



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5888/1
FFK&ARG:cde

2023 SENATE BILL 1045

February 19, 2024 - Introduced by Senators ROYS and SMITH, cosponsored by Representatives VINING, HONG, BALDEH, BARE, CLANCY, CONLEY, EMERSON, JOERS, MADISON, MYERS, RATCLIFF, STUBBS, SINICKI and JACOBSON. 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.

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.

SENATE BILL 1045**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:

SENATE BILL 1045**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). Costs~~ 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)