



2003 ASSEMBLY BILL 723

January 5, 2004 - Introduced by Representatives STASKUNAS, PLOUFF, KRUG, LADWIG, MUSSER, JESKEWITZ, AINSWORTH, J. LEHMAN and GRONEMUS, cosponsored by Senator PLALE. Referred to Committee on Education.

1 **AN ACT to amend** 121.54 (2) (b) 1. and 121.54 (2) (c) of the statutes; **relating to:**
2 transportation of certain private school pupils.

Analysis by the Legislative Reference Bureau

Current law, with some exceptions, requires a school district to provide transportation to and from school for a pupil attending a private school that is located at least two miles from the pupil's residence. In addition, those school districts that are not required to provide transportation for private school pupils may elect to do so. This bill provides that a school district that must provide transportation for private school pupils may do so only during the school term of the school district and that a school district that elects to provide transportation may provide the transportation at any time.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 121.54 (2) (b) 1. of the statutes is amended to read:
4 121.54 (2) (b) 1. Except as provided in sub. (1) or otherwise provided in this
5 subsection, the school board of each district operating high school grades shall

ASSEMBLY BILL 723

1 provide transportation during the school term to and from the school a pupil attends
2 for each pupil residing in the school district who attends any elementary grade,
3 including kindergarten, or high school grade at a private school located 2 miles or
4 more from the pupil's residence, if such private school is a school within whose
5 attendance area the pupil resides and is situated within the school district or not
6 more than 5 miles beyond the boundaries of the school district measured along the
7 usually traveled route.

8 **SECTION 2.** 121.54 (2) (c) of the statutes is amended to read:

9 121.54 (2) (c) An annual or special meeting of a common or union high school
10 district, or the school board of a unified school district, may elect to provide
11 transportation at any time during the school year for pupils who are not required to
12 be transported under this section, including pupils attending public school under s.
13 118.145 (4). Transportation may be provided for all or some of the pupils who reside
14 in the school district to and from the public school they are entitled to attend or the
15 private school, within or outside the school district, within whose attendance area
16 they reside. If transportation is provided for less than all such pupils there shall be
17 reasonable uniformity in the minimum distance that pupils attending public and
18 private schools will be transported. Except for elementary school districts electing
19 to furnish transportation under par. (b) 2., this paragraph does not permit a school
20 district operating only elementary grades to provide transportation for pupils
21 attending private schools.

22 **SECTION 3. Effective date.**

23 (1) This act takes effect on July 1, 2004.

24 (END)