



2005 SENATE BILL 521

January 23, 2006 - Introduced by Senators DARLING, OLSEN, LAZICH, STEPP, REYNOLDS, LEIBHAM and PLALE, cosponsored by Representatives VUKMIR, FIELDS, GARD, HUEBSCH, HONADEL, ZIEGELBAUER, TOWNS, MONTGOMERY, NISCHKE, LOTHIAN, WOOD, PRIDEMORE, VOS, MCCORMICK, MUSSER, GIELOW, KESTELL, STRACHOTA, J. FITZGERALD, LEMAHIEU, OWENS, OTT, HUNDERTMARK, DAVIS, BIES, KLEEFISCH, BALLWEG, STONE, NEWCOMER, NASS, KAUFERT, GOTTLIEB, GUNDRUM, JESKEWITZ, GUNDERSON, MOULTON and ALBERS. Referred to Committee on Education.

1 **AN ACT** *to repeal* 119.23 (2) (a) 2.; *to amend* 119.23 (2) (a) 1. and 119.23 (2) (b);
2 and *to create* 119.23 (10m) of the statutes; **relating to:** the Milwaukee
3 Parental Choice Program.

Analysis by the Legislative Reference Bureau

Under current law, the number of pupils who may attend a private school under the Milwaukee Parental Choice Program (MPCP) is capped at 15 percent of the enrollment of the Milwaukee Public Schools (MPS). If in any school year there are more spaces available in the private schools participating in the MPCP than the maximum number of pupils allowed to attend the private schools under the MPCP, the law directs the Department of Public Instruction (DPI) to prorate the number of spaces available at each participating private school.

This bill eliminates the 15 percent cap beginning in the 2006-07 school year.

Under current law, to participate in the MPCP, a pupil must be a member of a family with a total family income of no more than 1.75 times the federal poverty level. This bill allows a pupil to continue to attend an MPCP school if the pupil's family income does not exceed 2.2 times the federal poverty level. The bill also provides that siblings of pupils attending an MPCP school are subject to the higher limit.

Under current law, a pupil may participate in the MPCP only if, in the previous school year, the pupil was enrolled in the MPS, was attending a private school under the MPCP, was enrolled in grades kindergarten to three in a private school located in the city of Milwaukee other than under the MPCP, or was not enrolled in school. This bill eliminates this eligibility requirement.

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Finally, the bill directs the Legislative Audit Bureau to review and analyze test score data developed during a longitudinal study of the MPCP conducted by the School Choice Demonstration Project at Georgetown University from 2006 to 2011. Beginning in 2007, the bureau must periodically report to the legislature the results of various tests, including standardized state tests administered to representative samples of pupils in the MPCP and pupils enrolled in the MPS.

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.** 119.23 (2) (a) 1. of the statutes is amended to read:

2 119.23 (2) (a) 1. The pupil is a member of a family that has a total family income
3 that does not exceed an amount equal to 1.75 times the poverty level determined in
4 accordance with criteria established by the director of the federal office of
5 management and budget. A pupil attending a private school under this section
6 whose family income increases may continue to attend a private school under this
7 section if the pupil is a member of a family that has a total family income that does
8 not exceed an amount equal to 2.2 times the poverty level determined in accordance
9 with criteria established by the director of the federal office of management and
10 budget. For purposes of admission to a private school under this section, siblings of
11 pupils attending a private school under this section are subject to the higher income
12 limit. If a pupil attending a private school under this section ceases to attend a
13 private school under this section, the lower income limit applies unless the pupil is
14 a sibling of a pupil attending a private school under this section.

15 **SECTION 2.** 119.23 (2) (a) 2. of the statutes is repealed.

16 **SECTION 3.** 119.23 (2) (b) of the statutes is amended to read:

17 119.23 (2) (b) No more than 15% of the school district's membership may attend
18 private schools under this section. If in any school year there are more spaces

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1 available in the participating private schools than the maximum number of pupils
2 allowed to participate, the department shall prorate the number of spaces available
3 at each participating private school. This paragraph does not apply beginning in the
4 2006-07 school year.

5 **SECTION 4.** 119.23 (10m) of the statutes is created to read:

6 119.23 (10m) The legislative audit bureau shall review and analyze
7 standardized test score data developed during a longitudinal study of the program
8 under this section conducted by the School Choice Demonstration Project at
9 Georgetown University from 2006 to 2011. Based on its review, in 2007 and
10 periodically thereafter the bureau shall report to the legislature under s. 13.172 (2)
11 the results of standardized tests administered by private schools participating in the
12 program under this section. The reports shall include the scores of pupils
13 participating in the program on various tests administered by the private schools,
14 the scores of a representative sample of pupils participating in the program on the
15 tests under ss. 118.30 and 121.02 (1) (r), and the scores of a comparable group of
16 pupils enrolled in the school district operating under this chapter on the tests under
17 ss. 118.30 and 121.02 (1) (r).

18 **SECTION 5. Initial applicability.**

19 (1) The treatment of section 119.23 (2) (a) 1. and 2. and (b) of the statutes first
20 applies to pupils and private schools who intend to participate in the Milwaukee
21 Parental Choice Program in the 2006-07 school year.

22 **SECTION 6. Effective date.**

23 (1) This act takes effect on July 1, 2006.

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(END)