



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-5721/1  
FFK&ARG:cde

## 2023 ASSEMBLY BILL 1144

March 6, 2024 - Introduced by Representatives VINING, HONG, BALDEH, BARE, CLANCY, CONLEY, EMERSON, JOERS, MADISON, MYERS, RATCLIFF, STUBBS, OHNSTAD, SINICKI, JACOBSON and GOYKE, cosponsored by Senators ROYS, SMITH and AGARD. Referred to Committee on Education.

1     **AN ACT to amend** 20.255 (2) (b), 115.882, 121.905 (3) (c) 6., 121.905 (3) (c) 9.,  
2           121.91 (2m) (i) (intro.), 121.91 (2m) (j) (intro.), 121.91 (2m) (j) 2m., 121.91 (2m)  
3           (r) 1. (intro.), 121.91 (2m) (r) 1. b., 121.91 (2m) (r) 2. (intro.), 121.91 (2m) (r) 2.  
4           a., 121.91 (2m) (r) 2. b., 121.91 (2m) (s) 1. (intro.), 121.91 (2m) (s) 1. b., 121.91  
5           (2m) (s) 2. (intro.), 121.91 (2m) (s) 2. a., 121.91 (2m) (s) 2. b. and 121.91 (2m) (t)  
6           1. (intro.); and **to create** 20.235 (1) (cd), 39.52, 121.905 (3) (c) 10. and 121.91  
7           (2m) (k) of the statutes; **relating to:** grants for students enrolled in teacher  
8           education programs, school district revenue limits, the reimbursement rate for  
9           special education costs, and making an appropriation.

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*Analysis by the Legislative Reference Bureau*

**SCHOOL DISTRICT REVENUE LIMITS**

Current law generally limits the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue allowed per pupil in the previous school year plus a per pupil adjustment, if any, as provided by law. Until 2425, current law provides a \$325 per pupil adjustment in each school year. Under the bill, beginning in the 2024-25 school year, the per pupil adjustment is the per pupil increase for the previous school year as adjusted for any increase in the consumer price index.

**ASSEMBLY BILL 1144****REIMBURSEMENT FOR SPECIAL EDUCATION COSTS**

The bill also changes the rate at which the state reimburses school boards, operators of independent charter schools, cooperative educational service agencies (CESAs), and county children with disabilities education boards (CCDEBs) for costs incurred to provide special education and related services to children with disabilities and for school age parents programs (eligible costs). Under current law, the state reimburses the full cost of special education for children in hospitals and convalescent homes for orthopedically disabled children. After those costs are paid, the state reimburses remaining eligible costs from the amount remaining in the appropriation account at a rate that distributes the full amount appropriated. The Legislative Fiscal Bureau estimates that, in the 2023-24 school year, the reimbursement rate will be 33.3 percent.

The bill changes the appropriation to a sum sufficient and provides that, beginning in the 2023-24 school year, after full payment of hospital and convalescent home costs, the remaining costs are reimbursed at 90 percent of eligible costs.

Currently, the Department of Public Instruction provides 1) special education aid to school districts, independent charter schools, CESAs, and CCDEBs; 2) aid to school districts, CESAs, and CCDEBs for providing physical or mental health treatment services to private school and tribal school pupils; and 3) aid for school age parents programs to school districts only.

**TEACHER PREPARATORY PROGRAM GRANT PROGRAM**

Finally, the bill creates a grant program administered by the Higher Educational Aids Board under which HEAB awards grants to students enrolled in the teacher preparatory program of an institution of higher education. Grant moneys may be used to pay 1) the student's tuition and fees and 2) any expense incurred in connection with obtaining a license to teach issued by the Department of Public Instruction, including any examination or licensing fee. However, the grant amount for the payment of tuition and fees is limited to the amount of tuition and segregated fees charged to a resident undergraduate student at the University of Wisconsin-Madison for an equivalent program. HEAB also may not award a grant to a student unless the student enters into a written agreement to work in this state as a teacher in an elementary or secondary school for at least four years after receiving a bachelor's degree.

