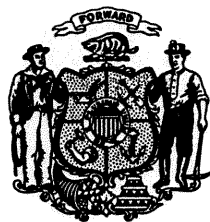


WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 00-005

AN ORDER to renumber and amend PI 35.03 (5) (intro.) and 35.04 (2) to (5); to amend PI 35.02 (8) and (11), 35.025, 35.03 (1) (a) and (2) (e), 35.04 (title) and (1), 35.045 (1) (e) 3. and 35.05 (3) (b) (intro.) and 1. to 4., (4) and (5); and to create PI 35.03 (3), 35.04 (2), (3) and (8), 35.045 and 35.05 (6) and (9), relating to the Milwaukee parental school choice program.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

01-10-00 RECEIVED BY LEGISLATIVE COUNCIL.
02-04-00 REPORT SENT TO AGENCY.

RNS:RW:tlj;jal

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

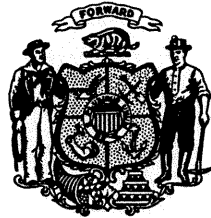
Comment Attached YES NO

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CLEARINGHOUSE RULE 00-005

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. PI 35.02 (8) and (11), the phrase "in the regular school year" is not part of the defined term and should be placed at the end of the definitions. [See also the use of the phrase "in summer school" in s. PI 35.043 (1) (b) and (c).] Also, the use of the phrase "regular school year" appears to be used in contrast to the notion of summer school. However, this makes the definition of the term "membership" somewhat unclear since it has the meaning defined in s. 121.004 (5), Stats., and that statute refers to summer average daily membership.

b. It is not clear whether the certificate of occupancy is to be filed annually or only prior to the first school year of participation in the choice program or summer school program. This should be clarified in the final rule.

c. In s. PI 35.043 (1) (b), a pupil is considered "enrolled" if he or she is in attendance at a summer school program or "absent for legitimate reasons" but still enrolled in the program. The agency might want to consider using "excused absences" instead of absences for "legitimate reasons" for purposes of clarity and ease of administration. An option would be to define or describe further the intended scope of "legitimate reasons."

d. In s. PI 35.043 (5) (intro.), the word "may" should be deleted. In sub. (6) (intro.), the word "may" should be replaced by the word "do."

e. The agency may wish to include an initial applicability section in the rule to clarify when the provisions will first apply.

REPORT TO
LEGISLATIVE COUNCIL RULES CLEARINGHOUSE
MILWAUKEE PARENTAL SCHOOL CHOICE
PI 35, Wisconsin Administrative Code

Wisconsin Statutory Authority - s. 227.11(2)(a), Stats.

Federal Statutory Authority - None

Court Decisions Directly Relevant -

Davis v. Grover, Dane County cir. ct. Case No. 90 CV 2576, (8-6-90)

Davis v. Grover, 166 Wis.2d 501, 480 N.W.2d 460 (1992)

Jackson v. Benson, Wis. Supreme Ct., (6-10-98)

Analysis of the Rule - Rule Effect - Reason for the Rule

1999 Wisconsin Act 9 created new provisions under s. 119.23, Stats., relating to the Milwaukee Parental School Choice Program (MPSCP). To reflect the statutory changes, Chapter PI 35, has been modified to:

- Specify voucher payment provisions for MPSCP summer school programs; and
- Calculate the annual voucher amount under the MPSCP.

Other changes have been made to ensure that participating schools are safe and to make it easier for parents to participate in the program, including:

- Calculating the annual income limits for participation in the MPSCP in a more timely fashion. Calculating the income eligibility limits earlier will allow schools to notify the department of their intent to be in the program and permit parents to apply to participating schools earlier. Such a change will make the MPSCP application process more in line with the application processes for other educational option programs in Milwaukee.
- Ensuring parents a fair opportunity to submit an application to a choice school by requiring that open application periods for the program set by the private schools will have to be at least 14 days in length.
- Requiring current and new choice schools to submit an occupancy certificate showing compliance with building codes.

Agency Procedure for Promulgation

Notice to Legislative Council pursuant to s. 227.15, Stats., and proceeding under the ten day notice/hearing process pursuant to ss. 227.16 to 227.18, Stats.

Description of any Forms (attach copies if available)

Milwaukee Parental School Choice Program Notice of School's Intent to Participate and
Milwaukee Parental School Choice Program Student Application Form
Milwaukee Parental School Choice Program Summer School Program Report

Name and Telephone Number of Agency Liaison(s)

Charlie Toulmin, Milwaukee Parental School Choice Consultant, 266-2853

Lori L. Slauson, Administrative Rules Coordinator, Policy and Budget, 267-9127

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

The state superintendent of public instruction hereby proposes to renumber and amend PI 35.03 (5) (intro.), and PI 35.04 (2) to (5); to amend PI 35.02 (8) and (11), PI 35.025, PI 35.03 (1) (a), PI 35.03 (2) (e), PI 35.04 (title) and (1), PI 35.045 (1) (e) 3., PI 35.05 (3) (b) (intro.) and 1. to 4., and PI 35.05 (4) and (5); and to create PI 35.03 (3), PI 35.04 (2), (3), and (8), PI 35.045, and PI 35.05 (6) and (9), relating to the Milwaukee parental school choice program.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: s. 227.11(2)(a), Stats.
Statute interpreted: s. 119.23, Stats.

1999 Wisconsin Act 9 created new provisions under s. 119.23, Stats., relating to the Milwaukee Parental School Choice Program (MPSCP). To reflect the statutory changes, Chapter PI 35, has been modified to:

- Specify voucher payment provisions for MPSCP summer school programs; and
- Calculate the annual voucher amount under the MPSCP.

Other changes have been made to ensure that participating schools are safe and to make it easier for parents to participate in the program, including:

- Calculating the annual income limits for participation in the MPSCP in a more timely fashion. Calculating the income eligibility limits earlier will allow schools to notify the department of their intent to be in the program and permit parents to apply to participating schools earlier. Such a change will make the MPSCP application process more in line with the application processes for other educational option programs in Milwaukee.
- Ensuring parents a fair opportunity to submit an application to a choice school by requiring that open application periods for the program set by the private schools will have to be at least 14 days in length.
- Requiring current and new choice schools to submit an occupancy certificate showing compliance with building codes.

SECTION 1. PI 35.02 (8) and (11) are amended to read:

PI 35.02 (8) "Enrollment" or "pupils enrolled" in the regular school year has the meaning defined under s. 121.004 (7) (a) to (cm), Stats.

(11) "Membership" in the regular school year has the meaning defined under s. 121.004 (5), Stats.

*refers to
summer
membersh-*

SECTION 2. PI 35.025 is amended to read:

PI 35.025 Pupil assignment council requirements. The pupil assignment council created under s. 119.23 (8), Stats., shall meet annually by April 15 to designate a date by which ~~random selection of pupils will be determined for those private schools that receive more applications than spaces available for enrollment~~ all private schools in the program must have at least one open enrollment period for choice applicants for the school year beginning the following September. The pupil assignment council shall also recommend to the state superintendent a method for ensuring that pupils will be accepted on a random basis.

SECTION 3. PI 35.03 (1) (a) is amended to read:

PI 35.03 (1) (a) The private school's method for ensuring that, except for continuing pupils in the choice program at that private school and their siblings, pupils will be accepted on a random selection basis from a new pool of applicants each school year. Waiting lists from previous school years may not be carried over and used from one year to the next.

SECTION 4. PI 35.03 (2) (e) is amended to read:

PI 35.03 (2) (e) Meet all of the requirements specified under ss. PI 35.03, 35.04, 35.043, 35.045 and 35.046.

SECTION 5. PI 35.03 (3) is created to read:

PI 35.03 (3) **HEALTH AND SAFETY REQUIREMENTS.** The administrator of a school in the private school choice program shall ensure that the school is meeting the requirements of s. 119.23 (2), Stats., regarding health and safety laws and codes for schools by filing with the department a copy of the private school's current certificate of occupancy issued by the city of Milwaukee. The administrator shall submit the certificate of occupancy under this subsection to the department no later than August 1 prior to the first school year of participation in the choice program, or by no later than May 1 if the school is beginning participation in the choice program with summer school.

SECTION 6. PI 35.03 (5) (intro.) is renumbered PI 35.03 (5) (a) and as renumbered, is amended to read:

PI 35.03 (5) (a) A private school participating in the private school choice program shall submit a report to the department by October 15 each school year indicating the criteria to be used in meeting the continuing eligibility standards specified under s. 119.23 (7) (a), Stats. ~~In order to continue participating in the private school choice program in the next school year, private schools shall meet at least~~

(b) A private school participating in the private school choice program shall submit a report to the department by June 30 each school year providing evidence that the school has in that school year met one of the following criteria:

(a) 1. At least 70% of the pupils in the private school choice program shall advance one grade level each year. For pupils attending a private school choice program in grades 9 through 12, "advance one grade level" means a successful completion of at least 4 credits or the equivalent as approved by the state superintendent during each school year. ~~To meet the requirement under this paragraph~~ For pupils attending a private school choice program in grades kindergarten through 8, each private school participating in the private school choice program shall ensure that each pupil in the private school choice program who is advanced one grade level has met one of the following criteria:

1. a. Achievement of 70% of the instructional objectives specific to each grade level in reading, mathematics and language arts which are introduced during each semester of the current school year. Under this ~~paragraph~~ subparagraph, a private school shall do all of the following: ~~a. Establish~~ establish written objectives and performance standards for reading, mathematics and language arts for each grade level in which pupils are enrolled in the private school choice program. ~~b. Document;~~ document written criteria and methodology for evaluating pupil performance for each objective. ~~c. Document;~~ and document each pupil's performance using the evaluation method specified in ~~subd. 1. b.~~ this subparagraph in a written record and maintain these records for 3 years.

