districts to submit a plan that provides assurances to the Division for Learning Support, Equity and Advocacy in DPI that the district meets certain conditions set by federal law, including five items specified in the statutes, as well any other information required by the Division.	All
Children with Disabilities Attending Charter Schools	115.77(8)	Requires school districts to serve children with disabilities who are attending a charter school under contract with the school district in the same manner as it serves children attending schools of the school district and to provide state and federal funds to charter schools for children with disabilities on the same basis as it provides such funds to schools of the school district, including proportional distribution based on enrollment of children with disabilities, and at the same time as it distributes other federal funds to other district schools.	All
Special Education Referrals and Open Enrollment	115.777(1)	Requires a school district which receives a referral that a child has a disability, but the child is attending a nonresident school district under the open enrollment program, to provide the name of the child and related information to the school district of attendance.	All
Special Education Referral Procedures	115.777(3)	Requires school districts to: (a) establish written procedures for processing referrals; (b) document and date the receipt of referrals; (c) provide information and in-service opportunities to all licensed staff about referral procedures; and (d) at least annually inform parents and relevant professionals about the school district's referral and evaluation procedures; and (e) within 15 days of receiving a referral, either send to the child's parents a request for consent to evaluate the child or, if the district needs no additional data, notify the parents of that determination.	All
Individualized Education Program Team	115.78(1m)	Requires school district to appoint an IEP team for each child referred to it, and identifies certain statutorily required members of the IEP team.	All
IEP Team Responsibilities	115.78(2)	Requires an IEP team to: (a) evaluate a child to referred to a school district to determine the child's eligibility or continued eligibility for special education services; (b) develop an IEP for the child; and (c) determine the special education placement for the child.	All
Timeline	115.78(3)	Requires a school district to notify the parents of a child if the child has a disability within 60 days after receiving parental consent for an evaluation or notifies the parents that no additional data are needed, with possible extension. Requires a district to conduct a meeting to develop an IEP and determine placement within 30 days of a determination of disability. Upon request, the district must provide a copy of the most recent evaluation report to the child's parents at any IEP meeting. If more time is required by the parent or needed to permit meaningful parental participation, the school district must provide it.	All

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PART IV: SPECIAL EDUCATION			
Title	Statute	Description	Note
Evaluation Notification and Consent	115.782(1)	Requires school districts to notify parents of any evaluation procedures, and the names of individuals involved, if known. The school district must obtain informed consent from parents before an evaluation is conducted, or, if the child is a ward of the state, obtain informed consent from an individual appointed to represent the child, in accordance with federal law.	All
Conduct of Evaluation	115.782(2)(c)	Requires school districts to administer any assessments or other evaluation measures needed by an IEP team.	All
Determination of Eligibility	115.782(3)	Requires school districts give a copy of the evaluation report, including documentation of eligibility, to the parents.	All
Reevaluations	115.782(4)	Requires school districts to ensure that an IEP team follows statutory procedures governing reevaluating a child with a disability, which must be done no more frequently than once a year, and at least every three years, unless the district and parent agree that reevaluation is unnecessary.	All
Individualized Education Programs	115.787(1) thru (5)	Requires school districts to have an IEP in effect at the beginning of each school year for each child with a disability. Establishes specific elements that must be included in an IEP. Specifies factors an IEP team must consider in developing an IEP and in reviewing and revising the IEP. Requires school districts to reconvene IEP team if another agency fails to provide transition services.	All
Educational Placements	115.79(1)	Requires school districts to ensure that all of the following occur: (a) an evaluation is conducted before special education services are provided; (b) an educational placement is provided to implement the IEP; (c) to the maximum extent appropriate, the child is educated with nondisabled children; and (d) special classes or other removal of a child with a disability occurs only when education in a regular classroom, even with supplementary aids and services, cannot be achieved satisfactorily.	All
Denial of Consent	115.79(2)	Requires school districts to obtain informed consent from parents before providing special education and related services to a child. If consent is denied, services cannot be provided, and the district is not required to provide a free appropriate public education or develop an IEP.	All
Reimbursement for Private School Placement	115.791	Establishes procedures under which a school district may be required to reimburse costs of private school enrollment of a child with disabilities.	All
Procedural Safeguards	115.792	Requires school districts to establish and maintain procedural safeguards relating to parents' review of records, participation in meetings, child's rights, use of mediation, and notice requirements.	All
Due Process Hearings	115.80	Establishes procedures under which a school district may be required to respond to requests for due process hearings.	All
Age of Majority	115.807	Requires school districts to notify a child with disability at age 18 and the parents that, in general, when a child reaches age 18 all rights the law accords to parents transfer to the child.	All

