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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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**2015 Wisconsin Act 72**  
[2015 Assembly Bill 332]

**Statewide Parental Choice Program  
Pupil Participation Limit**

**2015 Wisconsin Act 72** (Act 72) creates an exception to the pupil participation limit for the statewide parental choice program.

### **BACKGROUND**

The statewide parental choice program is subject to a pupil participation limit.<sup>1</sup> If the number of pupils who apply to participate in the statewide parental choice program in a given year exceeds a school district's pupil participation limit, vouchers are granted through a lottery system. Under the law prior to enactment of 2015 Act 55, however, continuing pupils could not lose their vouchers. Each school year, the pupil participation limit applied only to those pupils who transferred from a public school to a choice school that school year. A pupil continuing in the statewide parental choice program for subsequent school years was not counted toward the limit after the pupil's first year of participation, and was, therefore, not included in the voucher lottery if a school district exceeded its participation limit.

Under **the law**, as affected by 2015 Act 55, the 2015-17 Biennial Budget, it would be possible for continuing pupils to lose their vouchers. The pupil participation limit is applied to all pupils residing within a school district, including those who are continuing in the choice program. Continuing pupils are included in the voucher lottery, if one is required. It is possible that a continuing pupil may not be randomly selected to receive a voucher through the lottery,

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<sup>1</sup> Under prior law, the number of pupils residing within a school district who could participate in the statewide parental choice program was limited to no more than 1% of the school district's pupil membership. [s. 118.60 (2) (be) 3., 2013-14 Stats.] Under current law, the limit for the 2015-16 and 2016-17 school years is 1% of the total number of pupils residing within a school district. Beginning with the 2017-18 school year, the limit will be increased by 1% each year until it reaches 10% in the 2025-26 school year. There will be no pupil participation limit beginning with and following the 2026-27 school year. [s. 118.60 (2) (be), Stats.]

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

and, therefore, would not be able to attend the choice school that the pupil attended the previous school year.

### **2015 WISCONSIN ACT 72**

Act 72 creates an exception to the pupil participation limit for continuing pupils if the following conditions are met:

- The pupil participated in the statewide parental choice program the previous school year.
- The number of applications that the pupil's resident school district received exceeded the school district's pupil participation limit.
- The pupil was not selected to receive a voucher through the lottery process.
- The choice school to which the pupil applied has room to accept the pupil.

Act 72 first applies to pupils applying to attend a private school under the statewide parental choice program for the 2015-16 school year.

*Effective date:* November 13, 2015

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RES:mcm;jal