2. b. Achievement of at least .08 grade equivalent increase for each month between the spring or fall and spring administration of the standardized achievement test. Under this ~~paragraph~~ subparagraph, a private school shall do all of

the following: ~~a. Report~~ report, by October 15, to the state superintendent the tests to be administered and the dates on which they will be administered. ~~b. Maintain, and maintain~~ each student's answer sheets and score information for 3 years.

(b) 2. The private school's average attendance rate for pupils in the private school choice program is at least 90%. The report required under sub. ~~(5) (intro.)~~ (5) (a) shall include the method used by the private school in determining the average attendance rate for pupils.

(c) 3. At least 80% of the pupils in the private school choice program demonstrate significant academic progress.

(d) 4. At least 70% of the families of pupils in the private school choice program meet parental involvement criteria established by the private school. ~~To meet the requirement under this paragraph each private school participation in the private school choice program shall, by October 15 of each school year, identify and submit to the department the parental involvement criteria it will use for the school year and by June 15 of each school year, submit to the department evidence that the criteria have been met for that school year.~~

SECTION 7. PI 35.04 (title) and (1) are amended to read:

PI 35.04 (title) **School year enrollment.** (1) A private school that participates in the private school choice program shall accept pupils on a random basis in accordance with the method ~~reviewed~~ submitted under s. PI 35.03 (1) (a) and approved under s. PI 35.05 (5). A private school may give preference to siblings of pupils ~~accepted on a random basis already enrolled in or accepted into the choice program at that private school.~~

SECTION 8. PI 35.04 (2) to (5) are renumbered PI 35.04 (4) to (7) and, as renumbered, PI 35.04 (4), (5) (intro.) and (a), and (6) (c) are amended to read:

PI 35.04 (4) A private school under this section shall notify each applicant and the applicant's parent or guardian of acceptance or nonacceptance, in writing, within 60 days after receiving the application. The private school shall retain all notices given under this section and all original applications, both accepted and nonaccepted, submitted under this chapter. The private school shall submit, with the continuing eligibility report under s. PI 35.03 (5) (b), the number of accepted and nonaccepted applications for the choice program for that school year.

(5) Annually, by September 1 ~~or within 5 days after classes begin~~, a private school under this section shall do all of the following:

(a) Submit to the department a copy of the accepted applications that correspond to the class list submitted under par. (b). The private school shall ensure the submitted applications are complete, accurate and signed by the parent or guardian and the school administrator or his or her designee as proof of enrollment required under s. 119.23 (4), Stats.

(6) (c) Submit to the department with the membership report under par. (a), copies of any accepted applications for pupils included in the class list under par. (b) that were not previously reported under sub. ~~(3) (a)~~ (5) (a). The private school shall ensure that the applications submitted under this paragraph are complete, accurate and signed by the parent or guardian and the school administrator or his or her designee as proof of enrollment required under s. 119.23 (4), Stats.

SECTION 9. PI 35.04 (2), (3), and (8) are created to read:

PI 35.04 (2) A private school under this section shall establish open application periods for the following school year. The open application period shall be at least 14 days in length and may not begin prior to January 1.

(3) A private school under this section may not accept pupil applications until the school has met both of the following:

(a) The private school has submitted its notice of intent to participate form for the following school year to the department under s. PI 35.03 (1).

(b) The private school has received the department's approval under s. PI 35.05 (5) of the school's plan for randomly selecting children into the program.

(8) A private school under this section shall return to the department any checks received under s. 119.23 (4), Stats., that are not cashed within 45 days of their receipt at the school.

SECTION 10. PI 35.043 is created to read:

PI 35.043 **Summer school enrollment and payment.** (1) In this section:

(a) "Academic purposes" means summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given.

(b) "Enrollment" or "pupils enrolled" in summer school means the sum of the first day of attendance, last day of attendance and the days in between the pupil was either in attendance or absent for legitimate reasons but still enrolled in the program.

(c) "Membership" for summer school payments means the school's total minutes of enrollment of eligible choice pupils in academic summer classes or laboratory periods necessary for academic purposes.

(2) A private school under this chapter may count pupils for aid membership that are enrolled in those academic summer classes or laboratory periods that are necessary for academic purposes as defined under sub. (1)(a). A private school counting pupils for aid membership under this section, shall annually, by no later than October 15 following summer school, submit to the department a summer school membership report listing the choice program pupils that were enrolled in summer school and the daily minutes each of those pupils were enrolled. The department shall provide the membership form.

(3) A private school under this chapter may include a pupil in its membership report required under sub. (2) if either of the following applies:

(a) The pupil was enrolled in the private school choice program on the 2nd Friday of January in the school term immediately preceding that summer.

(b) The pupil's application has been accepted into the private school choice program at that private school in the school term immediately following that summer.

(4) The summer school payment due to the private school shall be calculated according to s. 119.23 (4m), Stats. To determine payment, the private school shall divide the school's total summer school minutes of enrollment for their choice program pupils by 48,600; round that quotient to the nearest whole number; and multiply the resulting whole

number by the voucher amount calculated under s. 119.23 (4) (b) 2., Stats., for the school year immediately following the summer school.

(5) Summer school courses necessary for academic purposes may include all of the following:

(a) Music programs, lessons, sections or clinics.

(b) Swimming instruction programs, if taught or directed on-site.

(c) Up to 270 minutes of instructional time per pupil, per day, including field trips if accompanied by a teacher and if all pupils have equal access to field trips regardless of their ability to pay.

(6) Summer school courses necessary for academic purposes may not include any of the following:

(a) Travel time to events, including field trips.

(b) Performances, including band, orchestra, parades and plays.

(c) Recreational programs and team sports.

(d) Participation in fairs or expositions by pupil organizations, such as future farmers of America.

(e) Any offering not provided by or directed on-site by a teacher.

NOTE: The pupil count report and summer school membership report may be obtained at no charge from the Department of Public Instruction, Milwaukee Parental Private School Choice Program, P.O. Box 7841, Madison, WI 53707-7841.

SECTION 11. PI 35.045 (1) (e) 3., is amended to read:

PI 35.045 (1) (e) 3. The private school's membership of pupils participating in the private school choice program shall be multiplied by the lesser of ~~the school district's per pupil aid eligibility~~ the amount determined under s. 119.23 (4) (b) 2., Stats., or the private school's per pupil cost under s. PI 119.23 (4) (b) 1., Stats. If the result is greater than the amount of the private school choice payments retained by the school, an adjustment payment shall be made to the private school within 60 days of the financial audit report certified by the department. If the result is less than the amount of the private school choice payments retained by the private school, the private school shall refund the amount of any overpayment to the department within 60 days of notification.

SECTION 12. PI 35.05 (3) (b) (intro.) and 1. to 4. are amended to read:

PI 35.05 (3) (b) The amount per pupil to be paid to the private school shall be determined as specified in s. 119.23 ~~(5) (a) (4),~~ Stats. No aid may be paid to a private school for a pupil unless the private school has ~~provided the information required~~ met the requirements under ss. PI 35.03 ~~(4),~~ 35.04, 35.043, 35.045 and 35.046. The payment schedule is as follows:

1. The September payment shall be based on the number of pupils receiving instruction at the beginning of the school year as indicated on the class list and the accepted, eligible applications for those pupils submitted under s. PI 35.04 ~~(3) (b) (5) and the July 1 estimated~~ amount per pupil ~~as determined under s. 121.15 (4) 119.23 (4),~~ Stats., multiplied by 25%.

2. The November payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on October 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. ~~121.15 (4)~~ 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 50%, less the September payment. The November payment shall include any payments from the state for summer school instruction for choice program pupils at the school in the immediately preceding summer, as calculated under s. PI 35.043, divided by the number of pupils reported on the October 1 membership report.

3. The February payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on February 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. ~~121.15 (4)~~ 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 25%.

4. The May payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on February 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. ~~121.15 (4)~~ 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 25%.

SECTION 13. PI 35.05 (4) and (5) are amended to read:

PI 35.05 (4) The state superintendent shall annually inform the pupils and parents who reside in the city of the private schools participating under this chapter. The state superintendent shall, by no later than January 1 prior to the following school year, make available the notice of school's intent to participate form, an informational brochure for parents, and the choice program pupil application form.

(5) The state superintendent shall, prior to the first school year that a private school participates in the program under this section, review and approve the proposal submitted under s. PI 35.03 (1) (a) to ensure that pupils are accepted on a random basis. After the first school year of a private school's participation, the state superintendent shall review and approve any changes to the proposal submitted under s. PI 35.03 (1) (a).

