

2013 DRAFTING REQUEST

Bill

Received: 7/11/2013 Received By: pgrant
Wanted: As time permits Same as LRB:
For: Sony 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:

Part-time open enrollment program

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 7/24/2013	jfrantze 7/24/2013	_____			
/1				_____	srose 7/24/2013	mbarman 8/8/2013	State S&L

FE Sent For:

<END>

@
INTRO.

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/?	pgrant	1 sac 07/23/2013	J 07/23	Rm 7/24			

FE Sent For:

<END>

Grant, Peter

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



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0496/1
PG:jld:ph

**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 323, line 18: delete lines 18 to 21.

3 **2.** Page 966, line 3: delete lines 3 to 7.

4 **3.** Page 975, line 10: delete the material beginning with that line and ending
5 with page 979, line 24.

6 (END)

BILL

Date (time) needed _____

LRB - 2675 / 1

PLS : 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:** *a part-time open enrollment . . . program for public school pupils . . .*

[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 #.

Analysis

Current law allows a ^{person} ^{enrolled} pupil enrolled in any grade in a public school to attend an educational institution to take up to two courses. "Educational institution" means a public school ^{located} outside the pupil's ^{school} district of residence, the University of Wisconsin System, a technical college, a nonprofit institution of higher education, a tribal college, a charter school, and any nonprofit organization that has been approved by the Department of Public Instruction (DPI).

The pupil's resident school board may reject an application to attend a course at an educational institution if the school board

determines that the course does not satisfy high school graduation requirements or the course does not conform to or support the pupil's academic and ^{career} career plan. An educational institution may not charge to, or receive ^{from} from, the pupil or the pupil's resident school district any payment for the course other than the tuition payment determined by DP1 for a course at the educational institution.

This bill eliminates these provisions. Under the bill, a pupil ^{enrolled} enrolled in grades 9 to 12 in a public school ^{may} may attend public school outside his or her school district of residence to take up to two courses. The

school district ⁱⁿ which the pupil resides pays the nonresident school district an amount equal to the cost of providing the course to the pupil, ~~calculated~~ as determined by DPI. The pupil's resident school board may prohibit a pupil from attending a course in a nonresident school district if the cost would ^{impose} impose an undue financial burden ^{on} on the school district.

FE-5L

CS # , as affected by 2013 Wisconsin Act 20,
SECTION 20.255 (2) (cy) of the statutes is amended to read:

~~2013 Wisconsin Act 20 s. 239 - continued~~

20.255 (2) (cy) Aid for transportation; open enrollment ~~and course options~~. The amounts in the schedule to reimburse parents for the costs of transportation of open enrollment pupils under ss.

118.51 (14) (b) and 118.52 (11) (b).

^{CS}
SECTION 1749. 115.38 (1) (d) of the statutes is amended to read: *as affected by 2013 Wisconsin Act 20,*

^B
~~2013 Wisconsin Act 20 s. 1745 continued~~

^B
115.38 (1) (d) The number and percentage of resident pupils attending a course in a nonresident school district at an educational institution under s. 118.52, the number of nonresident pupils attending a course in the school district under s. 118.52, and the courses taken by those pupils.

^(CS) [#] ^(B) ^(a), as affected by 2013 Wisconsin Act 20,
SECTION 1811. 118.52 (title) of the statutes is repealed and recreated to read:

~~2013 Wisconsin Act 20 s. 1811 - continued~~

118.52 (title) ^(B) ^{Part-time} ~~Course options.~~ Part-time open enrollment.

~~2013 Wisconsin Act 20 s. 1812~~

SECTION 1812. 118.52 (1) (a) of the statutes is renumbered 118.52 (1) (ar).

~~2013 Wisconsin Act 20 s. 1813~~

^(CS) [#] SECTION 1813. 118.52 (1) (am) of the statutes is ^{as created by 2013 Wisconsin Act 20,} ~~created to read:~~ repealed.

~~2013 Wisconsin Act 20 s. 1813 - continued~~

118.52 (1) (am) "Educational institution" includes a public school in a nonresident school district, the University of Wisconsin System, a technical college, a nonprofit institution of higher education, a tribal college, a charter school, and any nonprofit organization that has been approved by the department.

~~2013 Wisconsin Act 20 s. 1814~~

^(CS) [#] SECTION 1814. 118.52 (2) of the statutes is amended to read: ^{, as affected by 2013 Wisconsin Act 20,}

~~2013 Wisconsin Act 20 s. 1814 - continued~~

118.52 (2) APPLICABILITY. ~~Beginning in the 1998-99 school year,~~ A pupil enrolled in a public school in the high school grades may attend public school in a nonresident school district ~~an educational institution~~ under this section for the purpose of taking a course offered by the nonresident school district educational institution. A pupil may attend no more than 2 courses at any time in nonresident school districts ~~at educational institutions~~ under this section.

