



1995 SENATE BILL 564

February 21, 1996 - Introduced by Senator WEEDEN, cosponsored by Representative BRANCEL, by request of Governor Tommy G. Thompson. Referred to Committee on Education and Financial Institutions.

- 1 **AN ACT** *to renumber* 119.23 (7) (am) and 119.23 (7) (c); and *to create* 119.23 (2)
2 (a) 6., 119.23 (7) (d), 119.23 (7) (f) and 119.23 (11) of the statutes; **relating to:**
3 the Milwaukee parental choice program.

Analysis by the Legislative Reference Bureau

Current law allows up to 7% of the enrollment of the Milwaukee Public Schools (MPS) to attend, at no charge, any private school located in the city of Milwaukee under certain circumstances. (In the 1996-97 school year, the limit is increased to 15%.) The state pays the parent or guardian of the pupil an amount equal to the amount of per pupil aid that MPS receives from the state or an amount equal to the private school's educational cost per pupil, whichever is less. The parent or guardian must endorse the check for the use of the private school. The state reduces the MPS school aid entitlement, for each pupil participating in the program, by the amount of per pupil aid that MPS would otherwise receive.

This bill makes a number of changes to the MPS parental choice program, including the following:

1. The bill requires each participating private school to have a formally constituted governing board that includes at least one parent of a pupil enrolled in the school and at least one person with no proprietary interest in the school.
2. The bill requires each governing board to adopt bylaws.
3. The bill provides that the governing board's meetings are subject to the open meetings law.
4. The bill authorizes the department of education (DOE) to waive the requirements in items 1 and 2, above, if DOE determines that the private school had a formal governance structure prior to participation in the program.
5. The bill directs DOE to monitor the financial condition of each participating private school and the private school's compliance with the financial accounting standards established by DOE. If DOE determines that the private school is not financially sound or that it is not in compliance with the financial accounting

standards, DOE may, subject to the approval of the education commission, prohibit the private school from participating in the program in the following school year.

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

1 **SECTION 1.** 119.23 (2) (a) 6. of the statutes is created to read:

2 119.23 (2) (a) 6. The private school has a formally constituted governing board
3 that includes at least one parent of a pupil attending the school and at least one
4 person with no proprietary interest in the school.

5 **SECTION 2.** 119.23 (7) (am) of the statutes, as created by 1995 Wisconsin Act 27,
6 is renumbered 119.23 (7) (c).

7 **SECTION 3.** 119.23 (7) (c) of the statutes, as created by 1995 Wisconsin Act 27,
8 is renumbered 119.23 (7) (e).

9 **SECTION 4.** 119.23 (7) (d) of the statutes is created to read:

10 119.23 (7) (d) The department shall monitor the financial condition of each
11 private school participating in the program under this section and the private
12 school's compliance with the financial accounting standards established by the
13 department under par. (c). If the department determines that the private school is
14 not financially sound or that the private school is not in compliance with the financial
15 accounting standards, the department may, subject to the approval of the education
16 commission, prohibit the private school from participating in the program under this
17 section in the following school year.

18 **SECTION 5.** 119.23 (7) (f) of the statutes is created to read:

19 119.23 (7) (f) 1. The governing board of each private school participating in the
20 program under this section shall adopt bylaws. The bylaws shall include the

1 selection process for members of the governing board and the length of governing
2 board members' terms.

3 2. Subchapter V of ch. 19 governs all meetings of the governing board of each
4 private school participating in the program under this section.

5 **SECTION 6.** 119.23 (11) of the statutes is created to read:

6 119.23 (11) The department may waive any of the requirements in subs. (2) (a)
7 6. and (7) (f) 1. if the department determines that the private school had a formal
8 governance structure prior to participation in the program under this section.

9 (END)