

Vertical line segment 1

Vertical line segment 2

Vertical line segment 3

Vertical line segment 4

Vertical line segment 5

Vertical line segment 6

Vertical line segment 7

Vertical line segment 8

1999 DRAFTING REQUEST**Bill**Received: **09/8/98**Received By: **grantpr**Wanted: **As time permits**

Identical to LRB :

For: **Annette Polly Williams (608) 266-0960**By/Representing: **Larry Harwell**

This file may be shown to any legislator: NO

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - MPS**Extra Copies: **MJL**

Pre Topic:

No specific pre topic given

Topic:

Milwaukee school choice

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
I?	grantpr 09/22/98	gilfokm 10/1/98		_____			S&L
/1		gilfokm 11/25/98	j frantze 10/6/98 j frantze 12/1/98	_____	lrb-docadmin 12/1/98		S&L
/2	grantpr 03/4/99	gilfokm 03/4/99	jfrantze 03/5/99	_____	lrb-docadmin 03/5/99		S&L
/3	grantpr 03/10/99	gilfokm 03/10/99	hhagen 03/10/99	_____	lrb-docadmin 03/10/99	lrb-docadmin 03/11/99	



Vers. Drafted Reviewed Typist Proofed Submitted Jacketed Rewired

FE Sent For:

03-22-99

<END>

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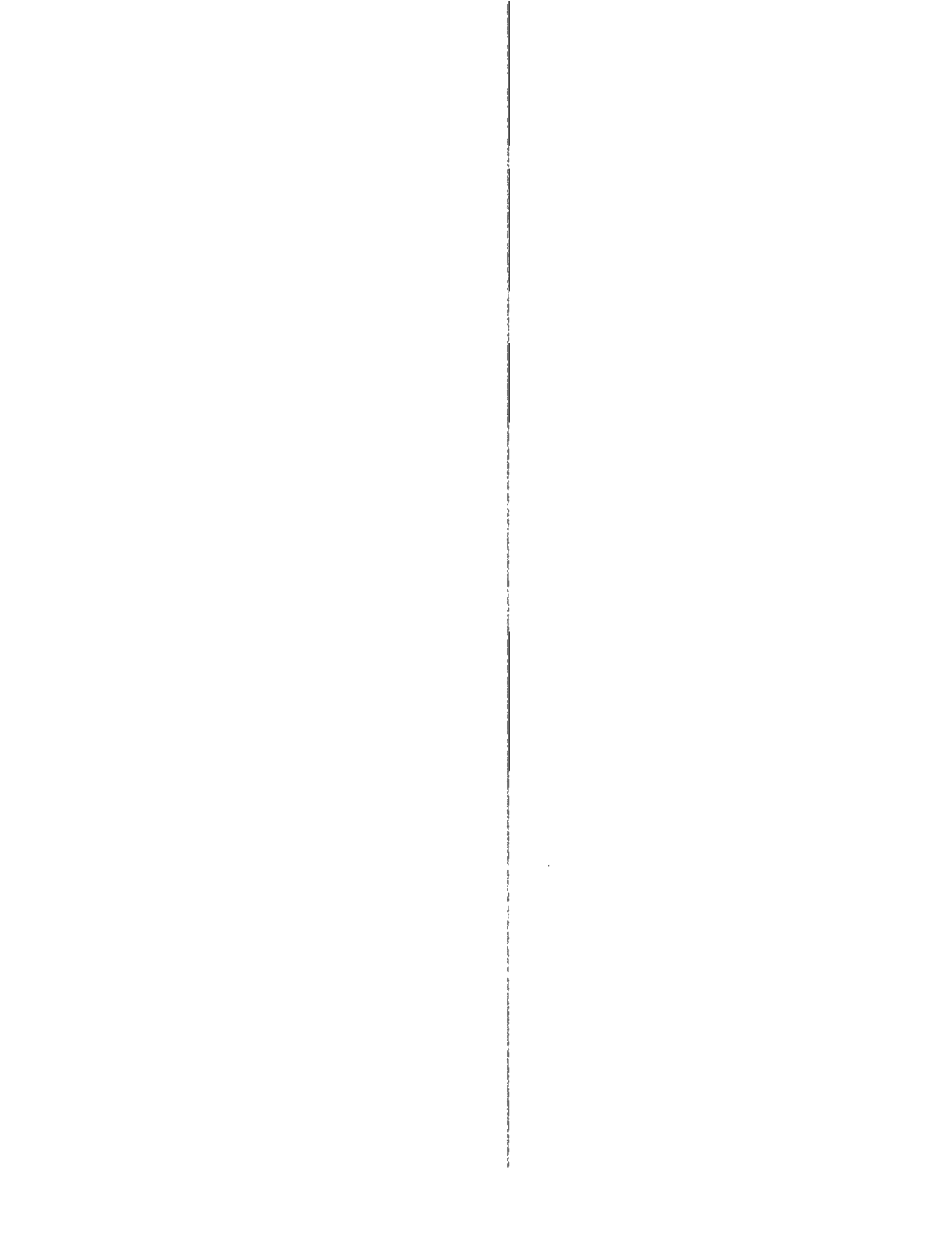
Milwaukee school choice

Instructions:

See Attached

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I?	grantpr 09/22/98	gilfokm 10/1/98		_____			S&L
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/2	grantpr 03/4/99	gilfokm 03/4/99	jfrantze 03/5/99	_____	lrb-docadmin 03/5/99		S&L
/3	grantpr 03/10/99	gilfokm 03/10/99	hhagen 03/10/99	_____	lrb-docadmin 03/10/99		



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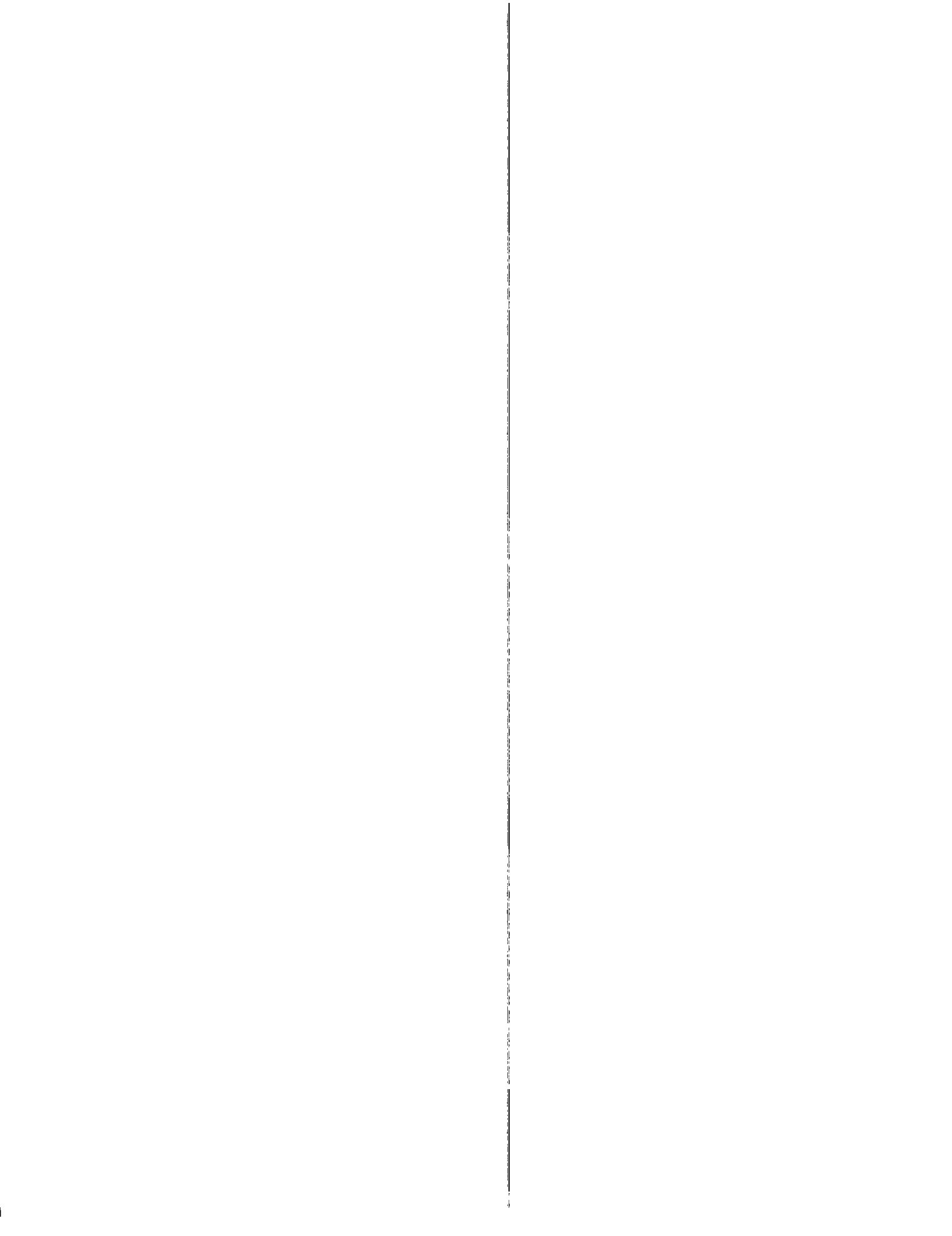
Instructions:

See Attached

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/1		gilfokm 11/25/98	jfrantze 10/6/98 j frantze 12/1/98	_____	lrb-docadmin 12/1/98		S&L
/2	grantpr 03/4/99	gilfokm 03/4/99	j frantze 03/5/99	_____	lrb-docadmin 03/5/99		

FE Sent For: *3-3-10-99 Kmg* *4/3/10* *4/13/10*



1999 DRAFTING REQUEST

Bill

Received: 09/8/98

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Wanted: As time permits

Identical to LRB:

For: Annette Polly Williams (608) 266-0960

By/Representing: Larry Harwell

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Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - MPS