SECTION 14. PI 35.05 (6) and (9) are created to read:

PI 35.05 (6) In accordance with s. 119.23 (2) (a) 1., Stats., the state superintendent shall, by no later than December 1, calculate the income limits for pupil participation in the program for the school year beginning the next September. The limits shall be calculated as follows:

(a) Increase the most recent federal poverty level available from the federal office of management and budget by the increase in the urban consumer price index between January 1 and October 31 of the current calendar year.

(b) Multiply the amount determined under par. (a) by 1.75.

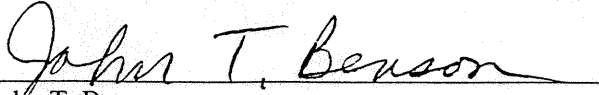
(9) The state superintendent shall annually review academic summer classes or laboratory periods that are necessary for academic purposes at private schools under this chapter, for payment under s. PI 35.043.

SECTION 15. In the sections of the rules listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A Rule Sections as Renumbered	B Old Cross-References	C New Cross-References
PI 35.04 (7) (a)	sub. (4) (a)	sub. (6) (c)
PI 35.04 (7) (b)	sub. (5) (a) 2.	par. (a) 2.

The proposed 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 30th day of December, 1999


John T. Benson
State Superintendent

FISCAL ESTIMATE FORM

1999 Session

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB #

Introduction #

Admin. Rule # Chapter PI 35

Subject
Milwaukee Parental Private School Choice Program

Fiscal Effect

State: No State Fiscal Effect
 Check columns below only if bill makes a direct appropriation
 or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

- Increase Costs - May be possible to Absorb
 Within Agency's Budget Yes No

 Decrease Costs

Local: No local government costs (See below)

1. Increase Costs
 Permissive Mandatory
 2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG

SEG-S

Affected Ch. 20 Appropriations

s. 20.255 (2) (dm) and (kd)

Assumptions Used in Arriving at Fiscal Estimate:

It is assumed that except for the provision relating to voucher payment provisions for MPSCP summer school programs, the proposed rules relating to the Milwaukee parental school choice program (MPSCP) will not have a fiscal effect on local or state revenues or costs.

In FY 2000, the summer school payments under this program were approximately \$250,000. This cost will result in a directly comparable reduction in state aid to the 426 school districts in Wisconsin. As a result of 1999 Wisconsin Act 9, one-half of this amount (\$125,000) will come from Milwaukee Public Schools; one-half (\$125,000) from the remaining districts. It is anticipated that this amount will increase as additional choice schools provide summer school. However, the number of additional pupils participating in summer school programs and membership for aid claimed in the future is indeterminable.

These rules will not have a fiscal effect on the private schools participating in the program.

Long-Range Fiscal Implications:

Prepared By:

Lori Slauson 267-9127
 Department of Public Instruction

Authorized Signature / Telephone No.

Gina Frank-Reece
 Gina Frank-Reece (608) 266-2804

Date

12/21/99



MILWAUKEE PARENTAL SCHOOL CHOICE PROGRAM NOTICE OF SCHOOL'S INTENT TO PARTICIPATE

S. 119.23, Wisconsin Statutes
2000-2001 School Year

Type or Print

School Name	
Street Address	
Administrator Name	Telephone Area/No.

This notice of a school's intent to participate in the Milwaukee Parental School Choice Program in the 2000-2001 school year is due at the Department of Public Instruction on or before May 1, 2000. The school administrator listed above is to sign at the end of the application, attesting to the school's agreement to comply with all the requirements of Wisconsin Statute 119.23 and Administrative Rules Chapter PI 35 and the requirements listed here.

The School shall:

1. Submit a proposal to the Department of Public Instruction with this notice of intent stating how, with the exception of continuing choice students at that private school and their siblings, pupils will be accepted on a random basis from a new pool of applicants each year. This proposal must be received at DPI by no later than May 1, 2000, and then approved by the Department, before a school may accept choice student applications for the 2000-2001 school year.
2. Submit to the DPI with this notice, no later than May 1, 2000, the original letter from State Superintendent Benson regarding student rights in the Milwaukee Parental School Choice Program, signed by the school administrator.
3. Instruction must be free to all pupils enrolled in the Milwaukee Parental School Choice Program. Private schools participating in the program may only charge choice program pupils those fees that may be charged by public schools to indigent pupils. See PI 35.03(6) Wisconsin Administrative Code or contact the DPI for further information on allowable fees.
4. Have a representative on the Pupil Assignment Council.
5. Notify each applicant of acceptance or non-acceptance to the choice program, in writing, within 60 days after receiving the application.
6. Submit three membership reports (under PI 35.04(6)) to the Department showing enrollment in the choice program during the 2000-01 school year. With the membership reports, submit to the DPI an alphabetical listing by grade of the students enrolled in the choice program and copies of the student applications corresponding with that list of choice students if not previously submitted.
7. Submit to the DPI financial and membership audits for the 1999-2000 school year by no later than September 1, 2000, as required by Wisconsin Statutes and Administrative Rules.

8. The School shall guarantee that:

At least one of the following standards is met in the 2000-2001 school year to allow the school to continue in the choice program in the 2001-2002 school year:

- a. At least 70 percent of the pupils in the program advance one grade level.
- b. The school's average attendance rate for pupils in the program is at least 90 percent.
- c. At least 80 percent of the pupils in the program demonstrate significant academic progress.
- d. At least 70 percent of the families of pupils in the program meet parent involvement criteria established by the school.

The school shall submit a report to the DPI by October 15, 2000 that indicates which of the four continuing eligibility standards the school will meet in the 2000-2001 school year. By June 30, 2001, the school shall submit documentation verifying that the standard or standards chosen have been met.

9. The School shall guarantee compliance with:

- a. Title VI of the Civil Rights Act of 1964 as amended, 42 U.S.C. 2000d et. seq, which prohibits discrimination on the basis of race, color or national origin.
- b. Wisconsin State Statutes regarding private schools (S. 118.165 or S. 118.167) which require, in part, schools to provide at least 875 hours of instruction each school year and provide instruction in a sequentially progressive curriculum of fundamental instruction in reading, language arts, mathematics, social studies, science and health.
- c. All health and safety laws or codes that apply to public schools which include, in part, subchapters I and IV of ch. 101 and ch. 145 Wis. Stats., and s. 115.33 Wis. Stats.

The school agrees that compliance with these requirements constitutes a condition of receipt of funds under the above referenced program, and that this notice of intent to participate is binding upon the school, its successors, transferees, and assignees for the period during which the school is a participant in the program. The school assures that all contractors, subcontractors, sub-grantees or others with whom it arranges to provide services or benefits to its students in connection with this program are not in violation of the stated statutes, regulations, guidelines, and standards. In the event of failure to comply, the school understands that its participation in the program can be terminated.

Please note that the provisions listed are subject to statutory and administrative rule change. I have read the notice and guarantee that the school will comply with all its provisions.

School Name	
Administrator Signature	Date Signed
Administrator Name	Telephone Area/No.

Please provide the following estimates for the 2000-2001 school year:

Grade Levels Served	Anticipated 2000-2001 Total Enrollment (All Students)	Anticipated 2000-2001 Total Choice Enrollment (including returning students)	Anticipated 2000-2001 Available Choice Seats (excluding returning students)
4-year-old kindergarten			
5-year-old kindergarten			
Grade 1			
Grade 2			
Grade 3			
Grade 4			
Grade 5			
Grade 6			
Grade 7			
Grade 8			
Grade 9			
Grade 10			
Grade 11			
Grade 12			
Total			

Submit completed and signed form, to arrive at DPI no later than May 1, 2000, to:

**Wisconsin Department of Public Instruction
Attention: Charlie Toulmin
Milwaukee Parental Choice Program
P.O. Box 7841
Madison, WI 53707-7841**



Wisconsin Department of Public Instruction
MILWAUKEE PARENTAL SCHOOL CHOICE PROGRAM
STUDENT APPLICATION FORM 2000-2001 School Year
 (Wi Stat., 119.23) 1995 Act 27
 MPS-PCP-3A (◆ Rev. 12/99)

INSTRUCTIONS - A separate form must be completed for each child applying under this program. Print clearly in ink. Return completed form to the school.

School applying to:			Grade level for school year 2000-2001
Student's name (Last)	(First)	(Middle Initial)	Date of birth (Month/Day/Year)
Student home address (Street)	(City)	(ZIP)	Telephone area/no.
Parent / guardian name (Last)	(First)	(Middle Initial)	School attended during 1999-2000 school year:

Please truthfully answer the following six (6) questions to determine the student's eligibility for the Milwaukee Parental School Choice Program in the 2000-2001 school year. Question #1 and at least one of questions #2-6 must be checked yes to be eligible.

Check only one box by the number that corresponds with your household size. Include any parents, grand-parents, children, other relatives, and unrelated people who live in your household. Foster children are counted as a household of one (1) and only the child's income is counted.