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PART IV: SPECIAL EDUCATION			
Title	Statute	Description	Note
Children in Residential Care Centers	115.81	Establishes procedures governing school district involvement in the IEP and responsibility for children in residential care centers.	All
Referrals for Older Children	115.812(2)	Requires school districts to report to the appropriate county departments the names of children who reside in the district and are at least 16, are not expected to be enrolled in school in two years, but who may need services from the county.	All
County Children with Disabilities Education Boards	115.817	Specifies procedures and requirements for establishing, organizing, and dissolving county children with disabilities education boards (CCDEBs) including board duties and taxation authority. Requires CCDEBs and participating school districts to submit a report to the State Superintendent on jointly enrolled pupils.	All
Nonresident Children with Disabilities	115.82	Requires admission of nonresident pupils to special education programs if deemed appropriate for the child's needs and requires district of residence to pay for transportation of children with disabilities except in certain cases.	All
Hospitals and Convalescent Home Aid	115.88(4)	Requires supervision of special education instruction in hospitals and convalescent homes by DPI and the school board of the district in which the hospital or home is located. Requires school board to submit to DPI an itemized statement of all revenues and expenditures for the actual cost of such instruction and any other information required by DPI.	All
Health Treatment for Children With Special Needs	118.255	Requires school districts that provide physical or mental health care treatments to private school pupils to not charge for such treatment unless a charge is made to public school pupils. Further, requires annual reports on health treatment services as a condition of receiving state reimbursement for such costs.	All
Children with Disabilities Programs	119.28	Requires board to establish special schools for children with disabilities as needed.	MPS
Integrated Service Program	120.12(19)	Requires school board to participate in an integrated service program for children with severe disabilities, if established by the county board.	All

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PART V: OTHER SPECIAL NEEDS			
Title	Statute	Description	Note
School Age Parents Program Services	115.915	Requires school districts to make program modifications and services available to school age parents to allow them to remain in school.	All**
School Age Parents	115.92 115.93	For school districts establishing a program for school age parents, requires district to provide certain services and instruction and to submit an annual report to DPI. Submittal of this report is a requirement for state aid.	All**
Limited-English Proficient (LEP) Pupil Count	115.96(1)	Requires school districts to annually conduct a count of limited-English proficient pupils within each district.	All
Bilingual-Bicultural Education Notice to Parents	115.96(2)	Requires school districts to annually notify parents of LEP pupils about the program's availability, if the district is required to offer bilingual education program under s. 115.97.	All
Bilingual-Bicultural Program Requirements	115.96(4)	Requires instruction in reading, writing and speaking the English language, and through the use of the native language of the pupil, instruction in the subjects needed to permit effective progress through the educational system.	All
Placement in Bilingual-Bicultural Programs	115.96(5)	Requires placement of LEP pupils in appropriate programs with written parental consent and specifies procedures for parent appeals, if the district is required to offer a bilingual education program under s. 115.97.	All
Bilingual-Bicultural Education Requirements	115.97	Requires school districts to establish bilingual education programs if the number of LEP pupils meets certain criteria and requires instruction by bilingual teachers or, under certain conditions and with state approval, English as a second language teachers.	All
Report on Bilingual-Bicultural Education	115.993	Requires annual pupil and financial report to be submitted to DPI if the school district operates a bilingual-bicultural education program. Receipt of this report is a condition for state aid.	All
Children-at-Risk/General Requirement	118.153(2)(a) 121.02(1)(n)	Requires school districts to identify pupils who are children-at-risk and develop a plan to meet the needs of such children.	All 20 STD
Children-at-Risk/State Aid Recipients	118.153(2)(b) 118.153(3)(a)1 118.153(3)(b) 118.153(4)(a)	Allows districts with 30 or more dropouts or a dropout rate exceeding 5% to apply for children-at-risk aid. If a district applies for aid, requires the district to offer a children-at-risk program, designed to allow pupils enrolled to meet high school graduation requirements, and submit an annual report on pupil achievement of objectives.	All*
Children-at-Risk/MPS Requirements	118.153(3)(a)2 118.153(3)(b)	Requires school board to: (a) ensure that there are at least 30 pupils and no more than 250 pupils in each children-at-risk program and that a separate administrator or teacher is in charge of each program; and (b) place pupils on a waiting list if there is no space in a requested program and offer such pupils an alternative program.	MPS

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PART V: OTHER SPECIAL NEEDS			
Title	Statute	Description	Note
Children-at-Risk/Private Contracting	118.153(3)(c)	Requires school districts to identify appropriate private, nonprofit, nonsectarian agencies located in the district or within 5 miles of the district's boundaries to provide children-at-risk programs. Limits use of contracting to no more than 30% of the district's at-risk population. Requires contract payment to equal at least 80% of the district's average per pupil cost.	All
Children-at-Risk/Preference in Funding Allocation	118.153(5)(b) 118.153(5)(c)	Require school districts receiving aid to: (a) provide a specific sum to each children-at-risk program based on the program's ability to meet objectives; and (b) give preference in allocating any aid received to alternative schools, charter schools, schools within schools, and private agencies.	All
Gifted and Talented Programs	118.35 121.02(1)(t)	Requires school districts to provide access to appropriate gifted and talented programs.	All 20 STD
Five-Year-Old Kindergarten	119.71 119.73	Requires school board to use \$5.09 million of its funds to expand its half-day kindergarten for five-year-olds to full-day programs, to enroll only low-income pupils in the expanded program, to use the funds for specific costs, and to evaluate annually the expanded program and report its findings to DPI and the Legislature.	MPS
Extended-Day Elementary Grade, 4-Year-Old Kindergarten and AODA Programs	119.74	Requires school board to use \$0.43 million of its funds for extended-day preschool to grade 6 programs, four-year-old kindergarten programs, and AODA programs at 68 th St. School.	MPS
First Grade Programs	119.75	Requires school board to use \$1.07 million of its funds to provide expanded educational opportunities for first grade pupils who participated in an expanded five-year-old kindergarten program	MPS
Family Resource Center	119.78	Requires school board to establish a family resource center.	MPS
Alternative Education Programs	119.82	Requires school board to provide an alternative educational program for pupils subject to certain sanctions.	MPS
Indigent Children	120.12(11)	Requires school boards to provide books and supplies for indigent children.	A/M
Children Receiving Education under Court Order	120.12(18)	Requires school boards to coordinate the educational programming of children receiving services as the result of a court order and to report to the court before the dispositional hearing.	All