Extra Copies: MJL

Topic:

Milwaukee school choice

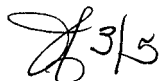
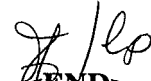
Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

 3/5
 /lp
 END
 3/5

1999 DRAFTING REQUEST

Bill

Received: 09/8/98

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1/?	grantpr	1-11-25 King	10/2	10/2			
			12/1	12/1			

FE Sent For:
 <END>

mtg. w/ Lany Harwell (P. Williams) 9/1/98

① 119.23(2)(a) 1. Δ 1.75 to 2.2

② 2. "K to 3" Δ to "K to 12"

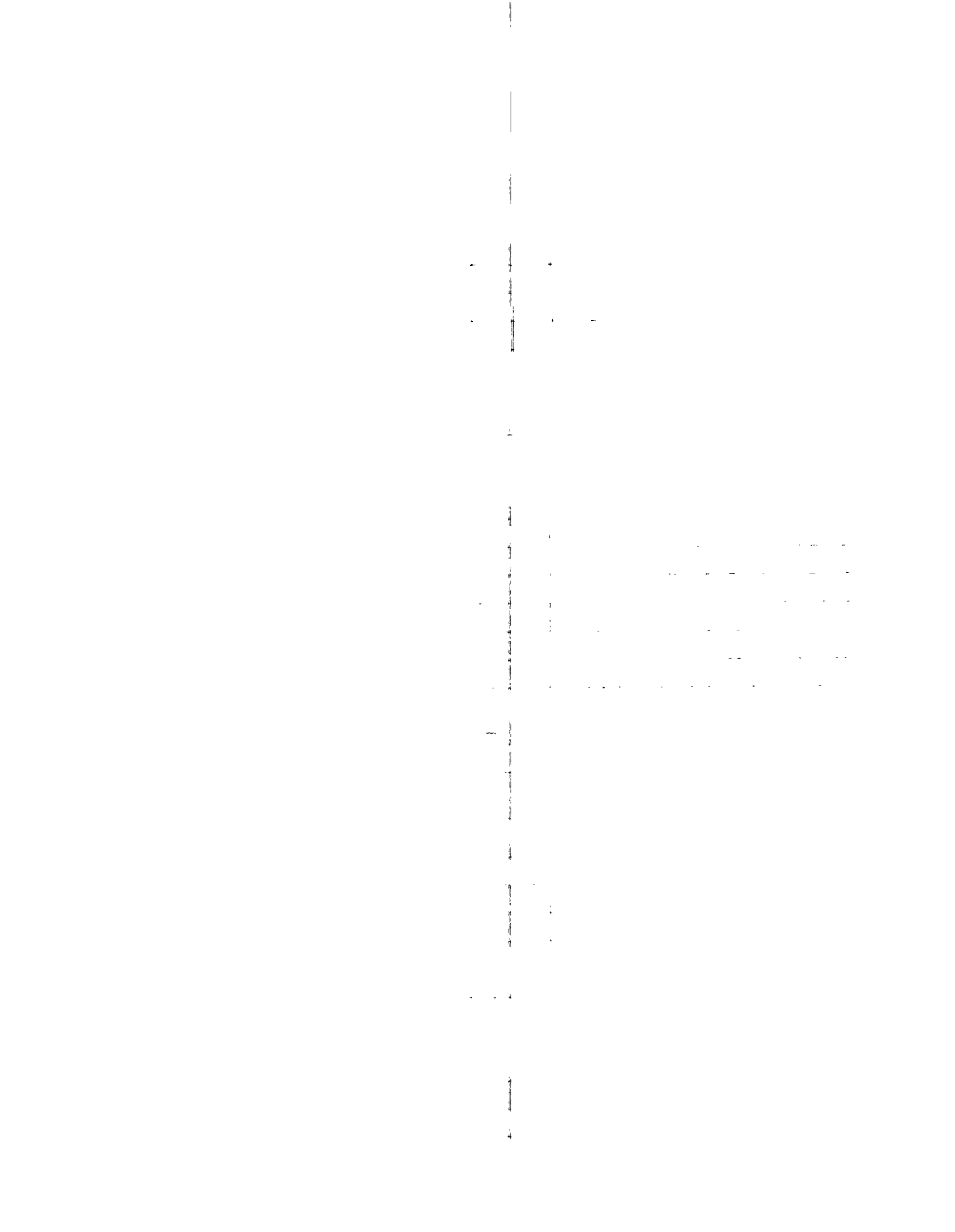
③ 3. Δ May 1 to Feb 1

④ (4) ~~see~~ ~~dept. shall~~
~~let's determine~~
make distinction bet rel. schools &
non-rel. schools.

1st + last sentence
> for retention rels, stay as is
> for non-retention rels, pay school

⑤ RC old 119.23(10) but:
dpi m. coop w/ pupil assignment
council, shall establish
(+ add \$30,000 to dpi for 99-00
for this)

⑤ ~~and study~~ see attached



DEPARTMENT OF PUBLIC INSTRUCTION
1997-99 LEGISLATIVE SESSION
REQUEST FOR STATUTORY LANGUAGE CHANGE

TITLE: Milwaukee Private School Choice Accountability

DESCRIPTION OF CURRENT LAW AND PROBLEM:

Section **119.23**, Wis. statutes., permit parents of (children in low-income families in Milwaukee to elect to send their children to private schools participating in the Milwaukee parental choice program. Private schools which participate in this program are paid an amount equal to Milwaukee's state equalization aid per member for each **enrolled** pupil. This amount is then deducted from Milwaukee's equalization aid.

There is minimal accountability required of private schools participating in the Milwaukee program. While the absence of regulation is often cited as an advantage to private school choice, it became a problem in the **first year** of the parental **choice** program when the absence of a formal governance structure or sound fiscal management practices resulted in one school closing its doors mid-year. About 63 students attended the school which was, in the words of the evaluator, "**in** turmoil from the beginning of the **year,**" **and** then were required to transfer to other schools when it **closed**. Sixty-three Milwaukee children experienced a school year which was largely wasted. In the **1995-96** school **year**, two more schools closed, displacing 172 students. In the summer prior to the **1996-97** school year, one more school closed where 39 students had enrolled for the upcoming school year.

In November, 1991, the first-year **report** on the Milwaukee parental choice program was published. The report, along with four subsequent **reports** by John F. **Witte**, argued that "very simple regulations requiring a formal governance structure, financial reporting, and further accountability in terms of outcomes would greatly reduce the likelihood that schools would close mid-year..." The report included the following recommendations, some of which address the specific problem of the **closing** of the Juanita Virgil academy, Exito education center, Milwaukee preparatory school, and the Waldoff school of Milwaukee:

Governance. All Schools participating in the parental choice program should have a formal governance structure including a board of directors (school board). The board can be structured by the schools as they see fit, but must include a specified and formal process for selection and terms of members. It should also include at least some members who have no proprietary interest in the school. It should also include parents. We also recommend that the school have formal bylaws. The board should have the authority to promulgate and amend the bylaws and **establish** whatever additional governing structure is seen as appropriate. Board meetings should be held in accordance with state open meeting laws.

Added Accountability. Schools should be required to meet all current and future state outcome requirements, including state wide tests, (dropout reporting, and a school report card when it is required.

Review **Accountability** Standards. We recommend that the legislature review the current **standards of accountability as specified in** the statute. At present, schools may meet any one of four standards (attendance, achievement, grade advancement, or parental involvement). We suggest that the schools meet more than one of these standards. We also suggest flexibility in the standards based on the level of the school . . .

In addition to proposing the Witte recommendations, the department proposes to improve administration of the program by changing payment dates to coincide with equalization aid payments. This will allow the department sufficient time to audit membership data prior to making payments.

RECOMMENDATIONS:

1. Add provisions that will require increased accountability on the part of private schools participating in the program. Require that each school have a formal governance structure, allow the state superintendent to conduct on-site financial audits at his or her discretion, and require that choice private school pupils be involved in the same state wide pupil assessment activities as public school pupils by requiring that private schools participate in all of the following:

- The educational assessment program developed under **s. 115.28(10)**.
- The pupil assessment examinations required under s. 118.30.
- The third grade reading test required under s. **121.02(1)** (r).

2. Change payment dates to coincide with equalization aid payments and to allow the department sufficient time to audit membership data **prior** to making payments.

DRAFTING INSTRUCTIONS:

Amends. 115.28 (10) as follows

~~115.28 (10) Develop an educational assessment program to measure objectively the adequacy and efficiency of educational programs offered by public schools in this state and private schools participating in the Milwaukee parental choice program under s. 119.23. The program shall include methods by which pupil achievement in reading, mathematics, writing, science, social science and other areas of instruction commonly offered by public schools will be objectively measured each year. Assessment shall be undertaken at several grade levels on a uniform, statewide basis.~~

Amend s. 118.30 (fm) (a), (am) and (b) as follows:

118.30 (1m) (a) Beginning In the ~~1996-97~~ ¹⁹⁹⁹⁻²⁰⁰⁰ school year, administer the 4th grade examination to all pupils enrolled In the school dstrct, including pupils enrolled In charter schools located In the school district and pupils participating in The Milwaukee Parental Choice Program under s. 119.23, In the 4Th grade.

(am) Administer the 8th grade examination to all pupils enrolled in the school district, Including pupils enrolled In charter schools located In the school district and pupils participating In the Mifwaukee parental choice program under s. 119.23, In the 8Th grade.

(b) Administer the 10th grade examination to all pupils enrolled in the school district, **Including** pupils enrolled In charter schools located In the school district and pupils partlclpatlna In the Milwaukee oarental choice program under s. 119.23, In the 10th grade.

