



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Assembly Bill 94

Assembly Amendments 1 and 3

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Assembly Bill 94 makes the following changes to the Milwaukee Parental Choice Program:

- Allows a family who has more than one pupil applying to attend the same private school to submit a single application. Current law requires a separate application for each pupil.
- Eliminates the current requirement that the Department of Public Instruction (DPI) pay a pupil's cost of attending a private school participating in the program by making out a check to the pupil's parent or guardian and sending it to the school. Instead the bill requires DPI to issue payment directly to the school on behalf of the pupil's parent or guardian.
- Allows DPI to combine payments for all pupils attending a particular private school in a single check, rather than issuing separate checks for each pupil. The bill also requires DPI to pay private schools by a separate check for summer school programs and requires the payment to be made in November.
- Codifies DPI's administrative rule which specifies that, in determining a private school's per pupil operating and debt service cost for the purpose of determining the amount of the state's payment to the school, certain revenues must be subtracted, and also provides that the amount of each subtraction may not be more than the actual cost to the school of the service or material related to that revenue. The bill also specifies that a private school may include in its cost an amount equal to 10.5% of the fair market value of the private school's buildings and premises in the calculation of its operating and debt service cost if the school's parent organization or a related party holds legal title to the buildings and premises.
- Requires that an audit of a private school participating in the program must be conducted using the auditing standards established by the American Institute of Certified Public Accountants and that the audit of the school's fiscal and internal control practices must be

conducted in accordance with the attestation standards established by that organization. The bill also prohibits DPI from requiring standards that exceed the scope of that organization's standards.

- Current law provides that the state payment for each full-time summer school student in the program is approximately 40% of the payment for each full-time regular school year student. The bill eliminates this reduced payment rate for summer school students in the program.

Assembly Amendment 1 restores the current 40% payment rate for summer school students in the program.

- Specifies that the provisions in the bill will first apply to applications to attend a private school and payments made to a private school in the 2012-13 school year.

Assembly Amendment 3 adds a new provision that specifies that a pupil currently participating in the Milwaukee Parental Choice Program may continue to attend a private school under the program if their family's income increases above current income eligibility requirements. The amendment further specifies that for purposes of admission to a private school under the program, siblings of participating pupils are not subject to current income eligibility requirements.

Legislative History

Assembly Amendment 1 was offered by Representative Marklein on April 19, 2011. On April 26, 2011, the Assembly Committee on Education recommended adoption of Assembly Amendment 1 on a vote of Ayes, 11; Noes, 0. On the same date, the committee recommended passage of the bill, as amended, on a vote of Ayes, 7; Noes, 4.

Assembly Amendment 3 was offered by Representative Fields on May 10, 2011.

On May 10, 2011, the Assembly adopted Assembly Amendment 1 on a vote of Ayes, 84; Noes, 9, and adopted Assembly Amendment 3 on a vote of Ayes, 81; Noes, 12. The Assembly passed the bill, as amended, on a vote of Ayes, 60; Noes, 31; Paired, 4.

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