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PART VI: SAFETY AND HEALTH			
Title	Statute	Description	Note
Reporting of Suspected Child Abuse	48.981(2)	Requires every nurse, social worker, school teacher, administrator, counselor, and other specified individuals to report when those individuals have reasonable cause to believe there is child abuse or neglect.	All
Health and Safety Requirements	118.07(1) and (2)	Requires first aid kits and fire drills in both public and private schools. Requires school boards to maintain a record of each fire drill conducted for at least seven years.	All
Meningococcal Disease	118.07(3)	Requires school districts to provide information about meningococcal disease to parents of pupils in grades six through 12 at the beginning of the 2006-07 to 2011-12 school years. Thereafter, requires school districts to provide the information to parents of sixth grade pupils each year. (Current law repeals this requirement if DHFS promulgates a rule that requires vaccinations against meningitis, which has not occurred to date.)	All
Safety Zones	118.09	Requires public and private schools to provide safety zones for the loading and unloading of pupils in unincorporated areas.	All*
School Fences	118.11	Requires school districts to erect and maintain all the fence necessary to enclose the school grounds without any financial burden to owners of adjacent property.	All**
Sale of Soft Drinks	118.12(4)	Requires that if a school board contracts with a vendor for the exclusive right to sell soft drinks in the district, then the contract may not prohibit the sale of milk, and to, the maximum extent possible, the board must ensure that milk is available to pupils in each school covered by the contract.	All
Eye Examinations and Evaluations	118.135	Requires school boards to request entering kindergarten pupils to provide evidence the pupil's eyes have been examined by an optometrist or evaluated by a physician.	All
Indigent Children	118.17	Requires the principal or teacher in charge of a school to report to the county social services agency any child whose parents or guardians are without sufficient means to furnish the child with food or clothing necessary to attend school.	All**
Administration of Drugs to Pupils	118.29(4)	Requires school districts and private schools whose employees or volunteers may be authorized to administer drugs or prescription drugs to pupils, to have a written policy governing the administration of drugs and prescription drugs to pupils.	All**
Sanitary Facilities	120.12(12)	Requires school boards to provide and maintain separate toilets and other sanitary facilities for both sexes in each school.	A/M
Immunization	120.12(16)	Requires school boards to require evidence of student immunization. Requires an annual plan to encourage immunization submitted to DHFS.	All

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PART VI: SAFETY AND HEALTH			
Title	Statute	Description	Note
Prohibition of Tobacco	120.12(20)	Prohibits use of all tobacco products on premises owned or rented by, or under the control of, a school board, except that a board may allow the use of tobacco products on premises owned by the board and rented to another person for noneducational purposes.	All
School Safety Plans	120.12(26)	Requires school boards to have a school safety plan for each school.	All
School Crossing Guards	120.13(31)	Requires uniforms and equipment for school crossing guards if, the school board and other local units of government provide for the appointment of adult crossing guards.	A/M
Emergency Nursing	121.02(1)(g)	Requires school districts to provide for emergency nursing services.	All, 20 STD
Hazardous Substances Information and Emergency Planning	166.20	Specifies that schools, at which hazardous or toxic chemicals are present at or above federal governmental threshold quantities, comply with federal regulations regarding these chemicals.	All
Immunization	252.04(1) thru (6)	Requires school districts to notify parents and the district attorney in certain cases if a pupil fails to meet immunization requirements. Requires district to exclude from attendance pupils in grades K-6 if they have not met immunization requirements and fewer than 99% of the district's pupils have met the requirements.	All

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PART VII: PUPIL POLICIES AND SERVICES			
Title	Statute	Description	Note
Religious Beliefs	115.28(31)	Requires State Superintendent to promulgate rules providing for the reasonable accommodation of a student's sincerely held religious beliefs with regard to all examinations and other academic requirements.	All
School Uniforms	118.035	For school districts adopting school uniform policies, requires that parents and guardians be allowed to exempt their children from the policy, ensure that no exempted student is penalized or discriminated against, notify each parent or guardian at least three months before implementation, and assist economically disadvantaged students to obtain the uniforms. These requirements do not apply to districts that have had school uniform policies in effect continuously since September 1, 2001.	All*
School Yearbook Photographs	118.12(5)	For school boards contracting for photographs of 12 th grade pupils for a school yearbook, the contract may not prohibit a pupil from supplying his or her own photograph for the yearbook, subject to the school board's reasonable specifications.	All
Pupil Records	118.125 118.126 118.127	Specifies that all pupil records be confidential, with certain exceptions. Requires that school districts adopt rules governing the maintenance and disclosure of pupil records and establishes certain notification and disclosure procedures.	All
Pupil Discrimination	118.13	Specifies that public schools may not deny a pupil admission to, or participation in, any program or activity because of the pupil's race, sex, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or disability. Further, requires school boards to develop written policies and procedures that ensure pupil discrimination does not occur and that allow for attention to complaints, with appeal to the State Superintendent. Establishes penalty for intentional discrimination.	All
Pupil Age	118.14 120.12(25)	Requires that school districts not admit pupils of a certain age to certain grade levels and prescribe procedures, conditions and standards for early admission to kindergarten and first grade.	All

