

2013 DRAFTING REQUEST

Bill

Received: 1/16/2013 Received By: tkuczens
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Hynek
May Contact: Drafter: tkuczens
Subject: Education - state superintendent Addl. Drafters:
Extra Copies:

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

Pre Topic:

DOA:.....Hynek, BB0379 -

Topic:

Choice School Count Date

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>
/?	tkuczens 1/17/2013			_____			
/P1	tkuczens 1/22/2013	kfollett 1/22/2013	jmurphy 1/22/2013	_____	lparisi 1/17/2013		
/P2	tkuczens 2/13/2013	kfollett 2/13/2013	rschluet 2/13/2013	_____	srose 1/22/2013		
/P3				_____	lparisi		

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/P2				_____	srose 1/22/2013		

Handwritten signature and date:
2/13/13

FE Sent For:

<END>

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/?	tkuczens	1/17/13 P/lf	4/17 ph	ph			
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FE Sent For:

<END>

Kuczenski, Tracy

From: Hanaman, Cathlene
Sent: Tuesday, January 15, 2013 9:24 AM
To: Kuczenski, Tracy; Knepp, Fern; Grant, Peter
Subject: FW: Statutory Language Drafting Request - BB0379

From: Sara.Hynek@Wisconsin.gov [mailto:Sara.Hynek@Wisconsin.gov]
Sent: Tuesday, January 15, 2013 9:21 AM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Hynek, Sara - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0379

Biennial Budget: 2013-15

DOA Tracking Code: BB0379

Topic: Choice School Count Date

SBO Team: EWD

SBO Analyst: Hynek, Sara - DOA
Phone: (608) 266-1037
E-mail: Sara.Hynek@Wisconsin.gov

Agency Acronym: DPI

Agency Number: 255

Priority: Medium

Intent:

In 2013, the 3rd Friday count date will fall on a religious holiday that will result in a few choice schools being closed. Currently, under 121.05, the superintendent can designate an alternative count date if a school is "unable" to hold school. The intent is to provide additional flexibility for the superintendent to set an alternative count date for a limited number of schools in case of an emergency, regularly scheduled school holiday or other reason officially sanctioned by the school district or school. In these cases, the alternative count date must be within 3 weekdays after school resumes. If any reporting deadlines expire before the alternative count date, the deadlines should be extended to the weekday following the alternative count date.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov

operating & lab service costs

120.18(1)(a)2.

choice district aid deduction for pupils?

total # pupils in the whole state

membership 121.004(5) (definition of membership in choice program but for unmet choice)

Kuczenski, Tracy

From: Grant, Peter
Sent: Tuesday, January 15, 2013 2:38 PM
To: Kuczenski, Tracy
Subject: 3rd Friday of September count

You could include a reference to this administrative rule:

PI 35.04(6)

(6) A private school under this section shall do all of the following:

(a) Annually by October 1 and February 1, submit to the department a membership report of the total number of pupils enrolled in the private school and the number of pupils enrolled in the Milwaukee parental choice program on the 3rd Friday of September and the 2nd Friday of January of the current school year. The membership report form shall be provided by the department.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-11872-PL

TKK:...

PL
GT
FNR

DOA:.....Hynek, BB0379 - Choice School Count Date

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

in 1/17/13

Purk

Don't Gen

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Under current law, each school district must annually submit to DPI a report that includes the average number of pupils enrolled in the district on the third Friday of September and the second Friday of January. Current law permits the State Superintendent to establish an alternative date on which to count pupils enrolled in the district in the event that the school district is unable to hold school on the designated dates.

This bill requires the State Superintendent to accept an alternate count date in the event that enrolled pupils will not be in attendance at the school because of a regularly scheduled holiday or for a reason approved by the school board. The bill establishes the alternate count date as no later than three weekdays after the regular count date.

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

2 SECTION 1. 121.05 (3m) of the statutes is created to read:

1
2

121.05 (3m) If pupils enrolled in a school will not be in attendance at the school on any of the dates specified in sub. (1) (a) or (2) because of a regularly scheduled holiday or for a reason approved by the school board, the state superintendent shall permit the membership counting date to occur no later than 3 weekdays after the applicable date specified in sub. (1) (a) or (2).

SECTION 2. 121.90 (1) (intro.) of the statutes is amended to read:

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 (4) and except as follows:

502
10
11
12
13

History: 1993 a. 16; 1995 a. 27; 1997 a. 27, 113, 237, 286; 1999 a. 9, 32, 186; 2001 a. 109; 2005 a. 225; 2007 a. 20, 200; 2009 a. 28; 2011 a. 32.

SECTION 3. 121.83 (1) (a) 2. of the statutes is amended to read:

121.83 (1) (a) 2. If the agency of service counts the pupil under s. 121.05 (1) (a) or (2), or on an alternate count date under s. 121.05 (3) or (3m), state general aid shall be subtracted.

History: 1977 c. 29; 1981 c. 20; 1985 a. 29 ss. 1790 to 1792, 1794; Stats. 1985 s. 121.83; 1991 a. 39; 1997 a. 164; 2007 a. 222; 2009 a. 28.

(END)

18

Kuczenski, Tracy

From: Hynek, Sara - DOA <Sara.Hynek@Wisconsin.gov>
Sent: Monday, January 21, 2013 1:41 PM
To: Kuczenski, Tracy
Subject: LRB 1187 - count date

Hi Tracy – instead of 3 weekdays after the applicable date (see line 5 of page 2), could we say something like 3 days after the next day that school is in session? Apparently the issue is that the holiday at issue falls on a Friday, which the school uses to kick off its fall break for the entire next week, so using 3 days after the holiday won't work.

Thanks!

Sara Hynek
Team Leader, Education and Workforce Development Team
State Budget Office
Wisconsin Department of Administration
608-266-1037



DOA:.....Hynek, BB0379 - Choice School Count Date

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

in 1/22/13

Don't Gen

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

Analysis by the Legislative Reference Bureau

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This bill requires the state superintendent to accept an alternate ^{of counting} count date in the event that enrolled pupils will not be in attendance at the school because of a regularly scheduled holiday or for a reason approved by the school board. The bill establishes the alternate count date as no later than three weekdays after the regular count date. the third weekday that follows

counting

the next school day on which school is in session

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15 Academy program under s. 321.03 (1) (c) in the previous spring session, except that
16 "number of pupils enrolled" excludes the number of pupils attending public school
17 under s. 118.145 (4) and except as follows:

18 SSG and 118.53 (END)

~~NOTE~~ NOTE: This is reconciled s. 121.90(1)(intro.) This section^(CS)
has been affected by drafts with the following LRB numbers: LRB-1187/P3²
and LRB-1029/P5

D-Note

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

LRB-1187/P2dn

TKK:kjf:fm

Date

Sara:

✓ ✓ ✓ ✓
This bill reconciles LRB-1029/P5 and LRB-1187/P2. Both LRB-1029 and LRB-1187 should remain in the compiled bill.

Tracy K. Kuczenski
Legislative Attorney
Phone: (608) 266-9867
E-mail: tracy.kuczenski@legis.wisconsin.gov

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

LRB-1187/P3dn
TKK:kjfrs

February 13, 2013

Sara:

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Legislative Attorney
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State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1187/P3

TKK:kjf:rs

DOA:.....Hynek, BB0379 – Choice School Count Date

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