<u>Household Size</u>	<u>Maximum Yearly Income*</u>
<input type="checkbox"/> 1.....	\$ 14,824
<input type="checkbox"/> 2.....	\$ 19,897
<input type="checkbox"/> 3.....	\$ 24,970
<input type="checkbox"/> 4.....	\$ 30,043
<input type="checkbox"/> 5.....	\$ 35,116
<input type="checkbox"/> 6.....	\$ 40,190

For each additional household member add \$5,073.

*Schools will first use Adjusted Gross Income (AGI) on the federal income tax return (line 33 of Form 1040, line 18 of Form 1040A, or line 4 of Form 1040EZ) for the prior calendar year (1999 for the 2000-2001 Choice program.) You must provide the school with a federal income tax return for the prior year if filed. You may also provide the school with evidence of expected income for the current calendar year that makes you eligible for the program.

- | | | |
|--------------------------|--------------------------|--|
| YES | NO | <i>Please check only one box for each question</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | 1. If your yearly income level is at or below the amount listed for your household size under question #1, check yes . If higher than the amount listed, check no . |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Was your child enrolled in the Milwaukee Public School System during the 1999-2000 school year? |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Did your child participate in the Milwaukee Parental School Choice Program during the 1999-2000 school year? |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. If your child was not in the Milwaukee Parental School Choice Program, was your child enrolled in one of grades kindergarten through 3 in a private school located in the city of Milwaukee? |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Check yes if your child was not enrolled in any school , in Milwaukee or elsewhere, during the 1999-2000 school year; otherwise, check no . |
- If you have answered **NO** to questions 2 through 5, you may be eligible for the program under question 6 on the back of this application form.

For Use of Parent or Guardian: I as the parent or guardian certify that all of the above information is true and correct. I understand that school and/or state officials may verify any of the information on the application.

Name of Parent or Guardian Signing the Application (*Print or Type*)

Signature of Parent or Guardian

Date Signed

For Use of School: I as the administrator responsible for pupil admissions have reviewed the student application and have concluded that it is properly and completely filled out to the best of my knowledge.

Based on the information provided by the parent or guardian, the student is eligible.

Name of School Administrator or Designee (*Print or Type*)

YES NO

School Administrator / Designee Signature

Date Signed

YES NO

6. Was your child, on August 25, 1995, a resident of the City of Milwaukee, living in a household that met the income guidelines listed to the right, AND in the 1994-95 school year any one of the following was true (circle which of a through d applies):

a. was enrolled in the Milwaukee Public Schools, or

b. was enrolled in the Milwaukee Parental School Choice Program, or

c. was enrolled in one of grades kindergarten through 1 in a private school located in the City of Milwaukee, or

d. was not enrolled in any school, in Milwaukee or elsewhere, and about to enroll in school in the 1995-96 school year,

AND subsequently has been enrolled in a private school in the City of Milwaukee in at least one of the last five school years: 1995-96, 1996-97, 1997-98, 1998-99 or 1999-2000.

Income guidelines on August 25, 1995 were as follows:

<u>Household size</u>	<u>Maximum Yearly Income</u>
1 -----	\$ 13,073
2 -----	\$ 17,553
3 -----	\$ 22,033
4 -----	\$ 26,513
5 -----	\$ 30,993
6 -----	\$ 35,473
7 -----	\$ 39,953

For each additional household member add \$ 4,480.

IF YOUR CHILD WAS ENROLLED IN THE MILWAUKEE PUBLIC SCHOOLS IN ANY OF THE SCHOOL YEARS BELOW, CHECK THE APPROPRIATE BOXES.

1998-99 1997-98 1996-97 1995-96

1994-95



Wisconsin Department of Public Instruction
3RD FRIDAY SEPTEMBER PUPIL COUNT REPORT
MILWAUKEE PARENTAL CHOICE PROGRAM
1999-2000 SCHOOL YEAR
 PI-1567-A (◆Rev 3-99)

INSTRUCTIONS: This report should reflect the pupils that have enrolled as of September 17, 1999 as required by s. 119.23 Wis. Stats. The pupil count in this report is subject to audit.

The original of this form is due at the Department of Public Instruction no later than October 1, 1999 at the following address:

WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
 SCHOOL MANAGEMENT SERVICES
 ATTN: CHARLIE TOULMIN
 125 SOUTH WEBSTER STREET, 5TH FLOOR
 P.O. BOX 7841
 MADISON WI 53707-7841

Collection of this information is a requirement of s. 119.23 and PI-35.04

THIRD FRIDAY SEPTEMBER PUPIL COUNT REPORT

DUE ON OR BEFORE OCTOBER 1, 1999

TYPE or PRINT legibly!

School Name

Street Address

City	State	Zip
------	-------	-----

SCHOOL OFFICIAL RESPONSIBLE FOR THIS REPORT

Administrator's Signature ➤	Date Signed
Administrator's Name (Type or Print)	Telephone Area/Number

This section must contain the total pupil count for the school. A pupil may be counted on only one line in this section.

	THIRD FRIDAY SEPTEMBER PUPIL COUNT	ALL STUDENTS (Including Choice)	Choice Students
1	4-Year Old K / 437 Hours		
2	4-Year Old K / 437 Hours + 87.5 Hrs Outreach		
3	5-Year Old K / Half time program		
4	5-Year Old K / 3 Full days per week		
5	5-Year Old K / 4 Full days per week		
6	5-Year Old K / 5 Full days per week		
7	Grades 1-12		
8	Total Pupil Count		

Refer to instructions on reverse



Wisconsin Department of Public Instruction
 Milwaukee Parental School Choice Program s. 119.23 Wis. Statutes
SUMMER SCHOOL PROGRAM REPORT
 MPSC-1804 (Rev. 12-99)

Collection of this data is a requirement of Wisconsin Statute 119.23 and Rule PI 35
 Refer to detailed instructions.

AT CLOSE OF SUMMER SCHOOL: Complete Sections I, II and III of this form and submit a copy by no later than October 15 to:

**WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
 MILWAUKEE PARENTAL SCHOOL CHOICE PROGRAM
 P.O. BOX 7841
 MADISON, WI 53707-7841**

DRAFT

School _____
 Address _____
 City Milwaukee WI ZIP _____

I. GENERAL INFORMATION
 Complete after Summer School

Summer School Dates Beginning _____ Ending _____
 Daily Hours _____ to _____
 District Telephone: Area /No. _____
 Person in Charge Elementary _____ Person in Charge Secondary _____
 Contact Person for this report _____ Telephone Area/No./Ext. _____

I CERTIFY that this report is true, that the summer school will be maintained at no tuition cost to choice students and that there is compliance with all regulations relating to summer school and the Milwaukee Parental School Choice Program. Average Daily Membership (ADM) for state aids will be claimed only for classes approved for ADM.

Name of Administrator _____ Date Signed _____
 Signature of Administrator _____
 FOR DPI USE: PROGRAM REVIEW
 Signature of the state MPSCP administrator signifying that the report has been reviewed _____ Date Signed _____

III. ADM EQUIVALENT COMPUTATION
 Complete after Summer School

8. Grade Level	9. All Choice Students		9. All Choice Students
	a. Total Pupil Minutes Subtotal of Section II, Col. 7b	b. ADM Equivalent Column a + 48,600	
4 Yr			
Kindg			
5 Yr			
Kindg			
Grades 1-12			
TOTAL =			TOTAL =

FOR DPI USE:

*The \$5,322 is an estimate subject to change, but the change will be minor.
 Note: Information reported on this report is subject to verification.

Memorandum

DEC 27 1999



STATE OF WISCONSIN
DEPARTMENT OF PUBLIC INSTRUCTION

DATE: December 20, 1999

TO: Senator Robson and Representative Grothman, Co-Chairs JCRAR

FROM: Lori L. Slauson, Administrative Rules and Federal Grants Coordinator 7-9127

SUBJECT: Emergency Rules

Attached for your review are emergency rules relating to the Milwaukee parental school choice program. The statement of emergency is included in the rule draft. The department will be submitting these rules as proposed permanent rules by the end of January.

The department will submit these emergency rules to be published in the Wisconsin State Journal the first week in January. If you have any questions, please call me at 267-9127.

Thank you.

**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
ADOPTING EMERGENCY RULES**

The state superintendent of public instruction hereby renumbers and amends PI 35.03 (5) (intro.), and PI 35.04 (2) to (5); amends PI 35.02 (8) and (11), PI 35.025, PI 35.03 (1) (a), PI 35.03 (2) (e), PI 35.04 (title) and (1), PI 35.045 (1) (e) 3., PI 35.05 (3) (b) (intro.) and 1. to 4., and PI 35.05 (4) and (5); and creates PI 35.03 (3), PI 35.04 (2), (3), and (8), PI 35.045, and PI 35.05 (6) and (9), relating to the Milwaukee parental school choice program.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: s. 227.11(2)(a), Stats.

Statute interpreted: s. 119.23, Stats.

1999 Wisconsin Act 9 created new provisions under s. 119.23, Stats., relating to the Milwaukee Parental School Choice Program (MPSCP). To reflect the statutory changes, Chapter PI 35, has been modified to:

- Specify voucher payment provisions for MPSCP summer school programs; and
- Calculate the annual voucher amount under the MPSCP.