Create s. 119.23 (2) (a) 6 as follows:

~~119.23 (2) (a) 6 The private school shall have a formal governance structure, including a board of directors. The board must include a specified and formal process for selection and terms of members. It must also include (1) members who have no proprietary interest in school, and (2) parents. The school must have formal bylaws which may be promulgated and amended by the board. Board meetings must be held in accordance with state open meeting laws.~~

Amend s. 119.23 (4) as follows:

~~119.23 (4) Upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school, the state superintendent shall pay to the private school, from the appropriation under s. 20.255 (2) ((fu), an amount equal to the total amount to which the school district is entitled under s. 121.08 divided by The school district membership, or an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, whichever is less. The state superintendent shall pay 25% of the total amount in September, 25% in November, 25% in December, 25% in February to and 25% in May June.~~

~~Recreate s. 119.23 (9) (a) as follows.~~

~~119.23 (9) (a) The state superintendent may conduct an on-site financial audit at his or her discretion.~~

Amend s. 121.02(1) (r) as follows:

121.02 (1) (r) Annually administer a standardized reading test developed by the department to all pupils enrolled in the school district In grade 3, including pupils enrolled in charter schools located In the school district and private schools **participating** in the Milwaukee parental choice **program** under s. 119.23.

EFFECTIVE DATE: 1997-98 school year
CONTACT PERSON(S): Lori Slauson, Policy and Budget (808) 287-9127

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice G. D. C. O'Connell, Chief Justice of the Supreme Court of the State of New South Wales" and "The Hon. Mr. Justice G. D. C. O'Connell, Chief Justice of the Supreme Court of the State of New South Wales".

Q's

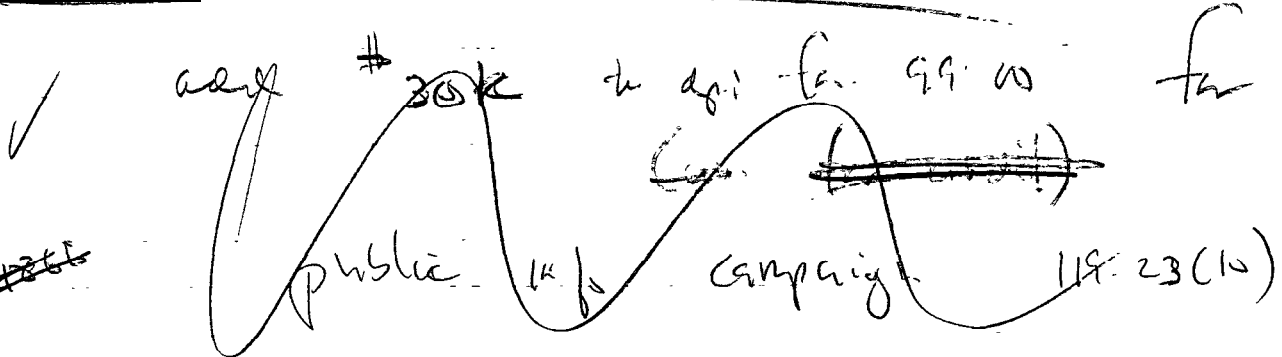
① 119.23(a) (from pri request)

- mean of school? or 2 program?
- mean only once?

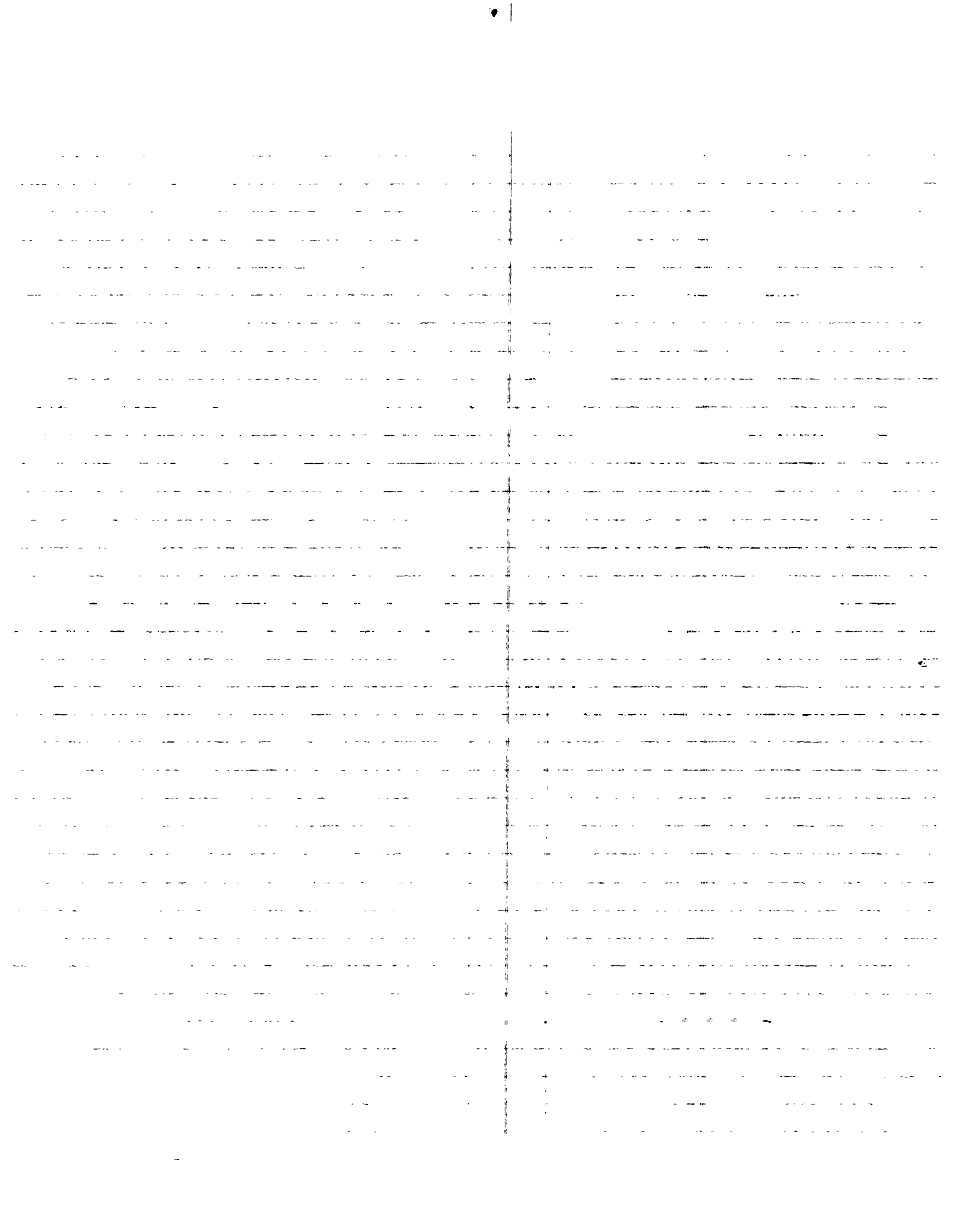
~~delete~~

② h.s. - grad. exam → (no)?

~~③~~



initial applicability?



1999

Date (time) needed

Due Wed, 12/2
LRB 001511
PG : (P) :
dkmg

BILL

Use the appropriate components and routine8 developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *the Milwaukee parental choice program and making an appropriation.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the **Legislative Reference Bureau**

- For the 3 titles used in an analysis, in the component bar:
- For the main heading [old =M], execute: create → anal: → title: → head
- For the subheading [old =S], execute: create → anal: → title: → sub
- For the sub-subheading [old =P], execute: create → anal: → title: → sub-sub

(attached)

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

SECTION #.

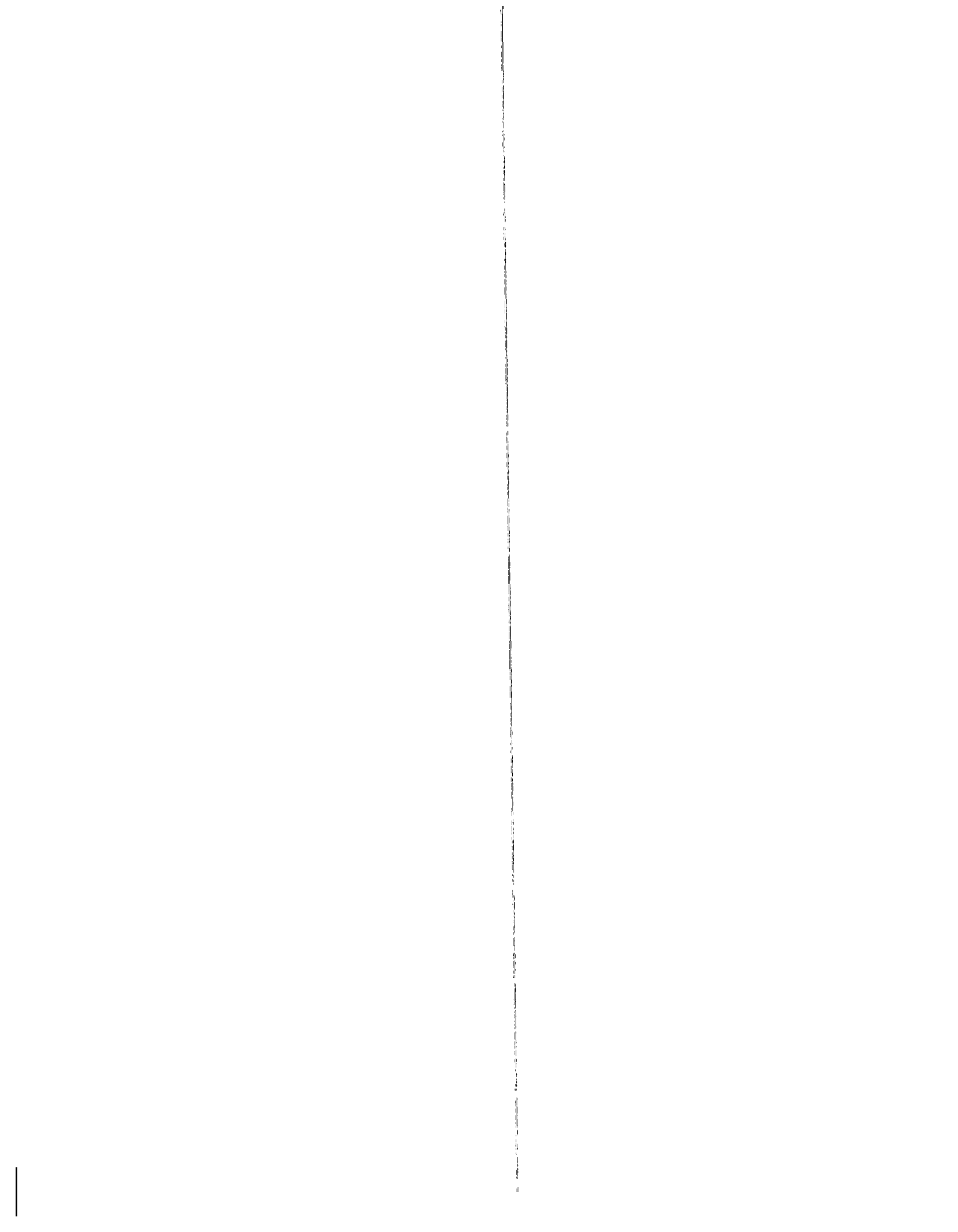


Section #. 19.82 (1) of the statutes is amended to read:

19.82 (1) "Governmental body" means a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order; a governmental or quasi-governmental corporation except for the Bradley center sports and entertainment corporation; a local exposition district under subch. II of ch. 229; a non-profit corporation operating the Olympic ice training center under s. 42.11 (3); or a formally constituted subunit of any of the foregoing, but excludes any such body or committee or subunit of such body which is formed for or meeting for the purpose of collective bargaining under subch. I, IV or V of ch. 111.

History: 1975 c. 426; 1977 c. 364,447; 1985 a. 26, 29, 332; 1987 a. 305; 1993 a. 215, 263, 456, 491; 1995 a. 27, 185; 1997 a. 79.

a board of directors of
a private school that is
participating in the
program under s. 119.23,



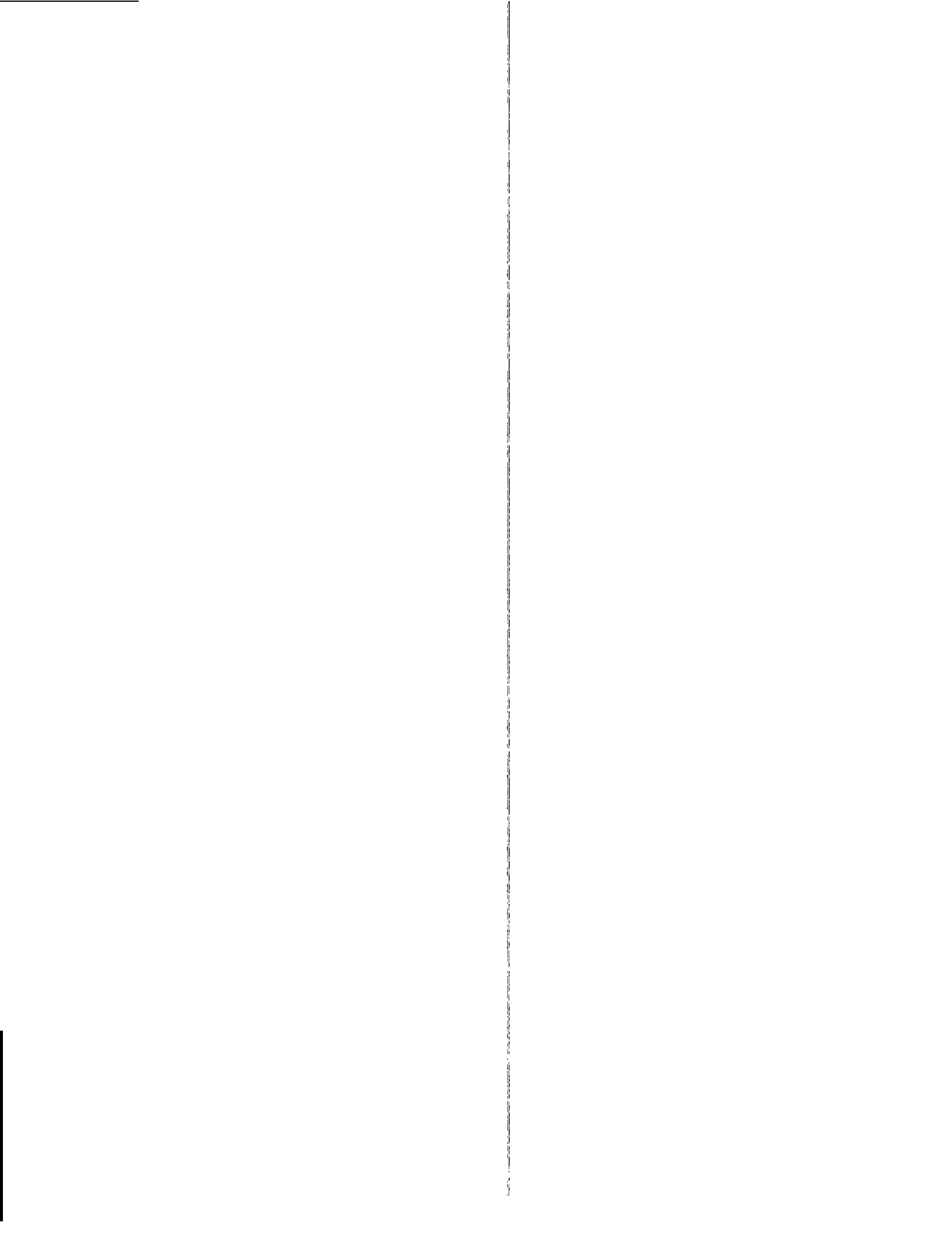
Section #. 118.30 (1m) (a) of the statutes is amended to read:

118.30 ^{4th grade} (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, ~~in the 4th grade~~. Beginning on July 1, 2002, if the school board has not developed and adopted its own 4th grade examination, the school board shall provide a pupil with at least 2 opportunities to achieve a score on the examination administered under this subdivision that is sufficient for promotion under sub. (5) (a) 1.

2. Beginning on July 1, 2002, if the school board has developed or adopted its own 4th grade examination, administer that examination to all ^{4th grade} pupils enrolled in the school district, including ^{4th grade} pupils enrolled in charter schools located in the school district, ~~in the 4th grade~~. The school board shall provide a pupil with at least 2 opportunities to pass the examination administered under this subdivision.

History: 1991 a. 269; 1993 a. 16,367; 1995 a. 27 ss. 3971b to 3971yd, 9145 (1); 1997 a. 27, 164, 237.

and to all 4th grade pupils enrolled in private schools that are participating in the program under s. 118.23: and are located in the school district



Section #. 118.30 (lm) (am) of the statutes is amended to read:

118.30 **(lm)** (am) 1. Except as provided in sub. (6), administer the ^{8th grade} 8th grade examination adopted or approved by the state superintendent under sub. (1) (a) to all pupils enrolled in the school district, including ^{8th grade} pupils enrolled in charter schools located in the school district, ~~in the 8th grade~~. Beginning on July 1, 2002, if the school board has not developed and adopted its own 8th grade examination, the school board shall provide a pupil with at least 2 opportunities to achieve a score on the examination administered under this subdivision that is sufficient for promotion under sub. (5) (b) 1.

2. Beginning on July 1, 2002, if the school board has developed or adopted its own 8th grade examination, administer that examination to all ^{8th grade} pupils enrolled in the school district, including ^{8th grade} pupils enrolled in charter schools located in the school district, ~~in the 8th grade~~. The school board shall provide a pupil with at least 2 opportunities to pass the examination administered under this subdivision.

History: 1991 a. 269; 1993 a. 16, 367; 1995 a. 27 ss. 3971b to 3971yd, 9145 (1); 1997 a. 27, 164, 237.

and to all 8th grade pupils enrolled in private schools ^{that are} participating in the program under § 119.23 and are located in the school district

Section #. 118.30 (1m) (b) of the statutes is amended to read:

118.30 (1m) (b) Administer the 10th grade examination to ^{10th grade} all pupils enrolled in the school district, including ^{10th grade} pupils enrolled in charter schools located in the school district, ~~in the 10th grade~~. This paragraph does not apply after the 2000-01 school year.

History: 1991 a. 269; 1993 a. 16, 367; 1995 a. 27 ss. 3971b to 3971yd, 9145 (1); 1997 a. 27, 164, 237.

and to all 10th grade pupils
enrolled in private schools
that are participating in the
program under s. 119.23 and
are located in the school
district



Section #. 119.23 (2) (a) 1., 2. and 3. of the statutes are amended to read:

119.23 (2) (a) 1. The pupil is a member of a family that has a total family income that does not exceed an amount equal to ~~1.75~~^{2.2} times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113.

2. In the previous school year the pupil was enrolled in the school district operating under this chapter, was attending a private school ~~under this~~, ~~was enrolled in grades kindergarten to 3~~ in a private school located in the city ~~other than under this section~~ or was not enrolled in school.

