

2001 DRAFTING REQUEST

Bill

Received: 12/21/2000

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-1923

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: **Education - school finance**
Education - state superintendent
Education - school boards

Extra Copies: **MJL**

Pre Topic:

DOA:.....Maternowski -

Topic:

Open enrollment program state aid adjustments and tuition payments by parents

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 12/22/2000	gilfokm 12/28/2000					S&L
/1			rschluet 01/04/2001		lrb_docadmin 01/04/2001		S&L
/2	grantpr 01/04/2001	gilfokm 01/04/2001	rschluet 01/05/2001		lrb_docadmin 01/05/2001		S&L
/3	grantpr 01/15/2001	hhagn 01/15/2001	martykr 01/15/2001		lrb_docadmin 01/15/2001		

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/2	grantpr 01/04/2001	gilfokm 01/04/2001	rschluct 01/05/2001	_____	lrb_docadmin 01/05/2001		

FE Sent For:

*13 hnt
1/15/01* *km 1/15* *SS* *Kerr 1/15*

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1		1/2-1/4 King 4-01 =	rschluet 01/04/2001		lrb_docadmin 01/04/2001		

FE Sent For:

Handwritten initials and dates: 1-5-01, 1-5-01, 1/6

<END>

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1?	grantpr	1-12/28 King	S 12-25-00	S PG 1-3-01			

FE Sent For:

<END>

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: December 21, 2000

To: Stephen Miller, Chief
Legislative Reference Bureau

From: Peter Maternowski *PM*

Subject: 2001-2003 Budget Drafting Requests

Please draft the following items for possible inclusion in the Governor's 2001-2003 biennial budget bill.

1. **Secondary Cost Ceiling.** S. 121.07 (6) (d) defines the secondary cost ceiling per member used to calculate school districts' equalization aid eligibility. Set the secondary cost ceiling to equal \$6,900 in FY02, \$7,300 in FY03 and for all subsequent years an amount equal to the previous year time the 1.0 plus the rate certified under s. 73.03 (46) expressed as a decimal. (63)
2. **Open Enrollment Payment Increase.** Under s. 118.51 (16) (a) (3), the full-time open enrollment payment is set at the statewide average per pupil cost for regular instruction, cocurricular activities, instructional support services and pupil support services. Change the payment amount to equal 75% of the statewide average per pupil cost. (63)
121.81 (1) (intro)
3. **Declining Enrollment Provision.** Under s. 121.91 (4) (f), school districts that experience a decline in their three-year rolling membership average are eligible for a non-recurring revenue limit exemption equal to 75% of the revenue authority reduction resulting from the decline in enrollment. In addition to the current law provision, allow a district that experiences a decline in their three-year rolling average that is greater than or equal to 2% to receive in the second year after the decline a non-recurring exemption equal to one-half of the declining enrollment exemption provided in the prior year. (63)

Thank you for your assistance.

2001

Date (time)
needed

LRB- 1632, 1

DOA BUDGET DRAFT

(DN)

PK: King

Use the appropriate components and routines developed for bills.

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT . . . [DO NOT generate catalog]; relating to: the budget.

.....
.....

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

(attached)

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

SECTION #.

Section #. 118.51 (16) (b) of the statutes is amended to read:

118.51 (16) (b) 1. If the number determined in par. (a) 1. is greater than the number determined in par. (a) 2. for a school district, the department shall increase that school district's state aid payment under s. 121.08 by an amount equal to the difference multiplied by the amount determined under par. (a) 3.

2. If the number determined in par. (a) 1. is less than the number determined in par. (a) 2. for a school district, the department shall decrease that school district's state aid payment under s. 121.08 by an amount equal to the difference multiplied by the amount determined under par. (a) 3. If the state aid payment under s. 121.08 is insufficient to cover the reduction, the department shall decrease other state aid payments made by the department to the school district by the remaining amount. If the state aid payment under s. 121.08 and other state aid payments made by the department to the school district are insufficient to cover the reduction, the department shall use the moneys appropriated under s. 20.255 (2) (cg) to pay the balance to school districts under subd. 1.

History: 1997 a. 27, 41, 164; 1999 a. 117, 118; s. 13.93 (2) (c).

75% of

INITIAL APPLICABILITY

- In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the budget action phrase, execute: create → action: → *NS: → 93XX
 For the text, execute: create → text: → *NS: → inappl
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

SECTION # 93 40 . **Initial applicability;**

..... public instruction

(#1) OPEN ENROLLMENT PROGRAM

..... The treatment of sections 118.51 (1a) (b) ✓

..... of the statutes

first applies to state aid payments made in

the 2001-02 school year.