Other changes have been made to ensure that participating schools are safe and to make it easier for parents to participate in the program, including:

- Calculating the annual income limits for participation in the MPSCP in a more timely fashion. Calculating the income eligibility limits earlier will allow schools to notify the department of their intent to be in the program and permit parents to apply to participating schools earlier. Such a change will make the MPSCP application process more in line with the application processes for other educational option program in Milwaukee.
- Ensuring parents a fair opportunity to submit an application to a choice school by requiring that open application periods for the program set by the private schools will have to be at least 14 days in length.
- Requiring current and new choice schools to submit an occupancy certificate showing compliance with building codes.

SECTION 1. PI 35.02 (8) and (11) are amended to read:

PI 35.02 (8) "Enrollment" or "pupils enrolled" in the regular school year has the meaning defined under s. 121.004 (7) (a) to (cm), Stats.

(11) "Membership" in the regular school year has the meaning defined under s. 121.004 (5), Stats.

SECTION 2. PI 35.025 is amended to read:

PI 35.025 Pupil assignment council requirements. The pupil assignment council created under s. 119.23 (8), Stats., shall meet annually by April 15 to designate a date by which ~~random selection of pupils will be determined for those private schools that receive more applications than spaces available for enrollment~~ all private schools in the program must have at least one open enrollment period for choice applicants for the school year beginning the following September. The pupil assignment council shall also recommend to the state superintendent a method for ensuring that pupils will be accepted on a random basis.

SECTION 3. PI 35.03 (1) (a) is amended to read:

PI 35.03 (1) (a) The private school's method for ensuring that, except for continuing pupils in the choice program at that private school and their siblings, pupils will be accepted on a random selection basis from a new pool of applicants each school year. Waiting lists from previous school years may not be carried over and used from one year to the next.

SECTION 4. PI 35.03 (2) (e) is amended to read:

PI 35.03 (2) (e) Meet all of the requirements specified under ss. PI 35.03, 35.04, 35.043, 35.045 and 35.046.

SECTION 5. PI 35.03 (3) is created to read:

PI 35.03 (3) **HEALTH AND SAFETY REQUIREMENTS.** The administrator of a school in the private school choice program shall ensure that the school is meeting the requirements of s. 119.23 (2), Stats., regarding health and safety laws and codes for schools by filing with the department a copy of the private school's current certificate of occupancy issued by the city of Milwaukee. The administrator shall submit the certificate of occupancy under this subsection to the department no later than August 1 prior to the first school year of participation in the choice program, or by no later than May 1 if the school is beginning participation in the choice program with summer school.

SECTION 6. PI 35.03 (5) (intro.) is renumbered PI 35.03 (5) (a) and as renumbered, is amended to read:

PI 35.03 (5) (a) A private school participating in the private school choice program shall submit a report to the department by October 15 each school year indicating the criteria to be used in meeting the continuing eligibility standards specified under s. 119.23 (7) (a), Stats. ~~In order to continue participating in the private school choice program in the next school year, private schools shall meet at least~~

(b) A private school participating in the private school choice program shall submit a report to the department by June 30 each school year providing evidence that the school has in that school year met one of the following criteria:

~~(a) 1.~~ 1. At least 70% of the pupils in the private school choice program shall advance one grade level each year.

For pupils attending a private school choice program in grades 9 through 12, "advance one grade level" means a successful completion of at least 4 credits or the equivalent as approved by the state superintendent during each school year. ~~To meet the requirement under this paragraph~~

For pupils attending a private school choice program in grades kindergarten through 8, each private school participating in the private school choice program shall ensure that each pupil in the private school choice program who is advanced one grade level has met one of the following criteria:

~~1.~~ 1. a. Achievement of 70% of the instructional objectives specific to each grade level in reading, mathematics and language arts which are introduced during each semester of the current school year. Under this ~~paragraph~~ subparagraph, a private school shall do all of the following: ~~a. Establish~~ establish written objectives and performance standards for reading, mathematics and language arts for each grade level in which pupils are enrolled in the private school choice program. ~~b. Document;~~ document written criteria and methodology for evaluating pupil performance for each objective. ~~c. Document;~~ and document each pupil's performance using the evaluation method specified in ~~subd. 1. b.~~ this subparagraph in a written record and maintain these records for 3 years.

~~2.~~ 2. b. Achievement of at least .08 grade equivalent increase for each month between the spring or fall and spring administration of the standardized achievement test. Under this ~~paragraph~~ subparagraph, a private school shall do all of

the following: ~~a. Report report~~, by October 15, to the state superintendent the tests to be administered and the dates on which they will be administered. ~~b. Maintain, and maintain~~ each student's answer sheets and score information for 3 years.

(b) 2. The private school's average attendance rate for pupils in the private school choice program is at least 90%. The report required under sub. ~~(5) (intro.)~~ (5) (a) shall include the method used by the private school in determining the average attendance rate for pupils.

~~(c)~~ 3. At least 80% of the pupils in the private school choice program demonstrate significant academic progress.

~~(d)~~ 4. At least 70% of the families of pupils in the private school choice program meet parental involvement criteria established by the private school. ~~To meet the requirement under this paragraph each private school participation in the private school choice program shall, by October 15 of each school year, identify and submit to the department the parental involvement criteria it will use for the school year and by June 15 of each school year, submit to the department evidence that the criteria have been met for that school year.~~

SECTION 7. PI 35.04 (title) and (1) are amended to read:

PI 35.04 (title) **School year enrollment.** (1) A private school that participates in the private school choice program shall accept pupils on a random basis in accordance with the method ~~reviewed~~ submitted under s. PI 35.03 (1) (a) and approved under s. PI 35.05 (5). A private school may give preference to siblings of pupils ~~accepted on a random basis already enrolled in or accepted into the choice program at that private school.~~

SECTION 8. PI 35.04 (2) to (5) are renumbered PI 35.04 (4) to (7) and, as renumbered, PI 35.04 (4), (5)(intro.) and (a), and (6) (c) are amended to read:

PI 35.04 (4) A private school under this section shall notify each applicant and the applicant's parent or guardian of acceptance or nonacceptance, in writing, within 60 days after receiving the application. The private school shall retain all notices given under this section and all original applications, both accepted and nonaccepted, submitted under this chapter. The private school shall submit, with the continuing eligibility report under s. PI 35.03 (5) (b), the number of accepted and nonaccepted applications for the choice program for that school year.

(5) Annually, by September 1 ~~or within 5 days after classes begin~~, a private school under this section shall do all of the following:

(a) Submit to the department a copy of the accepted applications that correspond to the class list submitted under par. (b). The private school shall ensure the submitted applications are complete, accurate and signed by the parent or guardian and the school administrator or his or her designee as proof of enrollment required under s. 119.23 (4), Stats.

(6) (c) Submit to the department with the membership report under par. (a), copies of any accepted applications for pupils included in the class list under par. (b) that were not previously reported under sub. ~~(3) (a)~~ (5) (a). The private school shall ensure that the applications submitted under this paragraph are complete, accurate and signed by the parent or guardian and the school administrator or his or her designee as proof of enrollment required under s. 119.23 (4), Stats.

SECTION 9. PI 35.04 (2), (3), and (8) are created to read:

PI 35.04 (2) A private school under this section shall establish open application periods for the following school year. The open application period shall be at least 14 days in length and may not begin prior to January 1.

(3) A private school under this section may not accept pupil applications until the school has met both of the following:

(a) The private school has submitted its notice of intent to participate form for the following school year to the department under s. PI 35.03 (1).

(b) The private school has received the department's approval under s. PI 35.05 (5) of the school's plan for randomly selecting children into the program.

(8) A private school under this section shall return to the department any checks received under s. 119.23 (4), Stats., that are not cashed within 45 days of their receipt at the school.

SECTION 10. PI 35.043 is created to read:

PI 35.043 Summer school enrollment and payment. (1) In this section:

(a) "Academic purposes" means summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given.

(b) "Enrollment" or "pupils enrolled" in summer school means the sum of the first day of attendance, last day of attendance and the days in between the pupil was either in attendance or absent for legitimate reasons but still enrolled in the program.

(c) "Membership" for summer school payments means the school's total minutes of enrollment of eligible choice pupils in academic summer classes or laboratory periods necessary for academic purposes.

(2) A private school under this chapter may count pupils for aid membership that are enrolled in those academic summer classes or laboratory periods that are necessary for academic purposes as defined under sub. (1) (a). A private school counting pupils for aid membership under this section, shall annually, by no later than October 15 following summer school, submit to the department a summer school membership report listing the choice program pupils that were enrolled in summer school and the daily minutes each of those pupils were enrolled. The department shall provide the membership form.

(3) A private school under this chapter may include a pupil in its membership report required under sub. (2) if either of the following applies:

(a) The pupil was enrolled in the private school choice program on the 2nd Friday of January in the school term immediately preceding that summer.

(b) The pupil's application has been accepted into the private school choice program at that private school in the school term immediately following that summer.

(4) The summer school payment due to the private school shall be calculated according to s. 119.23 (4m), Stats. To determine payment, the private school shall divide the school's total summer school minutes of enrollment for their choice program pupils by 48,600; round that quotient to the nearest whole number; and multiply the resulting whole

number by the voucher amount calculated under s. 119.23 (4) (b) 2., Stats., for the school year immediately following the summer school.