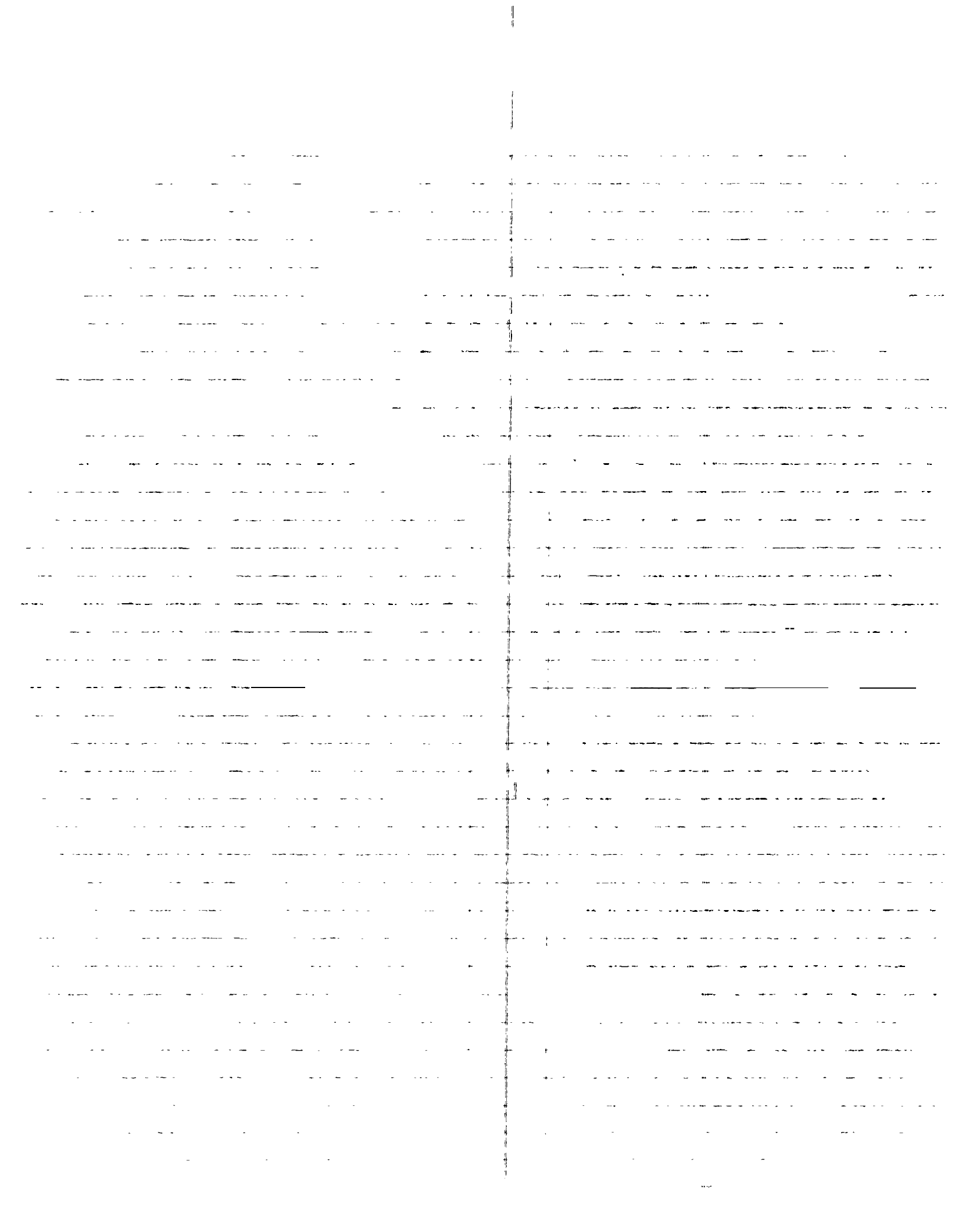
History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113.

3. The private school notified the state superintendent of its intent to participate in the program under this section by ~~May 1~~^{February} of the previous school year. The notice shall specify the number of pupils participating in the program under this section for which the school has space.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113.

SEC. CR; 119.23(2)(a) 6.

119.23(2)(a) 6. The private school has a formal governance structure, including a board of directors; which ~~has adopted~~ ^a and ^d bylaws that specify ~~for~~ ^{the selection process for} the terms of board ^d members. ~~and meeting~~



Section #. 119.23 (4) of the statutes is amended to read:

119.23 (4) Upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school, the state superintendent shall pay to the parent or guardian from the appropriation under s. 20.255 (2) (fu), an amount equal to the total amount to which the school district is entitled under s. 121.08 divided by the school district membership, or an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming, as determined by the department, whichever is less. The state superintendent shall pay 25% of the total amount in September, 25% in November, 25% in February and 25% in May. The department shall send the check to the private school. ~~The~~ parent or guardian shall restrictively endorse the check for the use of the private school.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113.

If the check is paid to the parent or guardian, the

to the private school if the private school is nonsectarian, or
if the private school is sectarian

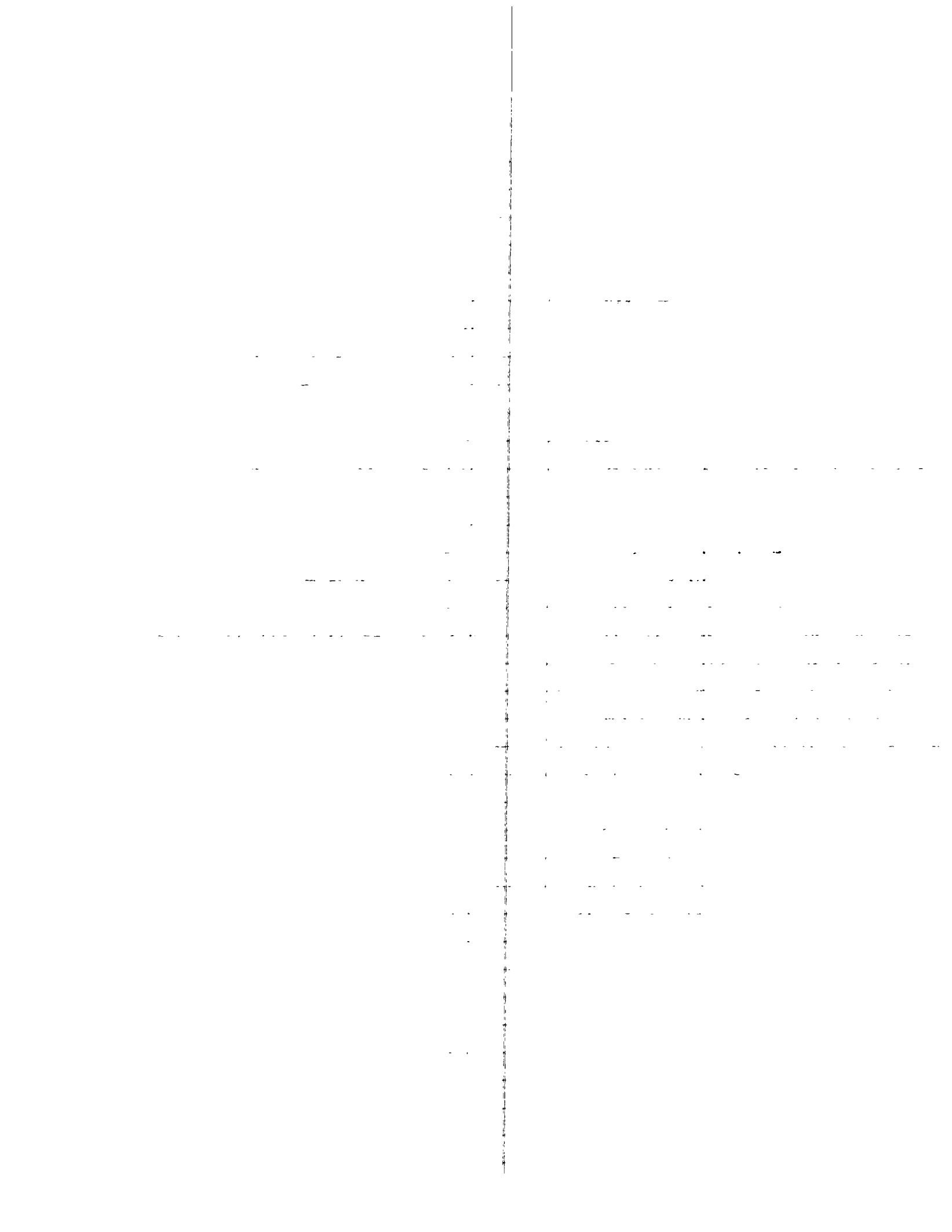
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Sec. 42, 119.23(10)

119.23(10)^B The department, in cooperation with the pupil assignment council under sub (8), shall establish a public information campaign to inform the parents of all pupils who are eligible to attend a private school under this section, and the eligible pupils, about the program under this section.



Section #. 121.02 (1) (r) of the statutes is amended to read:

3rd grade
121.02 (1) (r) Annually administer a standardized reading test developed by the department to all pupils enrolled in the school district ~~in grade 3~~, including 3rd grade pupils enrolled in charter schools located in the school district.

History: 1973 c. 90, 115, 243, 333; 1975 c. 39, 198; 1977 c. 29, 178, 206, 418, 429, 447; 1979 c. 34, 221; 1985 a. 29, 228; 1987 a. 27, 399; 1989 a. 31, 285; 1991 a. 48, 269; 1993 a. 16, 339, 430, 450; 1995 a. 27 ss. 4036 to 4038, 9145 (1); 1997 a. 27, 113,

, and to all 3rd grade pupils enrolled in private schools that are participating in the program under s. 119.23 and are located in the school district



1999

Nonstat File Sequence: **D D D** 99 _____ /
_____ : _____ : _____

\$\$\$ CHANGE

1. In the component bar:

For the action phrase, execute: **create** → **action:** → *NS: → \$change

For the budget action phrase, execute: **create** → **action:** → *NS: → 92XX

For the text, execute: **create** → **text:** → *NS: → \$change

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the **9200** department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # ____ 92 **Appropriation changes;**

..... public instruction

(#1) aw .. M. Iwanke parental choice program ..

..... In the schedule under section 20.005 (3) of the statutes for the appropriation to the department

..... of public instruction

under section 20.255 (1)(a) of the statutes, as affected by the acts of 1999, the dollar amount is increased by \$, .. 30,000 .. for fiscal year 1999-00 and the dollar amount is increased

by \$, .. for fiscal year 2000-01 [to, .. create funding for the [purpose] [purposes] for which the appropriation is made [to, .. create funding for, .. to pass for the public information campaign, .. under section 119.23 (10) of the statutes, as created by this act. #

* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.