..... (End)

- In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the text, execute: create → text: → *NS: → inapplA
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

SECTION # _____ . **Initial applicability;**

.....

(#1) () This act first

applies to

.....

ANALYSIS

Head

EDUCATION

sub

PRIMARY AND SECONDARY EDUCATION

the

under current law open enrollment

program, a pupil may attend a public school outside of his or her school district of residence under certain conditions. Annually,

DPI adjusts each school district's share of state aid ~~based~~ depending upon whether it has more or

fewer nonresidents attending the district than residents attending other districts. The adjustment is ^{per pupil} based

based upon the statewide average per pupil cost.

This bill bases the adjustment on 75% of the statewide average per pupil cost.

FE-5L

DN

~~... am I to be multiplied by the 75% of
product of the and~~

Peter:

~~I did not change~~
s. 118.51(16)

I amended (b) 1. and 2. instead of
amending s. 118.51(16)(a) 3. because
the latter section is cross-referenced in

s. 121.81(1) (intro.), the computation of which

I am assuming you do not want to
change.

PC

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1632/1dn
PG:kmg:rs

December 29, 2000

Peter:

I amended s. 118.51 (16) (b) 1. and 2. instead of amending s. 118.51 (16) (a) 3. because the latter section is cross-referenced in s. 121.81 (1) (intro), the computation of which I am assuming you do not want to change.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.state.wi.us

1632

Peter M.

see 118.51(16)(a) 3.

= subset of st. sv. cost (4 categories)
one of categories



take 75%

7 take

x-ref m. 121. ok as is

DOA:.....Maternowski – Open enrollment program; state aid adjustments

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

for regular instruction;
curricular activities, instructional
support services, and pupil support services

1

AN ACT ^{DON'T GEN. CAT.} relating to: the budget.

^{bases} Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Under the current open enrollment program, a pupil may attend a public school outside of his or her school district of residence under certain conditions. Annually, DPI adjusts each school district's share of state aid depending upon whether it has more or fewer nonresidents attending the district than residents attending other districts. The per pupil adjustment is based upon the statewide average per pupil cost. This bill ^{bases} ~~is~~ based the adjustment on 75% of the statewide average per pupil cost.

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

INSERT
A →

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

2

SECTION 1. 118.51 (16) (b) of the statutes is amended to read:

3

118.51 (16) (b) 1. If the number determined in par. (a) 1. is greater than the

4

number determined in par. (a) 2. for a school district, the department shall increase

1 that school district's state aid payment under s. 121.08 by an amount equal to the
 2 difference multiplied by 75% of the amount determined under par. (a) 3.

3 2. If the number determined in par. (a) 1. is less than the number determined
 4 in par. (a) 2. for a school district, the department shall decrease that school district's
 5 state aid payment under s. 121.08 by an amount equal to the difference multiplied
 6 by 75% of the amount determined under par. (a) 3. If the state aid payment under
 7 s. 121.08 is insufficient to cover the reduction, the department shall decrease other
 8 state aid payments made by the department to the school district by the remaining
 9 amount. If the state aid payment under s. 121.08 and other state aid payments made
 10 by the department to the school district are insufficient to cover the reduction, the
 11 department shall use the moneys appropriated under s. 20.255 (2) (cg) to pay the
 12 balance to school districts under subd. 1

13 **SECTION 9340. Initial applicability; public instruction.**

14 (1) OPEN ENROLLMENT PROGRAM. The treatment of section 118.51 (16) ~~of~~ of the
 15 statutes first applies to state aid payments made in the 2001-02 school ~~term~~ year.
 16

LN S. 12
2-12

(a) 3-A ✓

[Handwritten scribbles and lines]

(as it relates to the open enrollment program)

(2) ^{CS} TUITION PAYMENTS^{fs} BY PARENTS. The
treatment of section 118.51 (16)(a) 3. ^{16 a} at

the statutes ^{vs} (as it relates to tuition

payments by parents under section 121.81^{vs}

of the statutes) ^{vs} first applies to tuition

payments made in the 2002-03 school year.

(END)

(A) with certain exceptions,^{MS}
If currently, (if a pupil attends a public school ^{MS} ~~the~~ outside his or her school district in which the pupil resides, the pupil's parent or guardian pays tuition. Tuition is currently the statewide average per pupil ~~cost~~ ^{MS} school cost for regular instruction, ^{MS} ~~co~~curricular activities, instructional support services, and pupil support services.)