(5) Summer school courses necessary for academic purposes may include all of the following:

(a) Music programs, lessons, sections or clinics.

(b) Swimming instruction programs, if taught or directed on-site.

(c) Up to 270 minutes of instructional time per pupil, per day, including field trips if accompanied by a teacher and if all pupils have equal access to field trips regardless of their ability to pay.

(6) Summer school courses necessary for academic purposes may not include any of the following:

(a) Travel time to events, including field trips.

(b) Performances, including band, orchestra, parades and plays.

(c) Recreational programs and team sports.

(d) Participation in fairs or expositions by pupil organizations, such as future farmers of America.

(e) Any offering not provided by or directed on-site by a teacher.

NOTE: The pupil count report and summer school membership report may be obtained at no charge from the Department of Public Instruction, Milwaukee Parental Private School Choice Program, P.O. Box 7841, Madison, WI 53707-7841.

SECTION 11. PI 35.045 (1) (e) 3., is amended to read:

PI 35.045 (1) (e) 3. The private school's membership of pupils participating in the private school choice program shall be multiplied by the lesser of ~~the school district's per pupil aid eligibility~~ the amount determined under s. 119.23 (4) (b) 2., Stats., or the private school's per pupil cost under s. PI 119.23 (4) (b) 1., Stats. If the result is greater than the amount of the private school choice payments retained by the school, an adjustment payment shall be made to the private school within 60 days of the financial audit report certified by the department. If the result is less than the amount of the private school choice payments retained by the private school, the private school shall refund the amount of any overpayment to the department within 60 days of notification.

SECTION 12. PI 35.05 (3) (b) (intro.) and 1. to 4. are amended to read:

PI 35.05 (3) (b) The amount per pupil to be paid to the private school shall be determined as specified in s. 119.23 ~~(5) (a) (4),~~ Stats. No aid may be paid to a private school for a pupil unless the private school has ~~provided the information required~~ met the requirements under ss. PI 35.03 ~~(1),~~ 35.04, 35.043, 35.045 and 35.046. The payment schedule is as follows:

1. The September payment shall be based on the number of pupils receiving instruction at the beginning of the school year as indicated on the class list and the accepted, eligible applications for those pupils submitted under s. PI 35.04 (3) (b) (5) and the July 1 estimated amount per pupil ~~as determined under s. 121.15 (4) 119.23 (4),~~ Stats., multiplied by 25%.

2. The November payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on October 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. 121.15 (4) 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 50%, less the September payment. The November payment shall include any payments from the state for summer school instruction for choice program pupils at the school in the immediately preceding summer, as calculated under s. PI 35.043, divided by the number of pupils reported on the October 1 membership report.

3. The February payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on February 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. 121.15 (4) 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 25%.

4. The May payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on February 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. 121.15 (4) 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 25%.

SECTION 13. PI 35.05 (4) and (5) are amended to read:

PI 35.05 (4) The state superintendent shall annually inform the pupils and parents who reside in the city of the private schools participating under this chapter. The state superintendent shall, by no later than January 1 prior to the following school year, make available the notice of school's intent to participate form, an informational brochure for parents, and the choice program pupil application form.

(5) The state superintendent shall, prior to the first school year that a private school participates in the program under this section, review and approve the proposal submitted under s. PI 35.03 (1) (a) to ensure that pupils are accepted on a random basis. After the first school year of a private school's participation, the state superintendent shall review and approve any changes to the proposal submitted under s. PI 35.03 (1) (a).

SECTION 14. PI 35.05 (6) and (9) are created to read:

PI 35.05 (6) In accordance with s. 119.23 (2) (a) 1., Stats., the state superintendent shall, by no later than December 1, calculate the income limits for pupil participation in the program for the school year beginning the next September. The limits shall be calculated as follows:

(a) Increase the most recent federal poverty level available from the federal office of management and budget by the increase in the urban consumer price index between January 1 and October 31 of the current calendar year.

(b) Multiply the amount determined under par. (a) by 1.75.

(9) The state superintendent shall annually review academic summer classes or laboratory periods that are necessary for academic purposes at private schools under this chapter, for payment under s. PI 35.043.

SECTION 15. In the sections of the rules listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A Rule Sections as Renumbered	B Old Cross-References	C New Cross-References
PI 35.04 (7) (a)	sub. (4) (a)	sub. (6) (c)
PI 35.04 (7) (b)	sub. (5) (a) 2.	par. (a) 2.

FINDING OF EMERGENCY

The Department of Public Instruction finds that an emergency exists and that the attached rule is necessary for the immediate preservation of the public health, safety or welfare. A statement of the facts constituting the emergency is:

Emergency rules are necessary to clarify the eligibility criteria and requirements for parents and participating private schools in time for schools to properly establish procedures for the 2000-2001 school year. Furthermore, emergency rules are necessary to allow the private schools to begin planning summer school programs. The department is in the process of developing permanent rules, but such rules will not be in place prior to January 2000.

The requirements established under this rule have been discussed with the private schools and initial indications reflect an acceptance of these provisions.

The rules contained in this order shall take effect upon publication as emergency rules pursuant to the authority granted by s. 227.24, Stats.

Dated this _____ day of January 2000

John T. Benson
State Superintendent



State of Wisconsin Department of Public Instruction

Mailing Address: P.O. Box 7841, Madison, WI 53707-7841
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JAN 19 2000

John T. Benson
State Superintendent

Steven B. Dold
Deputy State Superintendent

January 14, 2000

Members of the Wisconsin Senate
State Capitol
Madison, WI 53702

Dear Senator:

Attached, pursuant to s. 227.24(3), Stats., is a copy of emergency rules relating to the Milwaukee parental school choice program for your information.

1999 Wisconsin Act 9 created new provisions under s. 119.23, Stats., relating to the Milwaukee Parental School Choice Program (MPSCP). To reflect the statutory changes, Chapter PI 35, has been modified to:

- Specify voucher payment provisions for MPSCP summer school programs; and
- Calculate the annual voucher amount under the MPSCP.

Other changes have been made to ensure that participating schools are safe and to make it easier for parents to participate in the program, including:

- Calculating the annual income limits for participation in the MPSCP in a more timely fashion. Calculating the income eligibility limits earlier will allow schools to notify the department of their intent to participate in the program and permit parents to apply to participating schools earlier. Such a change will align the MPSCP application process with the application processes for other educational option programs in Milwaukee.
- Ensuring parents a fair opportunity to submit an application to a choice school by requiring that open application periods for the program set by the private schools will have to be at least 14 days in length.
- Requiring current and new choice schools to submit an occupancy certificate showing compliance with building codes.

The Department of Public Instruction finds that an emergency exists and that the attached rule is necessary for the immediate preservation of the public health, safety or welfare. A statement of the facts constituting the emergency is:

Emergency rules are necessary to clarify the eligibility criteria and requirements for parents and participating private schools in time for schools to properly establish procedures for the 2000-2001 school year. Furthermore, emergency rules are necessary to allow the private schools to begin planning summer school programs. The department is in the process of developing permanent rules.

The department has discussed the requirements established under this rule with the private schools and initial indications reflect their acceptance of these provisions.

If you have any questions on these emergency rules, or the proposed permanent rules, please contact Charlie Toulmin, Milwaukee Parental School Choice Consultant, at (608) 266-2853 or Lori Slauson, Administrative Rules Coordinator, Bureau for Policy and Budget, at (608) 267-9127.

Sincerely,

Steven B. Dold
Deputy State Superintendent

**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
ADOPTING EMERGENCY RULES**

The state superintendent of public instruction hereby renumbers and amends PI 35.03 (5) (intro.), and PI 35.04 (2) to (5); amends PI 35.02 (8) and (11), PI 35.025, PI 35.03 (1) (a), PI 35.03 (2) (e), PI 35.04 (title) and (1), PI 35.045 (1) (e) 3., PI 35.05 (3) (b) (intro.) and 1. to 4., and PI 35.05 (4) and (5); and creates PI 35.03 (3), PI 35.04 (2), (3), and (8), PI 35.045, and PI 35.05 (6) and (9), relating to the Milwaukee parental school choice program.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: s. 227.11(2)(a), Stats.

Statute interpreted: s. 119.23, Stats.

1999 Wisconsin Act 9 created new provisions under s. 119.23, Stats., relating to the Milwaukee Parental School Choice Program (MPSCP). To reflect the statutory changes, Chapter PI 35, has been modified to:

- Specify voucher payment provisions for MPSCP summer school programs; and
- Calculate the annual voucher amount under the MPSCP.

Other changes have been made to ensure that participating schools are safe and to make it easier for parents to participate in the program, including:

- Calculating the annual income limits for participation in the MPSCP in a more timely fashion. Calculating the income eligibility limits earlier will allow schools to notify the department of their intent to be in the program and permit parents to apply to participating schools earlier. Such a change will make the MPSCP application process more in line with the application processes for other educational option programs in Milwaukee.
- Ensuring parents a fair opportunity to submit an application to a choice school by requiring that open application periods for the program set by the private schools will have to be at least 14 days in length.
- Requiring current and new choice schools to submit an occupancy certificate showing compliance with building codes.