Nonstat File Sequence:

INITIAL APPLICABILITY

- 1. In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the budget action phrase, execute: create → action: → *NS: → 93XX
 For the text, execute: create → text: → *NS: → inappl
- 2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9399 department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # 93 Initial applicability,

(#1) (u)

..... The treatment of sections ..

19.82(1), 118.30(1m)(a) and (b), 119.23(2)(a), 1.3.3. and 6. and (4) and 121.02(1)(r) ✓

..... of the statutes

first applies to private schools and pupils participating in the Milwaukee parental choice program in the 2000-01 school year.

End ✓

- 1. In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the text, execute: create → text: → *NS: → inappl
- 2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # _____ Initial applicability,

(#1) () This act first applies to

private schools participating in the Milwaukee parental choice program in the 2000-01 school year.

End

Page 1 of 1

Document ID: 123456789



ANALYSIS

This bill makes a number of changes to the statute governing the Milwaukee Parental Choice Program (MPCP), which allows certain pupils in Milwaukee ~~may~~ ^{to} attend participating private schools in Milwaukee at state expense. The changes include the following:

1. Currently, the pupil must be a member of a family with a total family income that does not exceed 1.75 times the federal poverty level in order to participate in the MPCP. This bill raises that limit to 2.2 times the federal poverty level.

2. Currently, in order to participate in the MPCP, the pupil has to be enrolled in the previous school year the pupil has to be enrolled in the Milwaukee Public Schools (MPS); attending a private school under the MPCP;

~~get state total dates for all apps~~

~~program~~ enrolled in grades kindergarten to three in a private school located in Milwaukee other than under the ^MMPCP; or not enrolled in school. This bill allows all pupils who ^{in the previous school year} were enrolled in ~~the~~ ^MMPS or who were attending a private school located in Milwaukee ~~in the previous school year~~ to participate.

3. Currently, a private school must notify the department of public instruction (DPI) of its intent to participate in the MPCP by May 1 of the previous school year.

This bill changes the date to February 1.

4. This bill requires that, in order to participate in the MPCP, a private school must have a formal governance structure, including a board of directors, and bylaws that specify the selection process ~~for~~ and the ^{terms} terms



of board members. The bill also subjects the meetings of ~~the~~ each private school's board of directors to the states open meetings law.

5. ~~currently~~ state payment is for a pupil attending a private school under the MPCP is ~~sent to~~ an amount equal to the ~~the~~ per pupil aid amount ^{unt} received by MPS or an amount equal to the private school's operating and debt service ^{ice} cost per pupil, whichever is less. ~~The state sends~~ DPL sends the check, ~~to the~~ which is made out to the pupil's parent or guardian, to the private school. The parent or guardian must endorse the check for the use of the private school.

pupils attending This bill retains this payment procedure for ^{sectarian} private schools. For ^{pupils attending} nonsectarian private schools, the bill provides for the payment to be made directly to the school.

CHAPTER

1/2 40 (24) 23. A K-3 or K-12

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~~1/2 40 (24) 23. A K-3 or K-12~~
~~40 to~~
~~25 to~~

a school board must administer

6. Currently, the fourth, eighth and tenth grade pupil assessments and the third grade reading test ~~must be administered to~~ ~~the~~ ~~school district~~ ~~in the~~ ~~school district,~~ ~~including~~ ~~pupils~~ ~~enrolled~~ ~~in~~ ~~charter~~ ~~schools~~ ~~located~~ ~~in~~ ~~the~~ ~~school~~ ~~district.~~ This bill ~~also~~ ~~requires~~ ~~the~~ ~~school~~ ~~district~~ ^{MPS} to administer these examinations to ~~private~~ ~~schools~~ ~~pupils~~ who are enrolled in the appropriate grades in private schools ~~that~~ are participating in the MPCP, as well.

7. This bill directs DPI, in cooperation with the pupil assignment council (~~and~~ which consists of one ^{represent} representative from each private school participating in the MPCP), to establish a public information campaign to inform the parents of all pupils who are eligible to ~~these~~ ~~private~~ ~~school~~ participate in the MPCP, and



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The eligible pupils, as about the year

FE-SL

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1. This bill first applies to private schools and pupils participating in the Milwaukee parental choice program in the 2000-01 school year. OK?

2. If this bill is enacted before the enactment of the 1999-2001 biennial budget act, the appropriation increase may not be effective. You may wish to delay the effective date of this bill until the day after the budget act's effective date; that would guarantee that the appropriation increase takes effect.

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0015/1dn
PG:kmg:jf

December 1, 1998

1. This bill first applies to private schools and pupils participating in the Milwaukee parental choice program in the 2000-01 school year. OK?

2. If this bill is enacted before the enactment of the 1999-2001 biennial budget act, the appropriation increase may not be effective. You may wish to delay the effective date of this bill until the day after the budget act's effective date; that would guarantee that the appropriation increase takes effect.

Peter R. Grant
Assistant Chief Counsel
267-3362

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1999 BILL

regenerate

1 **AN ACT to amend** 19.82 (1), 118.30 (1m) (a), 118.30 (1m) (am), 118.30 (1m) (b),
 2 119.23 (2) (a) 1., 2. and 3., 119.23 (4) and 121.02 (1) (r); and **to create** 119.23 (2)
 3 (a) 6. and 119.23 (10) of the statutes; **relating to:** the Milwaukee parental
 4 choice program and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes a number of changes to the statutes governing the Milwaukee parental choice program (MPCP), which allows certain pupils to attend participating private schools in Milwaukee at state expense. The changes include the following:

1. Currently, the pupil must be a member of a family with a total family income of no more than 1.75 times the federal poverty level in order to participate in the MPCP. This bill raises that limit to 2.2 times the federal poverty level.

2. Currently, in order to participate in the MPCP, in the previous school year the pupil had to be enrolled in the Milwaukee Public Schools (MPS); attending a private school under the MPCP; enrolled in grades kindergarten to three in a private school located in Milwaukee other than under the MPCP; or not enrolled in school. This bill allows all pupils who, in the previous school year, were enrolled in MPS or who were attending a private school located in Milwaukee to participate.

3. Currently, a private school must notify the department of public instruction (DPI) of its intent to participate in the MPCP by May 1 of the previous school year. This bill changes the date to February 1.

4. This bill requires that, in order to participate in the MPCP, a private school must have a formal governance structure, including a board of directors, and bylaws

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each private school participating in the MPCP MPCP

that specify the selection process and the terms of board members. The bill also subjects the meetings of each private school's board of directors to the state's open meetings law.

5. State payment for a pupil attending a private school under the MPCP is an amount equal to the per pupil aid amount received by MPS or an amount equal to the private school's operating and debt service cost per pupil, whichever is less. DPI sends the check, which is made out to the pupil's parent or guardian, to the private school. The parent or guardian must endorse the check for the use of the private school.

This bill retains this payment procedure for pupils attending sectarian private schools. For pupils attending nonsectarian private schools, the bill provides for the payment to be made directly to the school.

6. Currently, a school board must administer the fourth, eighth and tenth grade pupil assessments and the third grade reading test to all pupils enrolled in the appropriate grades in the school district, including pupils enrolled in charter schools located in the school district. This bill requires ~~MPS~~ to administer these examinations to pupils who are enrolled in the appropriate grades in private schools ~~that are participating in the MPCP as well.~~ ^{the}

and are

7. This bill directs DPI, in cooperation with the pupil assignment council (which consists of one representative from each private school participating in the MPCP), to establish a public information campaign to inform the parents of all pupils who are eligible to participate in the MPCP, and the eligible pupils, about the MPCP.

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.** 19.82 (1) of the statutes is amended to read:
- 2 19.82 (1) "Governmental body" means a state or local agency, board,
- 3 commission, committee, council, department or public body corporate and politic
- 4 created by constitution, statute, ordinance, rule or order; a governmental or
- 5 quasi-governmental corporation except for the Bradley center sports and
- 6 entertainment corporation; a local exposition district under subch. II of ch. 229; a
- 7 nonprofit corporation operating the Olympic ice training center under s. 42.11 (3);
- 8 a board of directors of a private school that is participating in the program under s.
- 9 119.23; or a formally constituted subunit of any of the foregoing, but excludes any

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1 such body or committee or subunit of such body which is formed for or meeting for
2 the purpose of collective bargaining under subch. I, IV or V of ch. 111.

3 ~~SECTION 2. 118.30 (1m) (a) of the statutes is amended to read:~~

4 ~~I 118.30 (1m) (a) 1. Except as provided in sub. (6), administer the 4th grade
5 examination adopted or approved by the state superintendent under sub. (1) (a) to
6 all 4th grade pupils enrolled in the school district, including 4th grade pupils enrolled
7 in charter schools located in the school district, in the 4th grade and to all 4th grade
8 pupils enrolled in private schools that are participating in the program under s.
9 119.23 and are located in the school district. Beginning on July 1, 2002, if the school
10 board has not developed and adopted its own 4th grade examination, the school
11 board shall provide a pupil with at least 2 opportunities to achieve a score on the
12 examination administered under this subdivision that is sufficient for promotion
13 under sub. (5) (a) 1.~~

14 ~~2. Beginning on July 1, 2002, if the school board has developed or adopted its
15 own 4th grade examination, administer that examination to all 4th grade pupils
16 enrolled in the school district, including 4th grade pupils enrolled in charter schools
17 located in the school district, in the 4th grade and to all 4th grade pupils enrolled in
18 private schools that are participating in the program under s. 119.23 and are located
19 in the school district. The school board shall provide a pupil with at least 2
20 opportunities to pass the examination administered under this subdivision.~~

21 ~~SECTION 3. 118.30 (1m) (am) of the statutes is amended to read:~~

22 ~~118.30 (1m) (am) 1. Except as provided in sub. (6), administer the 8th grade
23 examination adopted or approved by the state superintendent under sub. (1) (a) to
24 all 8th grade pupils enrolled in the school district, including 8th grade pupils enrolled
25 in charter schools located in the school district, in the 8th grade and to all 8th grade~~

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1 pupils enrolled in private schools that are participating in the program under s.
2 119.23 and are located in the school district. Beginning on July 1, 2002, if the school
3 board has not developed and adopted its own 8th grade examination, the school
4 board shall provide a pupil with at least 2 opportunities to achieve a score on the
5 examination administered under this subdivision that is sufficient for promotion
6 under sub. (5) (b) 1.