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PART VII: PUPIL POLICIES AND SERVICES

Title	Statute	Description	Note
Alternatives to Compulsory School Attendance	118.15	Requires school boards, upon the child's request and with the approval of the child's parent or guardian, to enter into a written agreement to excuse from regular school attendance: (a) any child who is 17 years of age or over and who began a high school equivalency diploma program in a juvenile correctional facility, juvenile detention facility, juvenile portion of a county jail or residential care center for children and youth and agrees to continue to participate in the program; and (b) any child who is 16 years of age or over and a child at risk, as defined by state law, who agrees to attend a technical college full- or part-time. Requires that school boards: evaluate requests from children age 16 or over and their parents for program or curriculum modifications; enter into and monitor agreements with pupils granted program modifications leading to high school graduation or equivalency; and notify pupils and parents of program or curriculum alternatives. Requires school boards to render decisions within specified time frames and give reasons for denial of any request. Prohibits school employees from compelling a pregnant student to withdraw from regular education programs.	All
Religious Instruction	118.155 119.19	Requires school districts to allow pupils to leave school for up to three hours per week for religious instruction, with parental consent.	All
School Attendance Enforcement	118.16 118.162	Requires school districts to have an attendance officer and a written attendance policy, distribute the policy to each pupil, and adopt a truancy plan, which must be reviewed at least every two years. Specifies duties of an attendance officer. Prohibits school districts from denying credit in a course or subject solely because of a pupil's unexcused absences or suspensions. Requires school districts to specify conditions under which a pupil can take examinations or complete coursework missed during the pupil's absence from school.	All
Assessment Periods	118.16(4) (cm)	Establishes certain limitations on the use of assessments if school districts assign a pupil to a period of assessment as a consequence of truancy or other circumstances.	All
Pupil Discipline and Removal from Class	118.164 120.13(1)	Specifies procedures for the suspension and expulsion of pupils and removal of pupils from the classroom.	All
Pupil Identification Numbers	118.169	For school districts and private schools that assign pupil identification numbers, the board cannot assign a number that is identical to or incorporates the pupil's social security number.	All* **
Pupils Without Parents or Guardian Report	118.175	Requires any school teacher, administrator, counselor, or social worker who knows that a pupil is without a parent or guardian to report that fact to the county social services or human services department (to state DHFS in Milwaukee County).	All

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PART VII: PUPIL POLICIES AND SERVICES			
Title	Statute	Description	Note
Electronic Communication Devices	118.258	Requires that if school boards adopt rules prohibiting use or possession of electronic communication devices on school premises, then a copy of such rules must be provided annually to pupils enrolled in the district.	All
Corporal Punishment	118.31	Prohibits use of corporal punishment in school districts. Requires school boards to adopt policies allowing any official, employee or agent of the board to use reasonable and necessary force in certain circumstances.	All
Strip Search	118.32	Prohibits any employee or agent of a school district from conducting a strip search of any pupil.	All
Locker Searches	118.325	Allows an employee or agent of a school or district to search a student locker without consent, notification, or a search warrant, only if the school district adopts a written policy specifying the school board owns the lockers, designates the persons who may conduct locker searches, and distributes the policy to pupils.	All
Tests for Alcohol Use	118.45	Authorizes school board employees to require pupils to provide a breath sample in order to determine the presence of alcohol, as long as: the employee has reasonable suspicion, the breath-screening device has been approved by DOT, and the school board has a written policy on pupil discipline for alcohol use.	All* **
Full-Time Open Enrollment Application Procedures and Other Requirements	118.51(3),(4), (5),(7)&(8)	Establishes application and reapplication procedures that school districts must follow under the full-time open enrollment program. Requires school districts to adopt policies and acceptance and rejection criteria under the program. Establishes requirements relating to considerations of racial balance for certain school districts and relating to the transfer of disciplinary records.	All
Part-Time Open Enrollment Application Procedures and Other Requirements	118.52(3) thru (10)	Establishes application procedures that school districts must follow under the part-time open enrollment program. Requires school districts to adopt policies and acceptance and rejection criteria under the program. Requires school districts to transfer disciplinary records in certain cases.	All
Sex Discrimination	119.22 120.13(37m)	Prohibits sex discrimination in physical education, except in single-sex courses and schools.	MPS
Pupil Admission	119.24	Requires spaces in each school to be open to pupils residing outside of the school's attendance district but any unused spaces must be filled with pupils who reside in the attendance district.	MPS
Pupil Expulsion	119.25	Establishes alternative procedures for the expulsion of pupils.	MPS
Annual Report	119.44(2)	Requires annual report to DPI on certain attendance, graduation and test score data.	MPS
Family Resource Center	119.78	Requires school board to establish a family resource center to promote parental involvement, distribute information to parents, and provide volunteer opportunities.	MPS

