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SCHOOL STARTING DATE AND GRADUATION EXAMINATION

The biennial state budget act (1999 Wisconsin Act 9), passed by the legislature and signed by Governor Tommy Thompson on October 27, 1999, restricts public school fall starting dates and modifies the mandatory test required for high school graduation.

SCHOOL STARTING DATE

Act 9 prohibits any public school district in the state from beginning the school term prior to September 1, starting in 2000, unless the school board holds a public hearing on the issue and passes a resolution each year specifying an earlier starting date. The act does not affect holding athletic contests or practices before September 1; scheduling in-service days or work days before that date; or holding school year-round.

The major impetus for the restriction on school starting dates came from the tourism industry, which claimed that tourism-related businesses, which rely on student workers, face labor shortages when students are required to return to school prior to September 1. The opponents argued that enacting a statewide law would erode local control of school operations.

HIGH SCHOOL GRADUATION TEST

Background. The 1997 budget act (1997 Wisconsin Act 27) required the Department of Public Instruction (DPI) to develop a high school graduation examination to measure whether pupils have met statewide academic standards. Act 27 provided that, starting September 1, 2002, a student would be required to pass either the DPI graduation examination or an alternative test adopted by the school board in order to be granted a high school diploma. (Each school board is required to notify DPI annually by October 1 if it intends to administer its own examination in the following school year.)

Under the 1997 act, each school board was required to administer the high school graduation examination at least twice a year and to offer pupils at least four opportunities to take the exam while in high school. Beginning with the 2000-01 school year, the board could decide the grade level (grades 9 through 12) at which it would administer the test.

Act 27 also provided certain exemptions to taking the test. For example, the school board may decide not to administer the standard examination to a pupil with limited English skills. It may permit such pupils to be tested in their native language or may modify the existing examination to accommodate them. At the request of a pupil's parent or guardian, a school board must excuse the pupil from taking the examination, but an excused pupil must earn necessary credits and satisfy any alternative criteria developed by the school board in order to qualify for graduation.

Act 9 Changes. Critics had referred to the graduation examination as a "high stakes" test because of its consequences. Act 9 provides that each school board operating a high school must adopt a written policy by September 1, 2002, specifying its criteria for granting a high school diploma. The criteria must include, in addition to the required credits and alternative

education plans, mandated by the state, the following: 1) the pupil's score on the graduation examination; 2) the pupil's academic performance; and 3) the recommendations of teachers. These requirements also apply to pupils enrolled in charter schools operated by a school district or the City of Milwaukee.

Act 9 also modifies the the existing law by specifying that the high school graduation test will be administered only in grades 11 and 12. The school board must administer the examination to all pupils enrolled in the school district, including students in charter schools, and must offer it at least twice during the school year. The provision that allows a parent to request that a child be excused from taking the examination is retained.

Beginning on September 1, 2003, Act 9 prohibits a school board or the operator of a charter school from granting a high school diploma to a pupil unless the pupil satisfies the graduation criteria specified in the school board's policy. It also requires that the pupils' scores on the graduation examination appear on their transcripts.

FOR MORE INFORMATION

For more information concerning the change in the school starting date, contact the Department of Public Instruction's Division for Financial Services at (608) 266-2804. For information concerning graduation examinations, contact the DPI's Office of Educational Accountability at (608) 267-9111.

Copies of laws relating to changes in the school starting date (Section 118.045, Wisconsin Statutes) and the high school graduation examination (Sections 118.30 and 118.33), may be obtained by contacting the Legislative Reference Bureau at (608) 266-0342. Acts and statute provisions can also be downloaded at <http://www.legis.state.wi.us/billtext/acts/99acts.html>.