

**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
CREATING RULES**

The state superintendent of public instruction hereby creates PI 27.02 (2m) and PI 27.03 (5) (e), relating to commencement of a school term.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 118.045(3) and 227.11 (2) (a), Stats.

Statute interpreted: s. 118.045, Stats.

Under current law, no public school may start before September 1 unless the school board files a request with the Department of Public Instruction and the department finds that extraordinary reasons are present to grant that request. The department was given authorization to promulgate rules for the implementation of this law and this rule adds another descriptor of what is considered to be an extraordinary reason.

Chapter PI 27, relating to the commencement of a school term, is modified by adding an extraordinary reason, if certain conditions are met, for a high school that has extensive participation in the "International Baccalaureate Program," which is defined as, "a pre-university course of study authorized by a high school's registration with the international baccalaureate organization, a non-profit educational organization founded in 1968 and operating out of Geneva, Switzerland, that includes a standardized curriculum and a mandatory standardized examination schedule, as required by the sponsoring organization."

The International Baccalaureate Program has a standardized examination schedule that applies across the world. The examination period is usually scheduled for early May. The program also has a prescribed curriculum and designated course materials that must be covered before the examination date. Given the fixed examination date and the required hours of instruction in each course offered through the program, the instructional component of the program cannot be scheduled or readily be completed with sufficient available class time if the high school's school term does not start prior to September 1.

Under this rule, the high school must be a registered participant in the International Baccalaureate Program and more than 75 percent of the 11th and 12th grade pupils enrolled in the high school must also be enrolled in one or more of the courses that are offered under the program. In order for the department to consider participation in the International Baccalaureate Program to be an extraordinary reason for which a request to start before September 1 may be granted, the following conditions must be met:

- The pupils in the school district are given the option of enrolling in another high school in the school district that is not subject to a request for an early start date.
- The request applies only to the high school that is participating in the International Baccalaureate Program and not to any other elementary, middle, junior high, or high schools operated by the school district.

The department anticipates that this change will pertain to only one high school. However, the proposed rule also applies to other high schools participating in the International Baccalaureate Program if those schools and school districts meet the requirements described above. It is unknown how many, if any, additional high schools meet these criteria.

SECTION 1. PI 27.02 (2m) is created to read:

PI 27.02 (2m) "International baccalaureate program" means a pre-university course of study authorized by a high school's registration with the international baccalaureate organization, a non-profit educational organization founded in 1968 and operating out of Geneva, Switzerland, that includes a standardized curriculum and a mandatory standardized examination schedule, as required by that sponsoring organization.

SECTION 2. PI 27.03 (5) (e) is created to read:

PI 27.03 (5) (e) Participation by a high school in the international baccalaureate program with more than 75 percent of the 11th and 12th grade pupils enrolled in the high school also being enrolled in one or more of the courses that are offered under the international baccalaureate program, if all of the following conditions are met:

1. The pupils in the school district are given the option of enrolling in another high school in the school district that is not subject to a request for an early start date.
2. The request applies only to the high school that is participating in the international baccalaureate program and not to any other elementary, middle, junior high, or high schools operated by the school district.

SECTION 3. INITIAL APPLICABILITY. The treatment of SECTIONS 1 and 2 first applies to high schools that start a school term prior to September 1, 2004.

The rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

Dated this ____ day of June, 2004

Elizabeth Burmaster
State Superintendent