



2019 ASSEMBLY BILL 464

September 18, 2019 - Introduced by Representatives KITCHENS, BOWEN, ALLEN, KULP, L. MYERS, SPIROS, TUSLER and SKOWRONSKI, cosponsored by Senators OLSEN, COWLES, JACQUE, PETROWSKI and L. TAYLOR. Referred to Committee on Education.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to repeal* 118.14 (3) (b); *to amend* 118.14 (1) (a), 118.14 (3) (a), 121.004
2 (7) (c) 1. (intro.) and 121.004 (7) (cm); and *to create* 118.14 (3) (c) of the statutes;
3 **relating to:** the age at which a child may attend four-year-old kindergarten.

Analysis by the Legislative Reference Bureau

This bill changes the age at which a child may attend four-year-old kindergarten. Under current law, a child is eligible to attend four-year-old kindergarten if the child is four years old on September 1 in the year the child proposes to enter school. The bill provides that a child may attend four-year-old kindergarten if the child is four years old on September 1 or will be four years old on December 31 in the school year that the child proposes to enter school. In addition, a child may be admitted to the first quarter or semester of a four-year-old kindergarten beginning after January 1 of that school year if the child is four years old on January 1 or will be four years old on June 30 in that school year.

Under current law, if a school board establishes a four-year-old kindergarten program, the school board must make the program available to all pupils who are eligible for the program. The bill provides a transitional period for school boards that were operating a four-year-old kindergarten program in the 2019-20 school year. Under the bill, such a school board does not have to make its existing four-year-old kindergarten program available to the additional pupils eligible under the bill until the beginning of the 2025-26 school year.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 118.14 (1) (a) of the statutes is amended to read:

2 118.14 (1) (a) No child may be admitted to a 4-year-old kindergarten unless
3 he or she is 4 years old on or before September 1, or will be 4 years old on or before
4 December 31, in the school year that he or she proposes to enter school. A child may
5 be admitted to the first quarter or semester of a 4-year-old kindergarten beginning
6 after January 1 of that school year if the child is 4 years old on or before January 1,
7 or will be 4 years old on or before June 30, in that school year.

8 **SECTION 2.** 118.14 (3) (a) of the statutes is amended to read:

9 118.14 (3) (a) Except a provided in par. (b) (c), if a school board establishes a
10 4-year-old kindergarten program, the program shall be available to all pupils
11 eligible for the program under sub. (1) (a) or s. 120.12 (25).

12 **SECTION 3.** 118.14 (3) (b) of the statutes is repealed.

13 **SECTION 4.** 118.14 (3) (c) of the statutes is created to read:

14 118.14 (3) (c) A school board that was operating a 4-year-old kindergarten
15 program in the 2019-20 school year that did not comply with par. (a) shall make a
16 4-year-old kindergarten program available to all pupils eligible for the program
17 under sub. (1) (a) or s. 120.12 (25) by the beginning of the 2025-26 school year.

18 **SECTION 5.** 121.004 (7) (c) 1. (intro.) of the statutes is amended to read:

19 121.004 (7) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only
20 if the pupil attains the age permitted under s. 120.12 (25) or required under s. 118.14
21 for kindergarten admission. A kindergarten pupil, ~~including a pupil enrolled in a~~

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1 ~~4-year-old kindergarten program being phased in under s. 118.14 (3) (b)~~, shall be
2 counted as one-half pupil except that:

3 **SECTION 6.** 121.004 (7) (cm) of the statutes is amended to read:

4 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,
5 including a ~~4-year-old kindergarten program being phased in under s. 118.14 (3) (b)~~,
6 that provides the required number of hours of direct pupil instruction under s. 121.02
7 (1) (f) shall be counted as 0.6 pupil if the program annually provides at least 87.5
8 additional hours of outreach activities.

9 **SECTION 7. Initial applicability.**

10 (1) The treatment of s. 118.14 (1) (a) first applies to a child admitted to a
11 4-year-old kindergarten in the 2020-21 school year.

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(END)