SECTION 1. PI 35.02 (8) and (11) are amended to read:

PI 35.02 (8) "Enrollment" or "pupils enrolled" in the regular school year has the meaning defined under s. 121.004 (7) (a) to (cm), Stats.

(11) "Membership" in the regular school year has the meaning defined under s. 121.004 (5), Stats.

SECTION 2. PI 35.025 is amended to read:

PI 35.025 Pupil assignment council requirements. The pupil assignment council created under s. 119.23 (8), Stats., shall meet annually by April 15 to designate a date by which ~~random selection of pupils will be determined for those private schools that receive more applications than spaces available for enrollment~~ all private schools in the program must have at least one open enrollment period for choice applicants for the school year beginning the following September. The pupil assignment council shall also recommend to the state superintendent a method for ensuring that pupils will be accepted on a random basis.

SECTION 3. PI 35.03 (1) (a) is amended to read:

PI 35.03 (1) (a) The private school's method for ensuring that, except for continuing pupils in the choice program at that private school and their siblings, pupils will be accepted on a random selection basis from a new pool of applicants each school year. Waiting lists from previous school years may not be carried over and used from one year to the next.

SECTION 4. PI 35.03 (2) (e) is amended to read:

PI 35.03 (2) (e) Meet all of the requirements specified under ss. PI 35.03, 35.04, 35.043, 35.045 and 35.046.

SECTION 5. PI 35.03 (3) is created to read:

PI 35.03 (3) **HEALTH AND SAFETY REQUIREMENTS.** The administrator of a school in the private school choice program shall ensure that the school is meeting the requirements of s. 119.23 (2), Stats., regarding health and safety laws and codes for schools by filing with the department a copy of the private school's current certificate of occupancy issued by the city of Milwaukee. The administrator shall submit the certificate of occupancy under this subsection to the department no later than August 1 prior to the first school year of participation in the choice program, or by no later than May 1 if the school is beginning participation in the choice program with summer school.

SECTION 6. PI 35.03 (5) (intro.) is renumbered PI 35.03 (5) (a) and as renumbered, is amended to read:

PI 35.03 (5) (a) A private school participating in the private school choice program shall submit a report to the department by October 15 each school year indicating the criteria to be used in meeting the continuing eligibility standards specified under s. 119.23 (7) (a), Stats. ~~In order to continue participating in the private school choice program in the next school year, private schools shall meet at least~~

(b) A private school participating in the private school choice program shall submit a report to the department by June 30 each school year providing evidence that the school has in that school year met one of the following criteria:

~~(a) 1.~~ 1. At least 70% of the pupils in the private school choice program shall advance one grade level each year. For pupils attending a private school choice program in grades 9 through 12, "advance one grade level" means a successful completion of at least 4 credits or the equivalent as approved by the state superintendent during each school year. ~~To meet the requirement under this paragraph~~ For pupils attending a private school choice program in grades kindergarten through 8, each private school participating in the private school choice program shall ensure that each pupil in the private school choice program who is advanced one grade level has met one of the following criteria:

~~1. a.~~ 1. a. Achievement of 70% of the instructional objectives specific to each grade level in reading, mathematics and language arts which are introduced during each semester of the current school year. Under this ~~paragraph~~ subparagraph, a private school shall do all of the following: ~~a. Establish~~ establish written objectives and performance standards for reading, mathematics and language arts for each grade level in which pupils are enrolled in the private school choice program; ~~b. Document;~~ document written criteria and methodology for evaluating pupil performance for each objective; ~~c. Document;~~ and document each pupil's performance using the evaluation method specified in ~~subd. 1. b.~~ this subparagraph in a written record and maintain these records for 3 years.

~~2. b.~~ 2. b. Achievement of at least .08 grade equivalent increase for each month between the spring or fall and spring administration of the standardized achievement test. Under this ~~paragraph~~ subparagraph, a private school shall do all of

the following: ~~a. Report~~ report, by October 15, to the state superintendent the tests to be administered and the dates on which they will be administered. ~~b. Maintain, and maintain~~ each student's answer sheets and score information for 3 years.

(b) 2. The private school's average attendance rate for pupils in the private school choice program is at least 90%. The report required under sub. ~~(5) (intro.)~~ (5) (a) shall include the method used by the private school in determining the average attendance rate for pupils.

(c) 3. At least 80% of the pupils in the private school choice program demonstrate significant academic progress.

(d) 4. At least 70% of the families of pupils in the private school choice program meet parental involvement criteria established by the private school. ~~To meet the requirement under this paragraph each private school participation in the private school choice program shall, by October 15 of each school year, identify and submit to the department the parental involvement criteria it will use for the school year and by June 15 of each school year, submit to the department evidence that the criteria have been met for that school year.~~

SECTION 7. PI 35.04 (title) and (1) are amended to read:

PI 35.04 (title) **School year enrollment.** (1) A private school that participates in the private school choice program shall accept pupils on a random basis in accordance with the method ~~reviewed~~ submitted under s. PI 35.03 (1) (a) and approved under s. PI 35.05 (5). A private school may give preference to siblings of pupils ~~accepted on a random basis~~ already enrolled in or accepted into the choice program at that private school.

SECTION 8. PI 35.04 (2) to (5) are renumbered PI 35.04 (4) to (7) and, as renumbered, PI 35.04 (4), (5)(intro.) and (a), and (6) (c) are amended to read:

PI 35.04 (4) A private school under this section shall notify each applicant and the applicant's parent or guardian of acceptance or nonacceptance, in writing, within 60 days after receiving the application. The private school shall retain all notices given under this section and all original applications, both accepted and nonaccepted, submitted under this chapter. The private school shall submit, with the continuing eligibility report under s. PI 35.03 (5) (b), the number of accepted and nonaccepted applications for the choice program for that school year.

(5) Annually, by September 1 ~~or within 5 days after classes begin~~, a private school under this section shall do all of the following:

(a) Submit to the department a copy of the accepted applications that correspond to the class list submitted under par. (b). The private school shall ensure the submitted applications are complete, accurate and signed by the parent or guardian and the school administrator or his or her designee as proof of enrollment required under s. 119.23 (4), Stats.

(6) (c) Submit to the department with the membership report under par. (a), copies of any accepted applications for pupils included in the class list under par. (b) that were not previously reported under sub. ~~(3) (a)~~ (5) (a). The private school shall ensure that the applications submitted under this paragraph are complete, accurate and signed by the parent or guardian and the school administrator or his or her designee as proof of enrollment required under s. 119.23 (4), Stats.

SECTION 9. PI 35.04 (2), (3), and (8) are created to read:

PI 35.04 (2) A private school under this section shall establish open application periods for the following school year. The open application period shall be at least 14 days in length and may not begin prior to January 1.

(3) A private school under this section may not accept pupil applications until the school has met both of the following:

(a) The private school has submitted its notice of intent to participate form for the following school year to the department under s. PI 35.03 (1).

(b) The private school has received the department's approval under s. PI 35.05 (5) of the school's plan for randomly selecting children into the program.

(8) A private school under this section shall return to the department any checks received under s. 119.23 (4), Stats., that are not cashed within 45 days of their receipt at the school.

SECTION 10. PI 35.043 is created to read:

PI 35.043 Summer school enrollment and payment. (1) In this section:

(a) "Academic purposes" means summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given.

(b) "Enrollment" or "pupils enrolled" in summer school means the sum of the first day of attendance, last day of attendance and the days in between the pupil was either in attendance or absent for legitimate reasons but still enrolled in the program.

(c) "Membership" for summer school payments means the school's total minutes of enrollment of eligible choice pupils in academic summer classes or laboratory periods necessary for academic purposes.

(2) A private school under this chapter may count pupils for aid membership that are enrolled in those academic summer classes or laboratory periods that are necessary for academic purposes as defined under sub. (1) (a). A private school counting pupils for aid membership under this section, shall annually, by no later than October 15 following summer school, submit to the department a summer school membership report listing the choice program pupils that were enrolled in summer school and the daily minutes each of those pupils were enrolled. The department shall provide the membership form.

(3) A private school under this chapter may include a pupil in its membership report required under sub. (2) if either of the following applies:

(a) The pupil was enrolled in the private school choice program on the 2nd Friday of January in the school term immediately preceding that summer.

(b) The pupil's application has been accepted into the private school choice program at that private school in the school term immediately following that summer.

(4) The summer school payment due to the private school shall be calculated according to s. 119.23 (4m), Stats. To determine payment, the private school shall divide the school's total summer school minutes of enrollment for their choice program pupils by 48,600; round that quotient to the nearest whole number; and multiply the resulting whole

number by the voucher amount calculated under s. 119.23 (4) (b) 2., Stats., for the school year immediately following the summer school.

(5) Summer school courses necessary for academic purposes may include all of the following:

(a) Music programs, lessons, sections or clinics.

(b) Swimming instruction programs, if taught or directed on-site.

(c) Up to 270 minutes of instructional time per pupil, per day, including field trips if accompanied by a teacher and if all pupils have equal access to field trips regardless of their ability to pay.

(6) Summer school courses necessary for academic purposes may not include any of the following:

(a) Travel time to events, including field trips.

