

State of Wisconsin



1997 Assembly Bill 20

Date of enactment: **April 13, 1998**
Date of publication*: **April 27, 1998**

1997 WISCONSIN ACT 87

AN ACT *to renumber and amend* 120.18 (1) (a); *to amend* 43.70 (1), 43.70 (2) and 120.08 (2) (a); and *to create* 120.18 (1) (a) 1. and 2. of the statutes; **relating to:** the method of determining the number of children residing in a school district for purposes of taking an annual school count.

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

SECTION 1. 43.70 (1) of the statutes, as affected by [1997 Wisconsin Act 27](#), is amended to read:

43.70 (1) No later than October 15 of each year, each school district administrator shall certify to the state superintendent, on forms provided by the state superintendent, a report of the number of children persons residing in the school district on the preceding June 30, as reported in the school census under s. 120.18 (1) (a).

SECTION 2. 43.70 (2) of the statutes, as affected by [1997 Wisconsin Act 27](#), is amended to read:

43.70 (2) Annually, within 40 days after December 1, the state superintendent shall apportion the amount appropriated under s. 20.255 (2) (s) to the school districts in proportion to the number of children persons resident therein, as shown by the census report certified under sub. (1).

SECTION 3. 120.08 (2) (a) of the statutes is amended to read:

120.08 (2) (a) Upon petition filed with the school district clerk signed by 3% of the number of heads of families residing in the school district as enumerated by the last school census electors residing in the school district or 100 electors, whichever is less fewer, or upon the motion of the school board in a common or union high

school district, a special meeting shall be called by the school district clerk or, in his or her absence, by the school district president or school district treasurer. If the petition includes a subject beyond the power of the special meeting to transact, the school district clerk shall reject such subject and so notify each elector signing the petition.

SECTION 4. 120.18 (1) (a) of the statutes, as affected by [1997 Wisconsin Act 27](#), is renumbered 120.18 (1) (a) (intro.) and amended to read:

120.18 (1) (a) (intro.) The school census count, showing the numbers and ages of children persons who are at least 4 years old but not yet 14 years old and who reside in a school district operating only elementary grades, showing the number and ages of children persons between the ages of 14 and 20 residing in a union high school district and showing the number and ages of children persons between the ages of 4 and 20 residing in any other school district. ~~The census may be estimated by using statistically significant sampling techniques that have been approved by the state superintendent.~~ Children cared for at a charitable or penal institution of this state may not be included in the report. The school district clerk may employ a competent person to take the school census. count. The count may be determined by using any of the following methods:

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 5. 120.18 (1) (a) 1. and 2. of the statutes are created to read:

120.18 (1) (a) 1. Conducting a school census on the preceding June 30.

2. Adding the number of persons under this paragraph who were residents of the school district and were enrolled in the school district on the 3rd Friday of September of the previous school year; plus the number of persons under this paragraph who were residents of the school district and who were enrolled in private schools,

home-based private educational programs or other school districts on the 3rd Friday of September of the previous school year; plus the number or an estimate of the number of those persons under this paragraph who were residents of the school district and not enrolled in the school district, private schools, home-based private educational programs or other school districts on the 3rd Friday of September of the previous school year.

SECTION 6. Effective date.

(1) This act takes effect on July 1, 1998.