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:***

- 1           **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
2 the following amounts for the purposes indicated:

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2023-24      2024-25

1      **20.235 Higher educational aids board**

2      (1) STUDENT SUPPORT ACTIVITIES

3      (cd) Grants for students enrolled in

4      teacher education programs      GPR      A      10,000,000      10,000,000

5      **SECTION 2.** 20.235 (1) (cd) of the statutes is created to read:6      20.235 (1) (cd) *Grants for students enrolled in teacher education programs.* The  
7      amounts in the schedule for grants under s. 39.52 (2).8      **SECTION 3.** 20.255 (2) (b) of the statutes is amended to read:9      20.255 (2) (b) *Aids for special education and school age parents programs.* ~~The~~  
10      ~~amounts in the schedule~~ A sum sufficient for the payment of the full cost of special  
11      education for children in hospitals and convalescent homes under s. 115.88 (4) and  
12      for the payment of aids for special education and school age parents programs ~~under~~  
13      ~~ss. 115.88, 115.93 and 118.255~~ as provided under s. 115.882.14      **SECTION 4.** 39.52 of the statutes is created to read:15      **39.52 Grants for students enrolled in teacher education programs. (1)**

16      In this section:

17      (a) “Institution of higher education” means an institution of higher education,  
18      as defined in s. 39.53 (1), that offers a teacher preparatory program approved under  
19      s. 115.28 (7) (a).

20      (b) “Tribal school” has the meaning given in s. 115.001 (15m).

21      (2) (a) Subject to par. (b) and sub. (3), from the appropriation under s. 20.235  
22      (1) (cd), the board may award grants to students enrolled in the teacher preparatory  
23      program of an institution of higher education to pay for any of the following:

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1 1. Tuition and fees charged by the institution of higher education.

2 2. Any expense incurred in connection with obtaining a license to teach issued  
3 by the department of public instruction, including any examination or licensing fee.

4 (b) The amount of a grant awarded under par. (a) for the payment of tuition and  
5 fees may not exceed the amount of academic fees plus segregated fees charged to a  
6 resident undergraduate student at the University of Wisconsin-Madison enrolled in  
7 an equivalent program for an equivalent term.

8 (3) The board may not award a grant under sub. (2) (a) to a student unless the  
9 student enters into a written agreement in which the student commits to working  
10 in this state as a teacher in a public or private elementary or secondary school or  
11 tribal school for at least 4 years after the student receives a bachelor's degree.

12 **SECTION 5.** 115.882 of the statutes is amended to read:

13 **115.882 Payment of state aid; reimbursement rate.** Funds appropriated  
14 under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4). In the  
15 2023-24 school year and in each school year thereafter, costs eligible for  
16 reimbursement from the appropriation under s. 20.255 (2) (b) under ss. 115.88 (1m)  
17 to (3), (6), and (8), 115.93, and 118.255 (4) shall be reimbursed at ~~a rate set to~~  
18 ~~distribute the full amount appropriated for reimbursement for the costs, not to~~  
19 ~~exceed 100 percent~~ 90 percent of eligible costs.

20 **SECTION 6.** 121.905 (3) (c) 6. of the statutes is amended to read:

21 121.905 (3) (c) 6. For the limit for each of the 2015-16 to 2018-19 school years,  
22 ~~for the 2021-22 school year, and for any~~ the 2022-23 school year thereafter, make  
23 no adjustment to the result under par. (b).

24 **SECTION 7.** 121.905 (3) (c) 9. of the statutes, as created by 2023 Wisconsin Act  
25 19, is amended to read:

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1           121.905 (3) (c) 9. For the limit for 2023-~~2425~~ 24 school year, add \$325 to the  
2 result under par. (b).

3           **SECTION 8.** 121.905 (3) (c) 10. of the statutes is created to read:

4           121.905 (3) (c) 10. For the limit for the 2024-25 school year and any school year  
5 thereafter, add the result under s. 121.91 (2m) (k) 2. to the result under par. (b).

