

1999 SENATE BILL 73

March 4, 1999 – Introduced by Senators GEORGE and MOORE, cosponsored by Representatives SINICKI, YOUNG, BOCK, MORRIS-TATUM, TURNER and COGGS. Referred to Committee on Education.

1 **AN ACT** *to repeal* 118.40 (2r) (f), 118.40 (2r) (g), 119.23 (5) (a), 119.23 (5) (b) and
2 121.05 (1) (a) 4.; *to consolidate, renumber and amend* 119.23 (5) (intro.) and
3 (c); and *to amend* 121.05 (1) (a) 9. and 121.90 (1) (intro.) of the statutes;
4 **relating to:** the Milwaukee parental choice program, charter schools and state
5 aid to the Milwaukee Public Schools.

Analysis by the Legislative Reference Bureau

Current law allows up to 15% 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. 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.

Under current law, the city of Milwaukee, the University of Wisconsin-Milwaukee and Milwaukee Area Technical College may establish by charter and operate a charter school or may initiate a contract with an individual or group to operate a school as a charter school. For each pupil attending the charter school, the state pays the charter school an amount equal to the shared cost per pupil of MPS and reduces the MPS school aid entitlement by an identical amount.

This bill provides that pupils participating in the choice program or attending a charter school described above are not counted in the enrollment of MPS for state

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aid purposes, and the MPS school aid entitlement is not reduced as a result of such participation or attendance.

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1 **SECTION 1.** 118.40 (2r) (f) of the statutes is repealed.

2 **SECTION 2.** 118.40 (2r) (g) of the statutes is repealed.

3 **SECTION 3.** 119.23 (5) (intro.) and (c) of the statutes are consolidated,
4 renumbered 119.23 (5) and amended to read:

5 119.23 (5) The state superintendent shall: ~~(e) Ensure~~ ensure that pupils and
6 parents and guardians of pupils who reside in the city are informed annually of the
7 private schools participating in the program under this section.

8 **SECTION 4.** 119.23 (5) (a) of the statutes is repealed.

9 **SECTION 5.** 119.23 (5) (b) of the statutes is repealed.

10 **SECTION 6.** 121.05 (1) (a) 4. of the statutes is repealed.

11 **SECTION 7.** 121.05 (1) (a) 9. of the statutes is amended to read:

12 121.05 (1) (a) 9. Pupils enrolled in a charter school, other than a charter school
13 under s. 118.40 (2r).

14 **SECTION 8.** 121.90 (1) (intro.) of the statutes is amended to read:

15 121.90 (1) (intro.) “Number of pupils enrolled” means the sum of the number
16 of pupils enrolled on the 3rd Friday of September, ~~including pupils identified in~~
17 under s. 121.05 (1) (a) 1. to 11., except that “number of pupils enrolled” excludes the
18 ~~number of pupils attending public school under s. 118.145 (4) and~~ the number of
19 pupils attending charter schools under s. 118.40 (2r) and the number of pupils
20 attending private schools under s. 119.23, except as follows:

