

**2013 DRAFTING REQUEST**

**Bill**

Received: 7/11/2013 Received By: pgrant  
Wanted: As time permits Same as LRB:  
For: Sondy Pope (608) 266-3520 By/Representing: Tom McCarthy  
May Contact: Drafter: pgrant  
Subject: Education - school boards Addl. Drafters:  
Extra Copies: TKK  
FFK

Submit via email: YES  
Requester's email: Rep.Pope@legis.wisconsin.gov  
Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Attendance at public school of pupils enrolled in home schools

**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>
/?	pgrant 7/11/2013	scalvin 7/22/2013	rschluet 7/23/2013	_____			
/1				_____	lparisi 7/23/2013	mbarman 8/8/2013	State S&L

FE Sent For:

<END>

@  
INTRO.

**2013 DRAFTING REQUEST**

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1/?	pgrant	1 sac 07/23/2013			_____		

FE Sent For:

<END>

**Grant, Peter**

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**From:** McCarthy, Tom  
**Sent:** Tuesday, July 09, 2013 4:02 PM  
**To:** Hanaman, Cathlene; Grant, Peter; Kuczenski, Tracy  
**Subject:** Amendments drafted as stand-alone bills

Cathlene, Peter and Tracy,

We would like the following budget amendments drafted as stand-alone bills:

- LRB B0428
- LRB B0448
- LRB B0495
- LRB B0501
- LRB B0502
- LRB B0503
- LRB B0510
- LRB B0511
- LRB B0540
- LRB B0541

**LRB B0494**

LRB B0496

LRB B0497 (I never received this draft but from the description it seems to be Superintendent Evers' Fair Funding plan with our tweaks – if that is not the case, we would like that drafted as a stand-alone bill)

Also, I'm not sure if this request was processed, but we would like this drafted as a stand-alone bill as well:

Require both MPCP and PPSCP schools to be evaluated on DPI's report card system starting in year 2014-15

- a. If an individual school falls in one of the bottom 2 categories for 2 years or more consecutive years, the school must implement a turn-around plan (can contract with any entity, public or private) and notify all parents – including new applicants – that they are in jeopardy of being closed if they do not improve
- b. Turn-around structure:
  - i. after 3 years, school must improve by 6 report card points or be removed from the MPCP or PPSCP/statewide
  - ii. after 5 years, school must improve by one report card tier or be removed from the MPCP or PPSCP/statewide
  - iii. after 7 years, school must be out of the bottom two categories or be removed from the MPCP or PPSCP/statewide

If you have any questions, please let me know. Thanks,

-tom

**Tom McCarthy**  
***Office of Rep. Sondy Pope***  
111 North, State Capitol  
(608) 266-3520  
[tom.mccarthy@legis.wi.gov](mailto:tom.mccarthy@legis.wi.gov)



**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 40**

1 At the locations indicated, amend the substitute amendment as follows:

2 / 1. Page 968, line 19: delete lines 19 to 25.

3 / 2. Page 979, line 25: delete that line.

4 / 3. Page 980, line 1: delete lines 1 to 14.

5 / 4. Page 1003, line 25: delete "118.53".

6 / 5. Page 1018, line 19: delete lines 19 to 25.

7 / 6. Page 1019, line 1: delete lines 1 and 2.

8 / 7. Page 1019, line 11: delete lines 11 and 12.

9 / 8. Page 1021, line 25: delete the material beginning with that line and ending

10 with page 1022, line 13.

} CR of 118.53

} CR of 121.004 (7)/(em)

- CR of 121.05 (1)/(a) 12 m.



# BILL

Date (time) needed \_\_\_\_\_

LRB - 2674 11

PK : sac : \_\_\_\_\_

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] **to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .** of the

statutes; **relating to:** . . . the attendance at a public school  
of pupils enrolled in home-based private  
educational programs.

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

### *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 #.**

as affected by 2013 Wisconsin Act 20,

(CS) SECTION 1756. 118.145 (4) of the statutes is amended to read:  
(B)

~~2013 Wisconsin Act 20 s. 1756 - continued~~

(B) 118.145 (4) The school board of a school district operating high school grades shall allow a pupil enrolled in a private school, ~~or a pupil enrolled in a tribal school,~~ or a pupil enrolled in a home-based educational program, who has met the standards for admission to high school under sub. (1), to take up to 2 courses during each school semester if the pupil resides in the school district in which the public school is located and if the school board determines that there is sufficient space in the classroom.

SEC. # RP, 118.53, as created by 2013 Wisconsin Act 20

(CS) SECTION 1858. 119.04 (1) of the statutes is amended to read:  
(B)

~~2013 Wisconsin Act 20 s. 1858 - continued~~

(B) 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.51, 118.52, ~~118.53~~, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board.

\*

SEC. # RP, 121.004 (7) (em)  
121.004 (7) (em)  
SEC. # RP, 121.05 (1) (a) 12m.  
121.05 (1) (a) 12m.

(CS) SECTION 1889. 121.54 (2) (c) of the statutes is amended to read:  
(B)

~~2013 Wisconsin Act 20 s. 1889 - continued~~

<sup>(B)</sup>  
121.54 (2) (c) An annual or special meeting of a common or union high school district, or the school board of a unified school district, may elect to provide transportation for pupils who are not required to be transported under this section, including pupils attending public school under s. 118.145 (4) ~~or~~

\* ~~118.53~~ Transportation may be provided for all or some of the pupils who reside in the school district to and from the public school they are entitled to attend or the private school, within or outside the school district, within whose attendance area they reside. If transportation is provided for less than all such pupils there shall be reasonable uniformity in the minimum distance that pupils attending public and private schools will be transported. Except for elementary school districts electing to furnish transportation under par. (b) 2., this paragraph does not permit a school district operating only elementary grades to provide transportation for pupils attending private schools.

<sup>(OS)</sup> SECTION ~~1893~~ <sup>#</sup> 121.90 (1) (intro.) of the statutes <sup>✓</sup> is amended to read: *as affected by 2013 Wisconsin Act 20,*

~~2013 Wisconsin Act 20 s. 1893 - continued~~

<sup>(B)</sup>  
121.90 (1) (intro.) "Number of pupils enrolled" means the number of pupils enrolled on the 3rd Friday of September, including pupils identified in s. 121.05 (1) (a) 1. to 11. and 13. and pupils enrolled and counted on an alternate counting date under s. 121.05 (3) or (3m), and the number of pupils attending the Challenge Academy program under s. 321.03 (1) (c) in the previous spring session, except that

\* "number of pupils enrolled" excludes the number of pupils attending public school under ~~s. 118.145~~ <sup>(4)</sup> and ~~118.53~~ and except as follows:

**EFFECTIVE DATE**

1. In the component bar: For the action phrase, execute: ... **create** → **action:** → \*NS: → **effdate**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdateA**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION # \_\_\_\_\_ . Effective date.**

( #1 ) ( ) ..... This act takes effect  
on July 1, 2014.

*(End)*

1. In the component bar: For the action phrase, execute: .. **create** → **action:** → \*NS: → **effdateE**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION # \_\_\_\_\_ . Effective dates; .....**

..... This act takes effect on the day after publication, except as follows:

( #1 ) ( ) ..... The treatment of  
sections .....  
of the statutes takes effect on .....

1. In the component bar: For the budget action phrase, execute:.. **create** → **action:** → \*NS: → **94XX**  
For the text, execute: ..... **create** → **text:** → \*NS: → **effdate**
2. 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 **9400** department code.

**SECTION 94 \_\_\_\_\_ . Effective dates; .....**

( #1 ) ( ) ..... The treatment of  
sections .....  
of the statutes takes effect on .....

## ANALYSIS

Current law requires a school board to allow a pupil <sup>enrolled</sup> enrolled in a home-based private educational program <sup>who</sup> who meets the <sup>admission</sup> admission standards <sup>standards</sup> to attend up to two courses at a public school in the school district <sup>each semester</sup> if there is sufficient space in the classroom.

The <sup>counted</sup> pupil is counted as 0.25 pupil for state aid purposes if the pupil is attending a public school outside his or her school district of residence. This bill eliminates these provisions. The

bill provides that a school district operating grades 9 to 12 must allow a pupil <sup>enrolled</sup> enrolled in a <sup>home-based</sup> home-based private educational program who meets the standards for admission to high school, to take <sup>up to two courses</sup> up to two courses each semester if the pupil resides in the

school district and there is sufficient  
space in the classroom. The <sup>pupils</sup> are  
counted ~~wanted~~ on a full-time equivalency  
basis for state aid purposes.

FE-SL

**Barman, Mike**

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**From:** McCarthy, Tom  
**Sent:** Thursday, August 08, 2013 1:04 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2674/1 Topic: Attendance at public school of pupils enrolled in home schools

Please Jacket LRB -2674/1 for the ASSEMBLY.