~~2013 Wisconsin Act 20 s. 1815~~

^(CS) [#] SECTION 1815. 118.52 (3) (a) of the statutes ^{to (c)} ^{to (c)} is amended to read: ^{, as affected by 2013 Wisconsin Act 20, or}

~~2013 Wisconsin Act 20 s. 1815 - continued~~

118.52 (3) (a) The parent of a pupil who wishes to attend public school in a nonresident school district ~~an educational institution~~ for the purpose of taking a course under this section shall submit an application, on a form provided by the department, to the school board of the nonresident school district in which educational institution at which the pupil wishes to attend a course not later than 6 weeks prior to the date on which the course is scheduled to commence. The application shall specify the course that the pupil wishes to attend and may specify the school or schools at which the pupil wishes to attend the course. The nonresident school board ~~educational institution~~ shall send a copy of the application to the pupil's resident school board.

~~2013 Wisconsin Act 20 s. 1816~~

~~SECTION 1816. 118.52 (3) (b) of the statutes is amended to read:~~

~~2013 Wisconsin Act 20 s. 1816 continued~~

7 ~~118.52(3)~~ (b) If a nonresident school board an educational institution receives more applications for a particular course than there are spaces available in the course, the nonresident school board educational institution shall determine which pupils to accept on a random basis.

~~2013 Wisconsin Act 20 s. 1817~~

~~SECTION 1817. 118.52 (3) (c) of the statutes is amended to read:~~

~~2013 Wisconsin Act 20 s. 1817 continued~~

7 ~~118.52(3)~~ (c) No later than one week prior to the date on which the course is scheduled to commence, the nonresident school board educational institution shall notify the applicant and the resident school board, in writing, whether the application has been accepted and, if the application is accepted, the school at which the pupil may attend the course. The acceptance applies only for the following semester, school year or other session in which the course is offered. If the nonresident school board educational institution rejects an application, it shall include in the notice the reason for the rejection.

~~2013 Wisconsin Act 20 s. 1818~~

~~SECTION 1818. 118.52 (3) (d) 1. of the statutes~~ (e) and (e) are ~~is~~ amended to read: *as affected by 2013 Wisconsin Act 20,*

~~2013 Wisconsin Act 20 s. 1818 continued~~

~~118.52 (3) (d) 1.~~ If it denies an application to attend public school in a nonresident school district an educational institution, under sub. (6), notify the applicant and the nonresident school board educational

move →

here

institution, in writing, that the application has been denied and include in the notice the reason for the rejection.

~~2013 Wisconsin Act 20 s. 1819~~

~~SECTION 1819. 118.52 (3) (e) of the statutes is amended to read:~~

~~2013 Wisconsin Act 20 s. 1819 - continued~~

~~118.52(3)~~ (e) Following receipt of a notice of acceptance but prior to the date on which the course is scheduled to commence, the pupil's parent shall notify the resident school board and nonresident school board ~~the educational institution~~ of the pupil's intent to attend the course ~~in the nonresident school district~~ ~~educational institution~~.

~~2013 Wisconsin Act 20 s. 1820~~

~~SECTION 1820~~ 118.52 (6) (a) of the statutes ^{is} amended to read:

~~2013 Wisconsin Act 20 s. 1820 - continued~~

118.52 (6) (a) ^(B) ^(I) Individualized education program requirements. The school board of a pupil's resident school district shall reject a pupil's application to attend a course in a public school in a nonresident school district ~~at an educational institution~~ if the resident school board determines that the course conflicts with the individualized education program for the pupil under s. 115.787 (2).

~~2013 Wisconsin Act 20 s. 1821~~

~~SECTION 1821~~ 118.52 (6) (b) of the statutes is ~~repealed~~ ^{created} to read:

~~2013 Wisconsin Act 20 s. 1822~~

~~SECTION 1822~~ 118.52 (6) (c) of the statutes is ~~created to read~~ ^{repealed}.

as affected by 2013 Wisconsin Act 20,

as created by 2013 Wisconsin Act 20,

A

A

Section # 118.52 (6) (b) of the statutes

118.52 (6) (b) *Undue financial burden.* The school board of a pupil's resident school district may reject an application to attend a course in a public school in a nonresident school district if the cost of the course would impose upon the resident school district an undue financial burden in light of the resident school district's total economic circumstances, including its revenue limit under subch. VII of ch. 121, its ability to pay tuition costs for the pupil and the per pupil costs for children continuing to be served by the resident school district.