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PART VII: PUPIL POLICIES AND SERVICES			
Title	Statute	Description	Note
Pupil Participation in School Activities	120.12(23)	Requires school boards to adopt a policy on access to extracurricular and recreational school activities that encourages full participation by all elementary grade pupils. Does not apply to union high schools.	All*
Day Care in Schools	120.125	Requires school boards to permit before- and after-school day care to be provided in any elementary school if the provider submits a request which meets specific requirements and the district does not deny the request for certain specified reasons. Requires a written agreement between board and provider with specified conditions.	All
Day Care Programs	120.13(14)	Requires that day care programs meet state standards for licensure if board provides or contracts for such programs and that contractors pass DHFS background investigations. Also requires boards to provide DHFS with information about each person who is denied a contract because of certain criminal convictions or charges or other specified actions, including child abuse.	All
Guidance and Counseling	121.02(1)(e)	Requires school districts to provide guidance and counseling services.	All 20 STD

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PART VIII: BUDGET AND FINANCE			
Title	Statute	Description	Note
Public Deposits	Chapter 34	Provisions of Chapter 34 related to public deposits apply to school districts.	All
School Census	43.70(1)&(3)	Requires the school district administrator to annually report to DPI the total number of children between the ages of 4 and 20 residing in the district for the allocation of school library aids from the common school fund. (K-8 school districts must report on children from ages 4 and 13 and UHS districts must report on children from ages 14 to 20.) Requires that the aids be used to purchase instructional materials from the State Historical Society for use in teaching Wisconsin history or library books and other instructional materials for school libraries. Requires that records of such purchases be kept.	All
Mill Limit on School Construction Fund	65.07(1)(f) 119.48(3)&(4)	Prohibits school construction fund taxes from exceeding 0.6 mills annually unless decision to exceed levy rate is approved by voter referendum. Specifies referendum procedures.	MPS
Budget Hearing	65.90	Requires school districts to annually formulate a budget and hold public hearings. Specifies information to be listed in the budget and requirements for its publication. Requires school districts to hold a budget hearing which in the case of common and union high school districts shall be held at the same time and place as the annual meeting. Specifies procedures for changes to the budget.	All
Cost of Judgments	66.0117	Provision requiring that the cost of judgments be recovered through the property tax applies to judgments against school districts.	All
Interest on Late Payments	66.0135	Provision regarding interest on late payments for orders or contracts entered into by local governments apply to school districts.	All
Post-Employment Benefits Trust Fund	66.0603(1m)(b)	Prohibits school boards from discussing or voting on establishing a trust fund to provide certain post-employment benefits unless the notice of the board meeting at which the discussion or vote may occur includes the issue as a separate agenda item.	All
Withdrawal of Funds	66.0607	Procedures and requirements related to withdrawal or disbursement of funds from local treasuries apply to school districts.	All
Public Works Contracts and Wages	66.0901 66.0903	Procedures and requirements related to contracts and bids for public works and the prevailing wage rate apply to school districts.	All
Joint TIF Review Board	60.85(4) 66.1105(4m)	Requires affected school districts to choose a representative to sit on the five-member joint review board to determine whether a tax incremental financing district should be created. Specifies procedures for selecting the representative.	All
Uniform Financial Fund Accounting	115.28(13)	Requires use of a uniform financial fund accounting system developed by DPI.	All
Minority Pupil Census	115.28(14)	Requires an annual census of resident minority pupils enrolled in the district.	All
Pupil Membership Audits	115.28(18)	Requires 25% of school districts to annually audit the number of pupils reported for membership purposes.	All

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PART VIII: BUDGET AND FINANCE			
Title	Statute	Description	Note
Forms and Reports	115.30	Requires maintenance of uniform accounting records, the submittal of a statement of enrollment, and other information requested by DPI.	All**
CESA Administrative Costs	116.08(5)	Requires school districts to pay an amount for CESA administration equal to a fraction of state CESA aid based on their percentage of total CESA pupil membership, unless the district is in CESA 1 and has withdrawn from that CESA, and is not in any other CESA.	All**
Gifts and Grants	118.27	Requires gift and grant monies be considered segregated trust funds and be used as the donor or grantor specifies.	All**
Open Enrollment Aid Adjustments	118.51(16)	Establishes the aid amount that will be added or subtracted from each school district's state aid based on the net number of pupils gained or lost under the open enrollment program.	All
Open Enrollment Special Education Tuition	118.51(17)	Requires resident school board to pay tuition, or an amount agreed to by the two school boards, to nonresident school board for each child attending the nonresident school district under the open enrollment program who is receiving special education or related services.	All
Part-Time Open Enrollment Tuition	118.52(12)	Requires resident school board to pay tuition to the nonresident school district for the cost of providing the course to the pupil, calculated in a manner determined by DPI.	All
Competitive Bids	119.16(4)	Requires school board to establish competitive bidding policies and procedures for purchases and construction contracts.	MPS
Budget	119.16(8)	Requires school board to hold a public hearing on proposed budget and transmit completed budget to common council by first Monday in August.	MPS
Annual Financial Report	119.44(1)	Requires the board to file its annual financial report with the city clerk and to send a copy to DPI.	MPS
School Property Taxes	119.46 119.47 119.48 119.485	Requires school board to specify, as part of the budget transmitted annually to the common council, the property taxes required for the school operations fund, the school extension fund, the school construction fund, and for the payment of state trust fund loans for the ensuing school year. Requires common council to levy and collect these amounts (although the council can elect to substitute money from the city's permanent improvement fund for school construction funds).	MPS
Disbursement of Monies	119.50	Requires that monies for school purposes be disbursed by the city treasurer on the written order of the district superintendent. Requires district superintendent to keep separate accounts for district revenues and expenditures.	MPS
Claims Against School Board	119.68	Requires the district superintendent to furnish the city auditor with a complete list of claims against the board and condition statements on school district funds and financial transactions.	MPS