6           **SECTION 9.** 121.91 (2m) (i) (intro.) of the statutes is amended to read:

7           121.91 (2m) (i) (intro.) Except as provided in subs. (3), (4), and (8), no school  
8 district may increase its revenues for any of the 2015-16 to 2023-24 school year ~~or~~  
9 ~~for any school year thereafter~~ years to an amount that exceeds the amount calculated  
10 as follows:

11           **SECTION 10.** 121.91 (2m) (j) (intro.) of the statutes, as affected by 2023  
12 Wisconsin Act 19, is amended to read:

13           121.91 (2m) (j) (intro.) Notwithstanding par. (i) and except as provided in subs.  
14 (3), (4), and (8), a school district cannot increase its revenues for the 2020-21 school  
15 year ~~year 2425~~ and the 2023-24 school year to an amount that exceeds the amount  
16 calculated as follows:

17           **SECTION 11.** 121.91 (2m) (j) 2m. of the statutes, as created by 2023 Wisconsin  
18 Act 19, is amended to read:

19           121.91 (2m) (j) 2m. In 2023-~~2425~~ 24 school year, add \$146.

20           **SECTION 12.** 121.91 (2m) (k) of the statutes is created to read:

21           121.91 (2m) (k) Except as provided in subs. (3), (4), and (8), no school district  
22 may increase its revenues for the 2024-25 school year or for any school year  
23 thereafter to an amount that exceeds the amount calculated as follows:

24           1. Divide the sum of the amount of state aid received in the previous school year  
25 and property taxes levied for the previous school year, excluding property taxes

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1 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
2 (c), by the average of the number of pupils enrolled in the 3 previous school years.

3 2. Multiply the amount of the revenue increase per pupil allowed under this  
4 subsection for the previous school year by the sum of 1.0 plus the allowable rate of  
5 increase under s. 73.0305 expressed as a decimal.

6 3. Add the result under subd. 1. to the result under subd. 2.

7 4. Multiply the result under subd. 3. by the average of the number of pupils  
8 enrolled in the current and the 2 preceding school years.

9 **SECTION 13.** 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

10 121.91 **(2m)** (r) 1. (intro.) Notwithstanding pars. ~~(i) to (j)~~ par. (k), if a school  
11 district is created under s. 117.105, its revenue limit under this section for the school  
12 year beginning with the effective date of the reorganization shall be determined as  
13 follows except as provided under subs. (3) and (4):

14 **SECTION 14.** 121.91 (2m) (r) 1. b. of the statutes, as affected by 2023 Wisconsin  
15 Act 19, is amended to read:

16 121.91 **(2m)** (r) 1. b. Add an amount equal to the amount of revenue increase  
17 per pupil allowed under this subsection for the previous school year multiplied by the  
18 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
19 to the result under subd. 1. a., ~~except that in calculating the limit for the 2013-14~~  
20 ~~school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., in~~  
21 ~~calculating the limit for the 2019-20 school year, add \$175 to the result under subd.~~  
22 ~~1. a., in calculating the limit for the 2020-21 school year, add \$179 to the result under~~  
23 ~~subd. 1. a., and in calculating the limit for the 2023-24 school year and the 2024-25~~  
24 ~~school year, add \$325 to the result under subd. 1. a. In the 2015-16 to 2018-19 school~~

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1 years, the 2021-22 school year, the 2022-23 school year, the 2025-26 school year, and  
2 any school year thereafter, make no adjustment to the result under subd. 1. a.

3 **SECTION 15.** 121.91 (2m) (r) 2. (intro.) of the statutes is amended to read:

4 121.91 **(2m)** (r) 2. (intro.) If a school district is created under s. 117.105, the  
5 following adjustments to the calculations under ~~pars. (i) to (j)~~ par. (k) apply for the  
6 2 school years beginning on the July 1 following the effective date of the  
7 reorganization:

8 **SECTION 16.** 121.91 (2m) (r) 2. a. of the statutes is amended to read:

9 121.91 **(2m)** (r) 2. a. For the school year beginning on the first July 1 following  
10 the effective date of the reorganization the number of pupils in the previous school  
11 year shall be used under ~~pars. (i) 1., (im) 1. and (j) par. (k) 1.~~ instead of the average  
12 of the number of pupils in the 3 previous school years, and for the school year  
13 beginning on the 2nd July 1 following the effective date of the reorganization the  
14 average of the number of pupils in the 2 previous school years shall be used under  
15 ~~pars. (i) 1., (im) 1. and (j) par. (k) 1.~~ instead of the average of the number of pupils in  
16 the 3 previous school years.