Under this bill, beginning in the 2022-23 school year, tuition is 75% of the total statewide average per pupil cost.

2-12 ✓

Section #. 118.51 (16) (a) 3. of the statutes is amended to read:

118.51 (16) (a) 3. Seventy-five percent of the statewide average per pupil school district cost for regular instruction, ~~co-curricular activities, instructional support services and pupil support services~~ in the previous school year.

History: 1997 a. 27, 41, 164; 1999 a. 117, 118; s. 13.93 (2) (c).

Grant, Peter

From: Maternowski, Peter
Sent: Saturday, January 13, 2001 1:59 PM
To: Grant, Peter
Subject: Revisions to three drafts

Peter,

Please make the following revisions to the identified drafts:

LRB-1632/2 - Changes the open enrollment payment amount. Please revise the draft so that the payment amount is set at two-thirds of the statewide average per pupil school district cost. (In the draft it is set at 75%.)

LRB-0910/3 - Requires pupils attending private schools under the MPCP to take the statewide assessments administered by the department. Please revise the draft to:

1. Allow private schools participating in the MPCP to opt into the assessments. If a school agrees to administer the assessments, they must administer all tests that are appropriate for their MPCP student body.
2. A school must notify the Department by September 15 if it intends to participate in the statewide testing program in that school year.
3. MPCP schools that agree to participate in the statewide testing program, are subject to the same statutory provisions as public schools (i.e. sections 2, 3, and 4 on 0910/3.)

LRB-0887/3 - Makes various changes to MPCP reporting dates and program administration. Please revise the draft to:

1. Remove the expansion of the definition of private school (the expanded definition included stand-alone 4-year-old kindergarten programs).
2. Remove the language limiting DPI's authority to withhold payments unless ordered to do so by a court.

Thanks, if you have questions I will be in tomorrow afternoon and all day Monday.

Peter Maternowski
State Budget Office
608-266-1923
peter.maternowski@doa.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1632/3

PG:lmgrs
Lahnk

DOA:.....Maternowski - Open enrollment program state aid adjustments and tuition payments by parents

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 *Donotger*
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Under the current open enrollment program, a pupil may attend a public school outside of his or her school district of residence under certain conditions. Annually, DPI adjusts each school district's share of state aid depending upon whether the district has more or fewer nonresidents attending the district than it has residents attending other districts. The per pupil adjustment is based upon the statewide average per pupil cost for regular instruction, cocurricular activities, instructional support services, and pupil support services. This bill bases the adjustment on ~~75%~~ of the total statewide average per pupil cost.

Currently, with certain exceptions, if a pupil attends a public school outside the school district in which the pupil resides, the pupil's parent or guardian pays tuition. Tuition is currently the statewide average per pupil cost for regular instruction, cocurricular activities, instructional support services, and pupil support services. Under this bill, beginning in the 2002-03 school year, tuition is ~~75%~~ of the total statewide average per pupil cost.

two-thirds

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

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

1 **SECTION 1.** 118.51 (16) (a) 3. of the statutes is amended to read:

2 118.51 (16) (a) 3. ~~The seventy-five percent of the statewide average per pupil~~
3 school district cost for regular instruction, cocurricular activities, instructional
4 support services and pupil support services in the previous school year.

5 **SECTION 9340. Initial applicability; public instruction.**

6 (1) OPEN ENROLLMENT PROGRAM. The treatment of section 118.51 (16) (a) 3. (as
7 it relates to the open enrollment program) of the statutes first applies to state aid
8 payments made in the 2001-02 school year.

9 (2) TUITION PAYMENTS BY PARENTS. The treatment of sections 118.51 (16) (a) 3.
10 (as it relates to tuition payments by parents under section 121.81 of the statutes) of
11 the statutes first applies to tuition payments made in the 2002-03 school year.

12

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1632/3

PG:kmg&hnh:km

DOA:.....Maternowski – Open enrollment program state aid adjustments and tuition payments by parents

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

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Currently, with certain exceptions, if a pupil attends a public school outside the school district in which the pupil resides, the pupil's parent or guardian pays tuition. Tuition is currently the statewide average per pupil cost for regular instruction, cocurricular activities, instructional support services, and pupil support services. Under this bill, beginning in the 2002-03 school year, tuition is two-thirds of the total statewide average per pupil cost.