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PART VIII: BUDGET AND FINANCE			
Title	Statute	Description	Note
Board Reports	120.11(3)	Requires school boards to prepare a financial and budget report for presentation to the annual meeting. Specifies the information to be included in the report.	A/M
Report on Debt Service	120.115	Requires school boards to notify DPI within 10 days after adopting a resolution to incur debt, the approval or rejection of a debt referendum, or a change in a debt service schedule.	All
Tax Levy	120.12(3) &(4)	Requires school boards to determine, by November 1, taxes necessary for district's operation and maintenance (which may be greater or less than amount voted by the annual meeting) and debt retirement; and requires district clerk to certify tax amount to municipal clerk on or before November 6.	A/M
Deposit of Funds	120.12(7)	Requires school boards to designate a public depository of district funds.	A/M
Health Insurance	120.13(2)	Requires that excess reinsurance be obtained if board self-insures for health care benefits for less than 1,000 employees. Requires records be kept confidential if self-insured.	All
Annual Audit	120.14	Requires school boards to have a certified audit performed by a licensed accountant at school district expense. Requires school district clerk to file a financial audit statement with DPI by September 15. Requires districts to include information on self-insurance plans as specified by the Commissioner of Insurance.	All
Annual Reports	120.18 121.05 121.15(2)	Requires school district clerk to file an annual financial report with DPI by September 1 and specifies the information to be included in the report. State aid cannot be paid until reports have been filed.	All
Use of State Aid	121.007	Requires school districts to use certain state school aids solely for the purposes for which paid.	All
Youth Challenge Program Aid Adjustments	121.095	Establishes the aid amount that will be subtracted from each school district's state aid based on the number of pupils from the district that attend the Youth Challenge program operated by the Department of Military Affairs.	All
State Aid for Summer School	121.14	Requires that, in order to receive general aids for summer school, classes must be for necessary academic purposes. Requires school district to file an annual summer average daily membership report with DPI by October 1.	All
Federal Revenue Sharing Funds	121.17	Requires school districts to use federal revenue sharing funds according to federal requirements.	All
Nonresident Pupil Admission and Tuition	121.77	Requires free admission to public schools for all resident pupils. Requires tuition to be charged and tuition claims to be filed for nonresident pupils, except for nonresident pupils attending under the open enrollment program.	All
Tuition Payments by Districts	121.78(1)	Requires school district of residence to pay tuition for pupils attending public school outside the district, if an agreement is entered into.	All

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PART VIII: BUDGET AND FINANCE			
Title	Statute	Description	Note
Tuition Payments by Reorganized Districts	121.78(2)(a) 121.54(6)	Requires school district of residence, in certain cases, to pay tuition and provide transportation for pupils attending high school outside the district as a result of district reorganization.	All
Tuition Payments by Parents	121.81	Requires written tuition agreements between school boards and parents for nonresident pupils admitted to district's schools.	All
Nonresident Tuition Waiver	121.84	Requires school districts to permit certain pupils who are no longer residents to complete the current school year in the district without paying tuition.	All
Intradistrict Integration Aid	121.85(6)(am) 121.87(3)	Requires school district to obtain certain percentages of written consent from parents or guardians for transfers to another attendance area or incur aid reduction, and report annually on transfers made without written consent.	MPS
Integration Report	121.87	Requires school districts receiving integration aid to submit an annual report to DPI regarding transfer pupils, use of state aid, and program expenditures.	All*
Revenue Limit	121.90 121.905 121.91 121.92	Prohibits a school district from annually increasing its revenue derived from general school aid, computer aid, and property taxes above a specified level. Specifies certain adjustments and exclusions to the limit and a referendum procedure to exceed the limit.	All
Driver Education Vehicle Registration and Insurance	341.267	Requires annual registration of vehicles used in driver education and requires insurance on each vehicle.	All
Motor Vehicle Liability	345.05	Provisions related to municipal liability for motor vehicle accidents apply to school districts.	All