(b) Performances, including band, orchestra, parades and plays.

(c) Recreational programs and team sports.

(d) Participation in fairs or expositions by pupil organizations, such as future farmers of America.

(e) Any offering not provided by or directed on-site by a teacher.

NOTE: The pupil count report and summer school membership report may be obtained at no charge from the Department of Public Instruction, Milwaukee Parental Private School Choice Program, P.O. Box 7841, Madison, WI 53707-7841.

SECTION 11. PI 35.045 (1) (e) 3., is amended to read:

PI 35.045 (1) (e) 3. The private school's membership of pupils participating in the private school choice program shall be multiplied by the lesser of ~~the school district's per pupil aid eligibility~~ the amount determined under s. 119.23 (4) (b) 2., Stats., or the private school's per pupil cost under s. PI 119.23 (4) (b) 1., Stats. If the result is greater than the amount of the private school choice payments retained by the school, an adjustment payment shall be made to the private school within 60 days of the financial audit report certified by the department. If the result is less than the amount of the private school choice payments retained by the private school, the private school shall refund the amount of any overpayment to the department within 60 days of notification.

SECTION 12. PI 35.05 (3) (b) (intro.) and 1. to 4. are amended to read:

PI 35.05 (3) (b) The amount per pupil to be paid to the private school shall be determined as specified in s. 119.23 ~~(5) (a) (4), Stats.~~ No aid may be paid to a private school for a pupil unless the private school has ~~provided the information required~~ met the requirements under ss. PI 35.03 ~~(1), 35.04, 35.043, 35.045 and 35.046.~~ The payment schedule is as follows:

1. The September payment shall be based on the number of pupils receiving instruction at the beginning of the school year as indicated on the class list and the accepted, eligible applications for those pupils submitted under s. PI 35.04 ~~(3) (b) (5) and the July 1 estimated~~ amount per pupil ~~as determined under s. 121.15 (4) 119.23 (4), Stats.,~~ multiplied by 25%.

2. The November payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on October 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. ~~121.15 (4)~~ 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 50%, less the September payment. The November payment shall include any payments from the state for summer school instruction for choice program pupils at the school in the immediately preceding summer, as calculated under s. PI 35.043, divided by the number of pupils reported on the October 1 membership report.

3. The February payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on February 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. ~~121.15 (4)~~ 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 25%.

4. The May payment shall be based on the number of pupils reported on the membership report and the accepted, eligible applications for those pupils submitted on February 1 under s. PI 35.04 (4) (a) (6) and the October 15 amount per pupil as determined under s. ~~121.15 (4)~~ 119.23 (4), Stats., that the school district will receive in the current school year, multiplied by 25%.

SECTION 13. PI 35.05 (4) and (5) are amended to read:

PI 35.05 (4) The state superintendent shall annually inform the pupils and parents who reside in the city of the private schools participating under this chapter. The state superintendent shall, by no later than January 1 prior to the following school year, make available the notice of school's intent to participate form, an informational brochure for parents, and the choice program pupil application form.

(5) The state superintendent shall, prior to the first school year that a private school participates in the program under this section, review and approve the proposal submitted under s. PI 35.03 (1) (a) to ensure that pupils are accepted on a random basis. After the first school year of a private school's participation, the state superintendent shall review and approve any changes to the proposal submitted under s. PI 35.03 (1) (a).

SECTION 14. PI 35.05 (6) and (9) are created to read:

PI 35.05 (6) In accordance with s. 119.23 (2) (a) 1., Stats., the state superintendent shall, by no later than December 1, calculate the income limits for pupil participation in the program for the school year beginning the next September. The limits shall be calculated as follows:

(a) Increase the most recent federal poverty level available from the federal office of management and budget by the increase in the urban consumer price index between January 1 and October 31 of the current calendar year.

(b) Multiply the amount determined under par. (a) by 1.75.

(9) The state superintendent shall annually review academic summer classes or laboratory periods that are necessary for academic purposes at private schools under this chapter, for payment under s. PI 35.043.

SECTION 15. In the sections of the rules listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A Rule Sections as Renumbered	B Old Cross-References	C New Cross-References
PI 35.04 (7) (a)	sub. (4) (a)	sub. (6) (c)
PI 35.04 (7) (b)	sub. (5) (a) 2.	par. (a) 2.

FINDING OF EMERGENCY

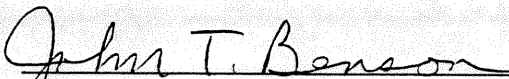
The Department of Public Instruction finds that an emergency exists and that the attached rule is necessary for the immediate preservation of the public health, safety or welfare. A statement of the facts constituting the emergency is:

Emergency rules are necessary to clarify the eligibility criteria and requirements for parents and participating private schools in time for schools to properly establish procedures for the 2000-2001 school year. Furthermore, emergency rules are necessary to allow the private schools to begin planning summer school programs. The department is in the process of developing permanent rules, but such rules will not be in place prior to January 2000.

The requirements established under this rule have been discussed with the private schools and initial indications reflect an acceptance of these provisions.

The rules contained in this order shall take effect upon publication as emergency rules pursuant to the authority granted by s. 227.24, Stats.

Dated this 4th day of January 2000


 John T. Benson
 State Superintendent

FISCAL ESTIMATE FORM

1999 Session

- ORIGINAL
- CORRECTED
- UPDATED
- SUPPLEMENTAL

LRB #

Introduction #

Admin. Rule # Chapter PI 35

Subject

Milwaukee Parental Private School Choice Program

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

- Increase Existing Appropriation
- Decrease Existing Appropriation
- Create New Appropriation
- Increase Existing Revenues
- Decrease Existing Revenues

Decrease Costs

Local: No local government costs (See below)

- 1. Increase Costs
 - Permissive Mandatory
- 2. Decrease Costs
 - Permissive Mandatory

- 3. Increase Revenues
 - Permissive Mandatory
- 4. Decrease Revenues
 - Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
- Counties Others _____
- School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG

Affected Ch. 20 Appropriations

s. 20.255 (2) (dm) and (kd)

SEG-S

Assumptions Used in Arriving at Fiscal Estimate:

It is assumed that except for the provision relating to voucher payment provisions for MPSCP summer school programs, the proposed rules relating to the Milwaukee parental school choice program (MPSCP) will not have a fiscal effect on local or state revenues or costs.

In FY 2000, the summer school payments under this program were approximately \$250,000. This cost will result in a directly comparable reduction in state aid to the 426 school districts in Wisconsin. As a result of 1999 Wisconsin Act 9, one-half of this amount (\$125,000) will come from Milwaukee Public Schools; one-half (\$125,000) from the remaining districts. It is anticipated that this amount will increase as additional choice schools provide summer school. However, the number of additional pupils participating in summer school programs and membership for aid claimed in the future is indeterminable.

These rules will not have a fiscal effect on the private schools participating in the program.

Long-Range Fiscal Implications:

Prepared By:

Lori Slauson 267-9127
Department of Public Instruction

Authorized Signature / Telephone No

Gina Frank-Reece
Gina Frank-Reece (608) 266-2804

Date

12/21/99



State of Wisconsin
Department of Public Instruction

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FEB 24 2000

John T. Benson
State Superintendent

Steven B. Dold
Deputy State Superintendent

February 23, 2000

Dear Colleague:

The Department of Public Instruction will hold a public hearing to consider emergency and proposed permanent rules, relating to the Milwaukee Parental School Choice Program. Emergency rules were promulgated by the department effective January 4, 2000. The hearing will be held as follows:

DATE AND TIME

March 20, 2000
6:00 – 9:00 p.m.

LOCATION

Milwaukee
Milwaukee Area Technical College
700 W. State Street
Room S120

The hearing site is fully accessible to people with disabilities. If you require reasonable accommodation to access any meeting, please call Charlie Toulmin, Milwaukee Parental School Choice Consultant, at (608) 266-2853, or leave a message with the Teletypewriter (TTY) at (608) 267-2427 at least 10 days prior to the hearing date. Reasonable accommodation includes materials prepared in an alternative format, as provided under the Americans with Disabilities Act.

The administrative rule is available on the internet at <http://www.dpi.state.wi.us/dpi/dfm/sms/chasrul.html>. A copy of the rule and the fiscal estimate may be obtained by sending an email request to lori.slauson@dpi.state.wi.us or by writing to Mr. Toulmin or Lori Slason, Administrative Rules and Federal Grants Coordinator, Department of Public Instruction, 125 South Webster Street, P.O. Box 7841, Madison, WI 53707. Written comments on the proposed rules received at the above address no later than March 27, 2000, will be given the same consideration as testimony presented at the hearing. Comments submitted via email will not be accepted as formal testimony.

1999 Wisconsin Act 9 created new provisions under s. 119.23, Stats., relating to the Milwaukee Parental School Choice Program (MPSCP). To reflect the statutory changes, Chapter PI 35, has been modified to:

- Specify voucher payment provisions for MPSCP summer school programs; and
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- Requiring current and new choice schools to submit an occupancy certificate showing compliance with building codes.

Sincerely,

Lori L. Slason
Administrative Rules and Federal Grants Coordinator