7 2. Beginning on July 1, 2002, if the school board has developed or adopted its
8 own 8th grade examination, administer that examination to all 8th grade pupils
9 enrolled in the school district, including 8th grade pupils enrolled in charter schools
10 located in the school district, in the 8th grade and to all 8th grade pupils enrolled in
11 private schools that are participating in the program under s. 119.23 and are located
12 in the school district. The school board shall provide a pupil with at least 2
13 opportunities to pass the examination administered under this subdivision.

14 **SECTION 4.** 118.30 (1m) (b) of the statutes is amended to read:

15 118.30 (1m) (b) Administer the 10th grade examination to all 10th grade pupils
16 enrolled in the school district, including 10th grade pupils enrolled in charter schools
17 located in the school district, in the 10th grade and to all 10th grade pupils enrolled
18 in private schools that are participating in the program under s. 119.23 and are
19 located in the school district. This paragraph does not apply after the 2000-01 school
20 year.

21 **SECTION 5.** 119.23 (2) (a) 1., 2. and 3. of the statutes are amended to read:

22 119.23 (2) (a) 1. The pupil is a member of a family that has a total family income
23 that does not exceed an amount equal to ~~1.75~~ 2.2 times the poverty level determined
24 in accordance with criteria established by the director of the federal office of
25 management and budget.

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1 2. In the previous school year the pupil was enrolled in the school district
2 operating under this chapter, was attending a private school ~~under this section,~~ was
3 ~~enrolled in grades kindergarten to 3 in a private school~~ located in the city ~~other than~~
4 ~~under this section~~ or was not enrolled in school.

5 3. The private school notified the state superintendent of its intent to
6 participate in the program under this section by ~~May~~ ~~February~~ 1 of the previous
7 school year. The notice shall specify the number of pupils participating in the
8 program under this section for which the school has space.

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

10 119.23 (2) (a) 6. The private school has a formal governance structure,
11 including a board of directors, and bylaws that specify the selection process for and
12 the terms of board members.

13 **SECTION 7.** 119.23 (4) of the statutes is amended to read:

14 119.23 (4) Upon receipt from the pupil's parent or guardian of proof of the
15 pupil's enrollment in the private school, the state superintendent shall pay ~~to the~~
16 ~~private school if the private school is nonsectarian?~~ or to the parent or guardian if the
17 private school is sectarian. from the appropriation under s. 20.255 (2) (fu), an amount
18 equal to the total amount to which the school district is entitled under s. 121.08
19 divided by the school district membership, or an amount equal to the private school's
20 operating and debt service cost per pupil that is related to educational programming,
21 as determined by the department, whichever is less. The state superintendent shall
22 pay 25% of the total amount in September, 25% in November, 25% in February and
23 25% in May. The department shall send the check to the private school. ~~The~~ If the
24 check is paid to the parent or guardian, the parent or guardian shall restrictively
25 endorse the check for the use of the private school.

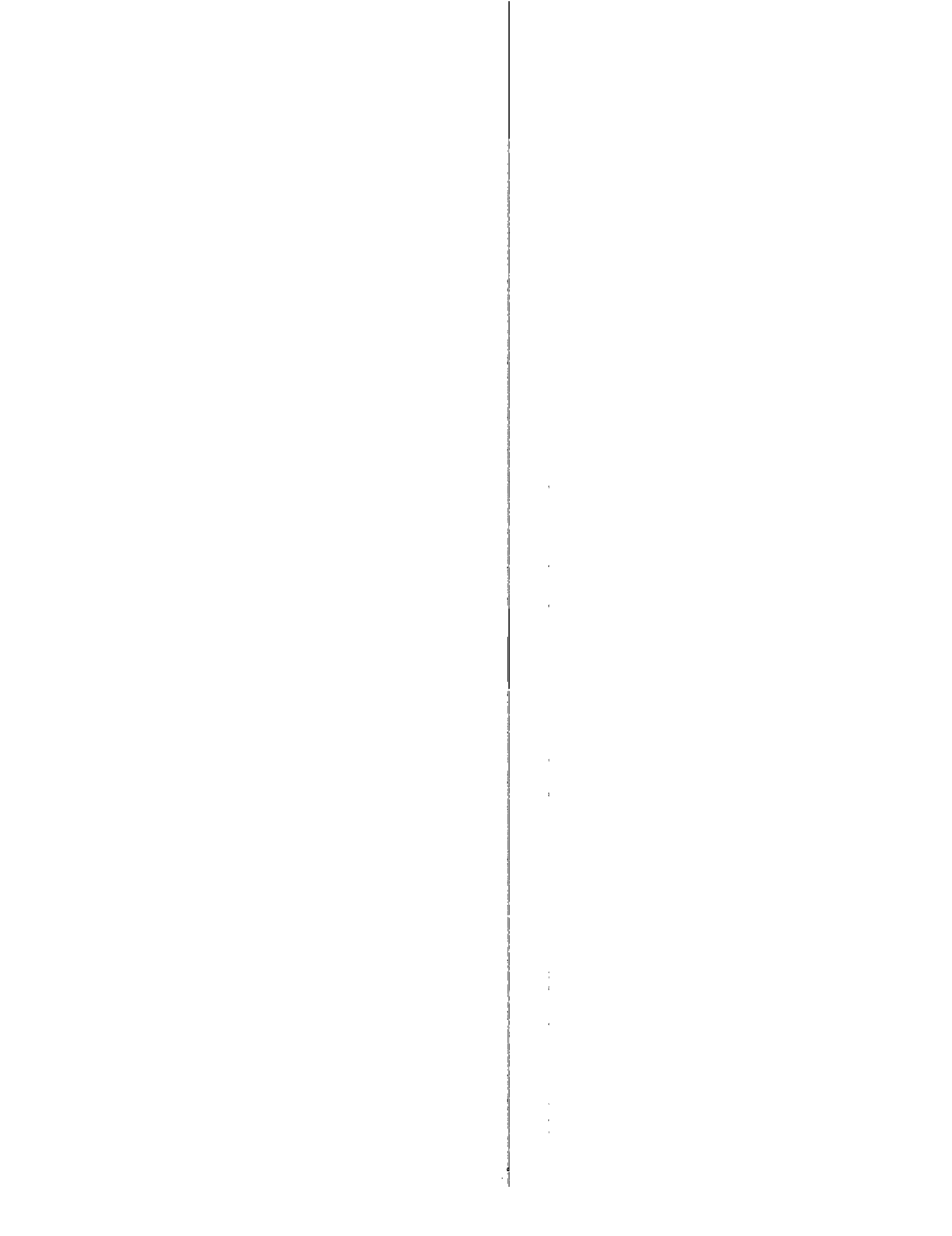
SEC. CR. 119.23(7)(d)

119.23(7)(d) Each private school participating in the program under this section shall do all of the following:

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2. Administer the 4th ^{and 8th} grade examinations adopted or approved by the state superintendent under s. 118.30(1)(a) or the 4th ^{and 8th} grade examinations developed or adopted by the board under s. 118.30(1)(c) to all 4th and 8th grade pupils enrolled in the private school ~~that are participating in the program~~ under s. 119.23 this section.

3. Administer the 10th grade examination adopted or approved by the state superintendent under s. 118.30(1)(a) to all 10th grade pupils enrolled in the private school under s. 119.23. This subdivision does not apply after the 2000-01 school year.



(A) ✓

1. Administer a standardized
reading test developed by the department
to all 3rd grade pupils ~~enrolled in~~
enrolled in
of the private school under s. 119.23
this section.

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SECTION 8. 119.23 (10) of the statutes is created to read:

119.23 **(10)** The department, in cooperation with the pupil assignment council under sub. (8), shall establish a public information campaign to inform the parents of all pupils who are eligible to attend a private school under this section, and the eligible pupils, about the program under this section.

SECTION 9. 121.02 (1) (r) of the statutes is amended to read:

~~121.02 (1) (r) Annually administer a standardized reading test developed by the department to all 3rd grade pupils enrolled in the school district in grade 3, including 3rd grade pupils enrolled in charter schools located in the school district, and to all 3rd grade pupils enrolled in private schools that are participating in the program under s. 119.23 and are located in the school district.~~