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PART IX: SCHOOL FACILITIES AND PROPERTY			
Title	Statute	Description	Note
Eminent Domain	Chapter 32	School districts are authorized to acquire property by condemnation and are subject to eminent domain requirements of Chapter 32.	All
Inspection of School Buildings	115.33(3)	Requires school boards to repair, remodel, improve, or close a school building by a stated date upon order of the State Superintendent of Public Instruction if it is determined that the school is not in compliance with building and safety regulations. In cases where it is determined that the school is not worth repairing, requires school board upon the State Superintendent's order to develop a plan of compliance.	All
Management	119.16(1m)	Requires school board to possess, care for, control, and manage the district's schools, facilities, operations, property, and affairs.	MPS
Buildings and Sites	119.16(3)	Requires school board to be responsible for buildings and sites (including construction, lease or purchase and improvements) which are , in general, city property.	MPS
Facilities	119.16(10)	Requires school district to, prior to demolition of any facility 50 years or older, receive approval of the city historic preservation commission. Requires board to construct new schools only in areas of greatest local need.	MPS
Sale of Real Property	119.60	Requires school board to determine whether the proceeds of the sale of real property used for school purposes be deposited in the school construction fund to be used for real property purchases for school purposes or in the school operations fund to be used for debt service on bonds for the neighborhood schools initiative.	MPS
Use of School Property	119.70(3)	Requires school board to report to the common council annually on costs related to evening schools and civic activities.	MPS
School Property	120.12(5)	Requires school boards to keep school property in good repair and establish an annual building maintenance schedule.	All
School Property Insurance	120.12(6)	Requires school boards to insure school property.	All**
Use of Property	120.12(9)	Requires school boards to allow use of school property for free discussion of public questions, upon written application of 50% of the electors of the school district.	All**
Historic Properties	120.12(21)	Require school boards to determine if certain proposed actions will affect any historic property and to notify the state historic preservation officer of such actions.	All
Use of School Property	120.13(17)	Authorizes school boards to charge a fee to persons who use school property and specifies where fees shall be deposited.	All
Facilities	121.02(1)(i)	Requires districts to provide safe and healthful facilities complying with state laws and rules relating to lead exposure and poisoning.	All 20 STD

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PART IX: SCHOOL FACILITIES AND PROPERTY

Title	Statute	Description	Note
Asbestos Abatement Certification	254.20	Requires school employees or contractors for school districts to be state-certified in order to perform asbestos abatement activities.	All
Public Works--Surety Bond Approval	779.14(1m)(e)(3)	Specifies public works surety bond approval by district president.	All

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PART X: BORROWING			
Title	Statute	Description	Note
State Trust Fund Loans	24.66(1) 24.66(3) 24.66(5)&(6) 24.67 24.68 24.71	For school districts participating in the state trust fund loan program, specifies application procedures, including method for receiving voter approval; requires school board resolution for an irrevocable tax levy for the loan's repayment and a certificate of indebtedness; and specifies the method of collecting the tax and remitting to the state.	All
Municipal Borrowing	Chapter 67	General provisions of Chapter 67 relating to municipal borrowing and municipal bonds apply to school districts.	All
Limitation on Indebtedness	67.03(1)	Prohibits the aggregate amount of school district indebtedness from exceeding 5% of total equalized value except if a district offers at least grades 1-12 and is eligible for equalization aids, in which case the limit is 10% of equalized value.	A/M
General Obligation Bonds	67.05(6a)	Except under certain conditions, requires school districts adopting a resolution to issue general obligation bonds to publish notice of such adoption and to hold either a referendum or a public hearing on the resolution. Specifies procedures for the referendum and the public hearing.	A/M
Temporary Borrowing	67.12(8)	Specifies procedures for temporary borrowing by school boards, including a limitation on such borrowing to one-half of estimated revenues for the school year.	A/M
Borrowing on Promissory Notes	67.12(12)(e)	Except under certain circumstances, requires school districts adopting a resolution to issue a promissory note exceeding \$5,000 to publish notice of such adoption and, if petitioned by electors, requires a referendum on the resolution. Specifies referendum procedures.	A/M
Statement of Indebtedness	69.68	Requires school districts to furnish a statement of indebtedness whenever required by the Secretary of State.	All
Excess Debt	119.12(4)	Prohibits school board from incurring any excess debt or expense.	MPS
Bond Issues	119.49	Requires school board to inform common council of its decision to issue bonds for school construction and remodeling. Requires council to submit the question of issuing school bonds to a referendum. Limits the amount of outstanding school bonds to no more than 2% of the city's total equalized value.	MPS

