

2001 ASSEMBLY BILL 432

June 5, 2001 – Introduced by Representatives LA FAVE, SINICKI, J. LEHMAN, BOCK, PLOUFF and RYBA, cosponsored by Senator GROBSCHMIDT. Referred to Committee on Education Reform.

1 **AN ACT** *to renumber and amend* 118.165 (1) (c); and *to create* 118.165 (1) (c)
2 2. and 119.23 (10) of the statutes; **relating to:** requirements for private schools
3 and authorizing the department of public instruction to determine whether a
4 school is a private school for purposes of the Milwaukee parental choice
5 program.

Analysis by the Legislative Reference Bureau

Currently, under the Milwaukee Parental Choice Program (MPCP), a pupil who resides in the city of Milwaukee may attend a private school at state expense under certain conditions. In order to qualify as a private school under the law, an institution's educational program must provide at least 875 hours of instruction each school year.

This bill provides that if the program offers kindergarten, it must provide at least 437 hours of instruction in kindergarten each school year.

The bill also provides that upon request of the department of public instruction, which administers the MPCP, a private school must demonstrate to the department's satisfaction that the private school's educational program meets all of the statutory criteria to be a private school. In addition to offering a specified number of hours of instruction each school year (as mentioned above), current law requires all of the following:

1. The primary purpose of the educational program must be to provide private or religious based instruction.

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2. The program must be privately controlled.

3. The program must provide a sequentially progressive curriculum of fundamental instruction in reading, language arts, mathematics, social studies, science, and health.

4. The program must not be operated for the purpose of circumventing the compulsory school attendance law.

5. The pupils in the program must return annually to the homes of their parents or guardians for at least two months of summer vacation, or the institution must be licensed as a child welfare agency by the department of health and family services.

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

1 **SECTION 1.** 118.165 (1) (c) of the statutes is renumbered 118.165 (1) (c) 1.
2 amended to read:

3 118.165 **(1)** (c) 1. The Except as provided in subd. 2., the program provides at
4 least 875 hours of instruction each school year.

5 **SECTION 2.** 118.165 (1) (c) 2. of the statutes is created to read:

6 118.165 **(1)** (c) 2. If the program offers kindergarten, it provides at least 437
7 hours of instruction in kindergarten each school year.

8 **SECTION 3.** 119.23 (10) of the statutes is created to read:

9 119.23 **(10)** Upon the department’s request, a private school that has notified
10 the department of its intent to participate, or that is participating, in the program
11 under this section shall demonstrate to the department’s satisfaction that its
12 educational program meets all of the criteria under s. 118.165 (1). The department
13 may require the private school to submit documents for that purpose, including a
14 school calendar, a daily schedule indicating the school’s hours of instruction, and
15 evidence showing that the school’s educational program provides a sequentially

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1 progressive curriculum of fundamental instruction in the subjects specified in s.

2 118.165 (1) (d).

3 (END)