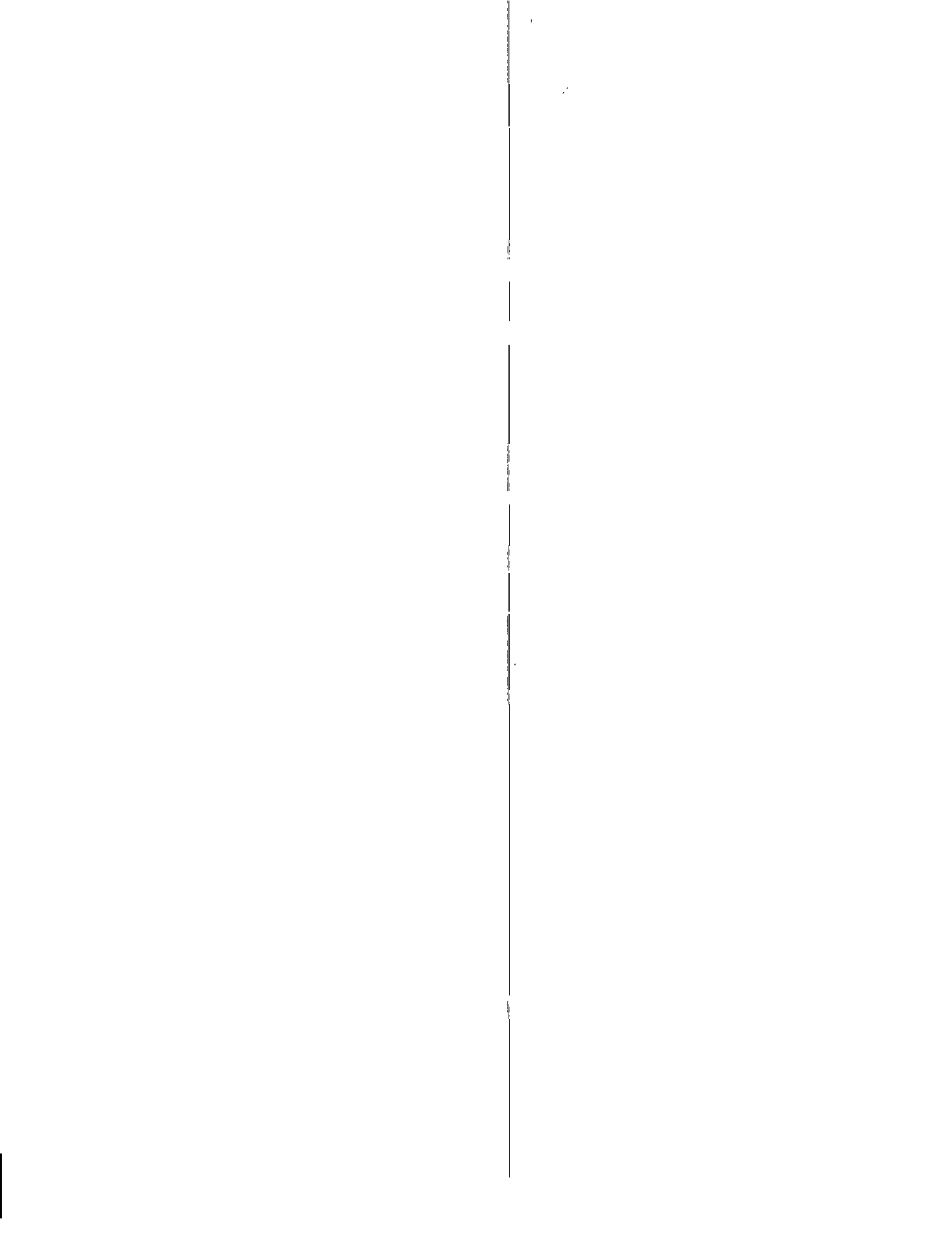
SECTION 10. Appropriation changes; public instruction.

(1) **MILWAUKEE PARENTAL CHOICE PROGRAM.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts of 1999, the dollar amount is increased by \$30,000 for fiscal year 1999-00 for the public information campaign under section 119.23 (10) of the statutes, as created by this act.

SECTION 11. Initial applicability.

(1) The treatment of sections 19.82 (1), 119.23 (2) (a) 1., 2., 3. and 6. and (4) and 121.02 (1) (r) of the statutes first applies to private schools and pupils participating in the Milwaukee parental choice program in the 2000-01 school year.

(END)



STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU - LEGAL SECTION
(608-266-3561)

3/10/99

mtg w/ Larry Hanwell

reds

& W.C.

delit RECS 1, 3 + 5



1999 BILL

1 AN **ACT to amend** 19.82 (1), 119.23 (2) (a) 1., 2. and 3. and 119.23 (4); and **to**
2 **create** 119.23 (2) (a) 6., ~~119.23 (7) (d)~~ and 119.23 (10) of the statutes; **relating**
3 **to:** the Milwaukee parental choice program and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes a number of changes to the statutes governing the Milwaukee parental choice program (MPCP), which allows certain pupils to attend participating private schools in Milwaukee at state expense. The changes include the following:

1. Currently, the pupil must be a member of a family with a total family income of no more than 1.75 times the federal poverty level in order to participate in the MPCP. This bill raises that limit to 2.2 times the federal poverty level.

2. Currently, in order to participate in the MPCP, in the previous school year the pupil had to be enrolled in the Milwaukee Public Schools (MPS); attending a private school under the MPCP; enrolled in grades kindergarten to three in a private school located in Milwaukee other than under the MPCP; or not enrolled in school. This bill allows all pupils who, in the previous school year, were enrolled in MPS or who were attending a private school located in Milwaukee to participate.

3. Currently, a private school must notify the department of public instruction (DPI) of its intent to participate in the MPCP by May 1 of the previous school year. This bill changes the date to February 1.

4. This bill requires that, in order to participate in the MPCP, a private school must have a formal governance structure, including a board of directors, and bylaws that specify the selection process and the terms of board members. The bill also

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~~subjects the meetings of each private school's board of directors to the state's open meetings law.~~

4. State payment for a pupil attending a private school under the MPCP is an amount equal to the per pupil aid amount received by MPS or an amount equal to the private school's operating and debt service cost per pupil, whichever is less. DPI sends the check, which is made out to the pupil's parent or guardian, to the private school. The parent or guardian must endorse the check for the use of the private school.

This bill retains this payment procedure for pupils attending sectarian private schools. For pupils attending nonsectarian private schools, the bill provides for the payment to be made directly to the school.

6. ~~Currently, a school board must administer the fourth, eighth and tenth grade pupil assessments and the third grade reading test to all pupils enrolled in the appropriate grades in the school district, including pupils enrolled in charter schools located in the school district. This bill requires each private school participating in the MPCP to administer these examinations to pupils who are enrolled in the appropriate grades in the private school and are participating in the MPCP.~~

5. This bill directs DPI, in cooperation with the pupil assignment council (which consists of one representative from each private school participating in the MPCP), to establish a public information campaign to inform the parents of all pupils who are eligible to participate in the MPCP, and the eligible pupils, about the MPCP.

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.** 19.82 (1) of the statutes is amended to read:

2 19.82 (1) "Governmental body" means a state or local agency, board,
3 commission, committee, council, department or public body corporate and politic
4 created by constitution, statute, ordinance, rule or order; a governmental or
5 quasi-governmental corporation except for the Bradley center sports and
6 entertainment corporation; a local exposition district under subch. II of ch. 229; a
7 nonprofit corporation operating the Olympic ice training center under s. 42.11 (3);
8 a board of directors of a private school that is participating in the program under s.
9 119.23, or a formally constituted subunit of any of the foregoing, but excludes any

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~~such body or committee or subunit of such body which is formed for or meeting for the purpose of collective bargaining under subch. I, IV or V of ch. 111.~~

SECTION. % 119.23 (2) (a) 1., 2. and 3. of the statutes are amended to read:

119.23 (2) (a) 1. The pupil is a member of a family that has a total family income that does not exceed an amount equal to ~~1.75~~ 2.2 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget.

2. In the previous school year the pupil was enrolled in the school district operating under this chapter, was attending a private school ~~under this section, was enrolled in grades kindergarten to 3 in a private school located in the city other than under this section~~ or was not enrolled in school.

3. The private school notified the state superintendent of its intent to participate in the program under this section by ~~May~~ February 1 of the previous school year. The notice shall specify the number of pupils participating in the program under this section for which the school has space.

SECTION 3. ~~119.23 (2) (a) 6. of the statutes is created to read:~~

~~119.23 (2) (a) 6. The private school has a formal governance structure including a board of directors, and bylaws that specify the selection process for and the terms of board members.~~

SECTION 4. 119.23 (4) of the statutes is amended to read:

119.23 (4) Upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school, the state superintendent shall pay to the private school if the private school is nonsectarian. or to the parent or guardian if the private school is sectarian. from the appropriation under s. 20.255 (2) (fu), an amount equal to the total amount to which the school district is entitled under s. 121.08

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1 divided by the school district membership, or an amount equal to the private school's
2 operating and debt service cost per pupil that is related to educational programming,
3 as determined by the department, whichever is less. The state superintendent shall
4 pay 25% of the total amount in September, 25% in November, 25% in February and
5 25% in May. The department shall send the check to the private school. ~~The~~ If the
6 check is paid to the parent or guardian, the parent or guardian shall restrictively
7 endorse the check for the use of the private school.

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

9 119.23 (7) (d) Each private school participating in the program under this
10 section shall do all of the following:

11 1. Administer a standardized reading test developed by the department to all
12 3rd grade pupils enrolled in the private school under this section.

13 2. Administer the 4th and 8th grade examinations adopted or approved by the
14 state superintendent under s. 118.30 (1) (a) or the 4th and 8th grade examinations
15 developed or adopted by the board under s. 118.30 (lg) (c) to all 4th and 8th grade
16 pupils enrolled in the private school under this section.

17 3. Administer the 10th grade examination adopted or approved by the state
18 superintendent under s. 118.30 (1) (a) to all 10th grade pupils enrolled in the private
19 school under this section. This subdivision does not apply after the 2000-01 school
20 year.

21 **SECTION 6.** 119.23 (10) of the statutes is created to read:

22 119.23 (10) The department, in cooperation with the pupil assignment council
23 under sub. (8), shall establish a public information campaign to inform the parents
24 of all pupils who are eligible to attend a private school under this section, and the
25 eligible pupils, about the program under this section.

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SECTION 7. Appropriation changes; public instruction.

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(1) **MILWAUKEE PARENTAL CHOICE PROGRAM.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts of 1999, the dollar amount is increased by \$30,000 for fiscal year 1999-00 for the public information campaign under section 119.23 (10) of the statutes, as created by this act.

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SECTION 8. Initial applicability.

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(1) The treatment of section ~~119.23 (1) and~~ 119.23 (2) (a) 1., 2., 3. ~~and~~ (4) ~~and~~ ~~of~~ the statutes first applies to private schools and pupils participating in the Milwaukee parental choice program in the 2000-01 school year.

(END)

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**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 3/10/99

To: Representative Williams

Relating to LRB drafting number: LRB-0015

Topic

Milwaukee school choice

Subject(s)

Education - MPS

1. **JACKET** the draft for introduction REP. WILLIAMS
in the Senate or the Assembly (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____
If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362

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