17 **SECTION 17.** 121.91 (2m) (r) 2. b. of the statutes is amended to read:

18 121.91 **(2m)** (r) 2. b. For the school year beginning on the first July 1 following  
19 the effective date of the reorganization the average of the number of pupils in the  
20 current and the previous school years shall be used under ~~pars. (i) 2. and (j) 3. par.~~  
21 (k) 4. instead of the average of the number of pupils in the current and the 2 preceding  
22 school years.

23 **SECTION 18.** 121.91 (2m) (s) 1. (intro.) of the statutes is amended to read:

24 121.91 **(2m)** (s) 1. (intro.) Notwithstanding ~~pars. (i) to (j) par. (k)~~, if territory  
25 is detached from a school district to create a new school district under s. 117.105, the

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1 revenue limit under this section of the school district from which territory is detached  
2 for the school year beginning with the effective date of the reorganization shall be  
3 determined as follows except as provided in subs. (3) and (4):

4 **SECTION 19.** 121.91 (2m) (s) 1. b. of the statutes, as affected by 2023 Wisconsin  
5 Act 19, is amended to read:

6 121.91 (2m) (s) 1. b. Add an amount equal to the amount of revenue increase  
7 per pupil allowed under this subsection for the previous school year multiplied by the  
8 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
9 to the result under subd. 1. a., ~~except that in calculating the limit for the 2013-14~~  
10 ~~school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., in~~  
11 ~~calculating the limit for the 2019-20 school year, add \$175 to the result under subd.~~  
12 ~~1. a., in calculating the limit for the 2020-21 school year, add \$179 to the result under~~  
13 ~~subd. 1. a., and in calculating the limit for the 2023-24 school year and the 2024-25~~  
14 ~~school year, add \$325 to the result under subd. 1. a. In the 2015-16 to 2018-19 school~~  
15 ~~years, the 2021-22 school year, the 2022-23 school year, the 2025-26 school year, and~~  
16 ~~any school year thereafter, make no adjustment to the result under subd. 1. a.~~

17 **SECTION 20.** 121.91 (2m) (s) 2. (intro.) of the statutes is amended to read:

18 121.91 (2m) (s) 2. (intro.) If territory is detached from a school district to create  
19 a new school district under s. 117.105, the following adjustments to the calculations  
20 under ~~pars. (i) to (j)~~ par. (k) apply to the school district from which territory is  
21 detached for the 2 school years beginning on the July 1 following the effective date  
22 of the reorganization:

23 **SECTION 21.** 121.91 (2m) (s) 2. a. of the statutes is amended to read:

24 121.91 (2m) (s) 2. a. For the school year beginning on the first July 1 following  
25 the effective date of the reorganization, the number of pupils in the previous school



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1 year shall be used under ~~pars. (i) 1., (im) 1., and (j) par. (k) 1.~~ instead of the average  
2 of the number of pupils in the 3 previous school years; and for the school year  
3 beginning on the 2nd July 1 following the effective date of the reorganization, the  
4 average of the number of pupils in the 2 previous school years shall be used under  
5 ~~pars. (i) 1., (im) 1., and (j) par. (k) 1.~~ instead of the average of the number of pupils  
6 in the 3 previous school years.

7 **SECTION 22.** 121.91 (2m) (s) 2. b. of the statutes is amended to read:

8 121.91 **(2m)** (s) 2. b. For the school year beginning on the first July 1 following  
9 the effective date of the reorganization the average of the number of pupils in the  
10 current and the previous school year shall be used under ~~pars. (i) 2. and (j) 3. par. (k)~~  
11 4. instead of the average of the number of pupils in the current and the 2 preceding  
12 school years.

13 **SECTION 23.** 121.91 (2m) (t) 1. (intro.) of the statutes, as affected by 2023  
14 Wisconsin Act 19, is amended to read:

15 121.91 **(2m)** (t) 1. (intro.) If 2 or more school districts are consolidated under  
16 s. 117.08 or 117.09, ~~in the 2019-20 school year, the consolidated school district's~~  
17 ~~revenue limit shall be determined as provided under par. (im),~~ in the 2020-21 school  
18 year, ~~2023-year 2425,~~ the consolidated school district's revenue limit shall be  
19 determined as provided under par. (j), ~~and in each school year thereafter, the~~  
20 ~~consolidated school district's revenue limit shall be determined as provided under~~  
21 par. (i) (k), except as follows:

22 (END)