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PART XI: TRANSPORTATION			
Title	Statute	Description	Note
School Bus Regulation	110.06	Requires school districts to follow administrative rules developed by the Department of Transportation regarding design, construction, inspection, and operation of school buses.	All
Parental Choice Program	119.23(6)	Requires school board to provide transportation to pupils attending a private school under the parental choice program if such transportation is required to be provided under statutes governing pupil transportation.	MPS
Transportation of Indigent Pupils	120.13(27m)	Requires reasonable uniformity for public and private school pupils if board provides transportation to indigent pupils.	A/M
Private School Attendance Areas	121.51(1)	Requires school board approval of geographic area designated by a private school as its attendance area.	All
Transportation Contracts	121.52	Requires written contracts between school boards and providers of pupil transportation (either individual drivers or private contractors) to include by reference all state DOT rules governing the design, construction, inspection and operation of school buses. Contracts must require operators to perform any action necessary to fulfill certain statutory requirements. Upon the request of the pupil's parent or guardian, requires school boards disclose the name of each driver who transports the pupil.	All
School Bus Insurance	121.53	Requires school bus insurance policies with specific minimum liability limits, covering transportation of pupils, parents, and district employees to and from school or extracurricular activities. Requires school boards to have on file and with DOT a certificate of insurance.	All
Public School Transportation	121.54(1)(a)& (c) 121.54(2)(a)	Requires school boards to provide transportation to all resident pupils living two or more miles from the nearest public school they are entitled to attend. Such requirement does not apply to pupils residing in cities unless their school is outside the city but within district boundaries. School districts containing cities with populations greater than 40,000 must meet the requirement unless a common carrier is available.	All
Uniformity in Transportation	121.54(1)(b) 121.54(2)(c)	For districts electing to transport pupils who are not required by law to be transported, requires reasonable uniformity in treatment between public and private school pupils.	All
Private School Transportation	121.54(2)(b)	Requires transportation of resident pupils attending private schools located two or more miles from their residence, provided the pupil resides in the private school attendance area and the school is situated in the district or no more than five miles beyond the district's boundaries.	All
Special Education Transportation	121.54(3)	Requires transportation of children with a disability if request approved by the State Superintendent.	All
Transportation in Special Cases	121.54(6)	Requires transportation of a high school student residing two or more miles from the high school the student attends, if the student must be permitted to attend school outside the district due to a reorganization.	All*

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PART XI: TRANSPORTATION			
Title	Statute	Description	Note
Transportation in Areas of Unusual Hazards	121.54(9)	Specifies procedures for determining areas of unusual hazards to pupil travel and requires a school board plan to transport pupils through such areas.	All
Parent Contracts for Transportation	121.55(3)	Specifies method for determining payment to parents of private school pupils who contract with the school board for transportation services.	All
Alternative Transportation Methods	121.555(2)	Requires school boards to determine compliance with certain conditions related to insurance, inspection, operator requirements, and seating if school board elects to provide pupil transportation by an alternative method.	All
School Bus Routes	121.56	Requires school boards to be responsible for pupil transportation including the management of school bus routes and requires the effective coordination of public and private school pupil transportation.	All
Board and Lodging	121.57(1)	Requires school boards to enter into written contract when a child will be boarded and lodged instead of transported, and to pay for such costs.	All
Transportation Aid	121.58(1)	Requires school districts to report to DPI the number of pupils for whom transportation or board and lodging is provided.	All
Interdistrict Transportation	121.85(7)	Requires school district operating a program of intradistrict transfers to pay for transportation of interdistrict transfers.	MPS
School Bus Registration Fee	341.26(2)(d)	Requires a five-year registration fee of \$5 per bus owned and operated by a school district.	All
Crossing Gates for School Buses	347.445	Requires school buses to be equipped with crossing gates on the front that prevent children from crossing in front of the bus out of the driver's view.	All

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PART XII: STATE GRANT PROGRAMS			
Title	Statute	Description	Note
Educational Technology Infrastructure Financial Assistance	16.995(2)	For school districts that participated in this program, requires districts to repay the loan portion of the financial assistance plus applicable interest and establishes requirements relating to use of the financial assistance.	All*
Telecommunications Access Funding	16.997	For school districts receiving grants for subsidies under this program, requires compliance with requirements relating to payments for data lines and video links provided and the number of and specifications for the links and lines provided under the program	All*
Academic Excellence Higher Education Scholarships	39.41	Requires school boards operating public high schools and governing bodies of private high schools to name one 12th grade pupil in each high school, generally for each 500 students enrolled, who has the highest grade point average to be eligible to receive a higher education scholarship.	All*
Wisconsin School Day Milk Program	115.343	For school districts participating in the Wisconsin school day milk program, specifies requirements for the type of beverage served, confidentiality of pupils' records, and pupil eligibility.	All*
Elderly Nutrition Programs	115.345	For school districts opening an elderly nutrition program, requires district to submit program plan to DPI, establish programs in every high school and junior high school, with certain exceptions, and serve meals approved by the State Superintendent.	All*
Alcohol and Other Drug Abuse Grants	115.36(3)(d)	For school districts participating in the AODA grant program, requires submittal of grant applications to local county department for review.	All**
Peer Review and Mentoring	115.405(1) & (2)	Requires applicants for peer review and mentoring grants to submit a plan to DPI specifying how the funding will be allocated and that specifies the school districts and CESAs that will participate. A recipient must provide matching funds equal to at least 20% of the grant.	All* **
Mentoring Grants for Initial Educators	115.405(2m)	Beginning in 2006-07, for school districts employing initial educators, requires districts use grants under this program to provide a mentor for each initial educator employed.	All* **
Preschool to Grade 5 Grant Program	115.45	For school districts participating in the P-5 grant program, specifies grant application process and requirements with which schools must comply. Grant eligibility is limited to certain districts.	All*
American Indian Education Program	115.72 115.73 115.735	For school districts participating in the American Indian language and culture education program, requires district to develop a program plan (including specific objectives), keep specific records and establish a parent advisory committee.	All*
Student Achievement Guarantee Contracts (SAGE)	118.43(2) thru (4)	For school districts participating in a student achievement guarantee contract, requires contract goals for class size, services, curriculum, and staff development; and provisions for program evaluation, methodology and implementation.	All*

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