History: 1997 a. 27, 41, 164.; 2001 a. 16.

2013 Wisconsin Act 20 s. 1822 - continued

118.52 (6) (c) Pupil plan; high school graduation requirements. The school board of a pupil's resident school district may reject an application by a pupil to attend a course at an educational institution if the resident school board determines that any of the following apply:

2013 Wisconsin Act 20 s. 1822 - continued

1. The course does not satisfy a high school graduation requirement under s. 118.33.

2013 Wisconsin Act 20 s. 1822 - continued

2. The course does not conform to or support the pupil's academic and career plan under s. 115.28 (59) (a), if any.

2013 Wisconsin Act 20 s. 1823

^{CS} SECTION [#] ~~1823~~ 118.52 (8) ^{to (12)} of the statutes ^{is} amended to read: ^{as affected by 2013 Wisconsin Act 20, are}

~~2013 Wisconsin Act 20 s. 1823 - continued~~

^B 118.52 (8) ^{CS} APPEAL OF REJECTION. If an application is rejected under sub. ^{(5) (3) (e)} or a pupil is prohibited from attending a course in a public school in a nonresident school district at an educational institution under sub. (6), the pupil's parent may appeal the decision to the department within 30 days after the decision. The department shall affirm the school board's decision unless the department finds that the decision was arbitrary or unreasonable. The department's decision is final and is not subject to judicial review under subch. III of ch. 227.

~~2013 Wisconsin Act 20 s. 1824~~

~~SECTION 1824. 118.52 (9) of the statutes is amended to read:~~

~~2013 Wisconsin Act 20 s. 1824 - continued~~

(B)

(CS)

~~118.52~~ (9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS. A pupil attending a course in a public school in a nonresident school district at an educational institution under this section has all of the rights and privileges of other pupils residing in that school district attending the educational institution and is subject to the same rules and regulations as those pupils residing in that school district.

~~2013 Wisconsin Act 20 s. 1825~~

~~SECTION 1825. 118.52 (10) of the statutes is amended to read:~~

~~2013 Wisconsin Act 20 s. 1825 - continued~~

(B)

(CS)

~~118.52~~ (10) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, the resident school board shall provide to the nonresident school board educational institution to which a pupil has applied under this section, upon request by that school board educational institution, a copy of any expulsion findings and orders, a copy of records of any pending disciplinary proceeding involving the pupil, a written explanation of the reasons for the expulsion or pending disciplinary proceeding and the length of the term of the expulsion or the possible outcomes of the pending disciplinary proceeding.

~~2013 Wisconsin Act 20 s. 1826~~

~~SECTION 1826. 118.52 (11) (a) and (b) of the statutes are amended to read:~~

~~2013 Wisconsin Act 20 s. 1826 - continued~~

(B)

(I)

~~118.52~~ (11) (a) Responsibility. The parent of a pupil attending a course in a public school in a nonresident school district at an educational institution under this section is responsible for transporting the pupil to and from the course that the pupil is attending.

~~2013 Wisconsin Act 20 s. 1826 - continued~~

I

(b) Low-income assistance. The parent of a pupil who is attending a course in a public school in a nonresident school district at an educational institution under this section may apply to the department for reimbursement of the costs incurred by the parent for the transportation of the pupil to and from the pupil's residence or school in which the pupil is enrolled and the school at which educational institution that the pupil is attending for the course if the pupil and parent are unable to pay the cost of such transportation. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cy). The department shall give preference under this paragraph to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).

~~2013 Wisconsin Act 20 s. 1827~~

~~SECTION 1827. 118.52 (12) of the statutes is amended to read:~~

~~2013 Wisconsin Act 20 s. 1827 - continued~~

B

CS

~~118.52~~ (12) TUITION. The resident school board shall pay to the nonresident school board educational institution, for each resident pupil attending a course in a public school in the nonresident school district at the educational institution under this section, an amount equal to the cost of providing the course to the pupil, calculated in a manner determined by the department. ~~The educational institution may not charge to or receive from the pupil or the pupil's resident school board any additional payment for a pupil attending a course at the educational institution under this section.~~

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.

[EHO]

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

Barman, Mike

From: McCarthy, Tom
Sent: Thursday, August 08, 2013 1:04 PM
To: LRB.Legal
Subject: Draft Review: LRB -2675/1 Topic: Part-time open enrollment program

Please Jacket LRB -2675/1 for the ASSEMBLY.