

2001 DRAFTING REQUEST

Bill

Received: 04/06/2001

Received By: mlief

Wanted: Soon

Identical to LRB:

For: Christine Sinicki (608) 266-8588

By/Representing: jan

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Education - miscellaneous
Education - MPS

Extra Copies: PG

Submit via email: NO

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Redraft LRB-4935 but make clear in Section 11 that all pupils (including pupils who are not participating in MPCP but are attending MPCP school) receive notice

Instructions:

Redraft 99-4935 to make clear in Section 11 that even pupils who are not participating in MPCP but who attend a participating school receive the notice and information.

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>
/?	mlief 04/09/2001	csicilia 04/11/2001		_____			
/1			martykr 04/12/2001	_____	lrb_docadmin 04/12/2001	lrb_docadmin 05/02/2001	
				_____	lrb_docadmin		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

_____ 05/02/2001

FE Sent For:

<END>

↳ Not
Needed

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Subject: Education - miscellaneous
Education - MPS
Education - charter schools

Extra Copies: *AKB*

Submit via email: NO

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Disclosure of non-discrimination policies by Milwaukee parental choice program and Milwaukee charter schools

Instructions:

Redraft 99 4935 to make clear in Section 11 that even pupils who are not participating in MPCP but who attend a participating school receive the notice and information.

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1?	mlief	<i>11 cjs 4/11</i> <i>01</i>	<i>km 4/11</i>	<i>Let 4</i> <i>km 12</i>			

FE Sent For:

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2001 BILL

To editing 2:30
ST 4/80
SOON

LPS: please
~~2000~~ p.w.f.
as indi-
cated

1 AN ACT to repeal 118.40 (4) (b) 2.; to consolidate, renumber and amend
2 118.40 (4) (b) (intro.) and 1.; to amend 118.13 (2) (b), 118.13 (3) (a) 3., 118.13
3 (3) (b) 1., 118.13 (3) (b) 2., 118.13 (4) and 119.23 (7) (c); and to create 118.13
4 (1m), 118.13 (2) (am), 118.40 (4) (a) 3. and 4. and 119.23 (6m) of the statutes;
5 relating to: prohibiting charter schools, and private schools that participate
6 in the Milwaukee parental choice program, from discriminating against pupils,
7 and requiring such schools to disclose certain information.

INS
ANALYSIS

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~

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

8 SECTION 1. 118.13 (1m) of the statutes is created to read:
9 118.13 (1m) No person who wishes to attend a private school under s. 119.23
10 or a charter school may be denied admission to that school and no pupil who is

SECTION 1

1 attending a private school under s. 119.23 or a charter school may be denied
 2 participation in, be denied the benefits of or be discriminated against in any
 3 curricular, extracurricular, pupil services, recreational or other program or activity
 4 of that school because of the person's sex, race, religion, national origin, ancestry,
 5 creed, pregnancy, marital or parental status, sexual orientation or physical, mental,
 6 emotional or learning disability.

7 **SECTION 2.** 118.13 (2) (am) of the statutes is created to read:

8 118.13 (2) (am) Each private school participating in the program under s.
 9 119.23 and each charter school shall develop written policies and procedures to
 10 implement this section and submit them to the state superintendent. The policies
 11 and procedures shall provide for receiving and investigating complaints regarding
 12 possible violations of this section, for making determinations as to whether this
 13 section has been violated and for ensuring compliance with this section.

14 **SECTION 3.** 118.13 (2) (b) of the statutes is amended to read:

15 118.13 (2) (b) Any person who receives a negative determination under par. (a)
 16 or (am) may appeal the determination to the state superintendent.

17 **SECTION 4.** 118.13 (3) (a) 3. of the statutes is amended to read:

18 118.13 (3) (a) 3. Include in the department's biennial report under s. 15.04 (1)
 19 (d) information on the ~~status of school district~~ compliance of school districts, charter
 20 schools, and private schools with this section and ~~school district~~ the progress made
 21 toward providing reasonable equality of educational opportunity for all pupils in this
 22 state.

23 **SECTION 5.** 118.13 (3) (b) 1. of the statutes is amended to read:

p.w.f.
p.w.f.

P.w.f. 1
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3

118.13 (3) (b) 1. Periodically review school district, charter school and private school programs, activities and services to determine whether the school boards, charter schools and private schools are complying with this section.

SECTION 6. 118.13 (3) (b) 2. of the statutes is amended to read:

P.w.f. 5
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118.13 (3) (b) 2. Assist school boards, charter schools and private schools to comply with this section by providing information and technical assistance upon request.

SECTION 7. 118.13 (4) of the statutes is amended to read:

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118.13 (4) Any public school, charter school or private school official, employe or teacher who intentionally engages in conduct which discriminates against a person or causes a person to be denied rights, benefits or privileges, in violation of sub. (1) or (1m), may be required to forfeit not more than \$1,000.

SECTION 8. 118.40 (4) (a) 3. and 4. of the statutes are created to read:

118.40 (4) (a) 3. Provide to each applicant to the charter school all of the following:

16

a. A list of the names, addresses, and telephone numbers of the members of the charter school's governing body and of the charter school's shareholders, if any.

18

b. A notice stating whether the charter school is an organization operated for profit or not for profit. If the charter school is a nonprofit organization, the charter

20

school shall also provide each applicant with a copy of the certificate issued under section 501 (c) (3) of the internal revenue code verifying that the charter school is a nonprofit organization that is exempt from federal income tax.

21

23

c. A copy of the appeals process used if the charter school rejects an applicant for admission.

24

1 d. A statement that the charter school agrees to permit public inspection and
2 copying of any record, as defined in s. 19.32 (2), of the charter school to the same
3 extent as required of, and subject to the same terms and enforcement provisions that
4 apply to, an authority under subch. II of ch. 19.

5 e. A statement that the charter school agrees to provide public access to
6 meetings of the governing body of the charter school to the same extent as is required
7 of, and subject to the same terms and enforcement provisions that apply to, a
8 governmental body under subch. V of ch. 19.

9 f. A copy of the charter school's policies and procedures on nondiscrimination
10 adopted under s. 118.13 (2) (am).

11 4. Upon request by any person, provide the material specified in subd. 3. and
12 the number of pupils enrolled in the charter school in the previous school year, pupil
13 scores on standardized tests administered in the previous school year, and the
14 number of pupils who were expelled or who failed to graduate in the previous school
15 year.

16 SECTION 9. 118.40 (4) (b) (intro.) and 1. of the statutes are consolidated,
17 renumbered 118.40 (4) (b) and amended to read:

18 118.40 (4) (b) *Restrictions*. A charter school may not do any of the following:

19 1. Charge charge tuition.

20 SECTION 10. 118.40 (4) (b) 2. of the statutes is repealed. ✓

21 SECTION 11. 119.23 (6m) of the statutes is created to read:

22 119.23 (6m) Each private school participating in the program under this
23 section shall do all of the following:

24 (a) Provide to each person who applies to attend ~~the~~ private school ~~under this~~

25 ~~section~~ all of the following:

P.W.S.

(the)

not participate in the program

1 1. A list of the names, addresses, and telephone numbers of the members of the
2 private school's governing body and of the private school's shareholders, if any.

3 2. A notice stating whether the private school is an organization operated for
4 profit or not for profit. If the private school is a nonprofit organization, the private
5 school shall also provide the applicant with a copy of the certificate issued under
6 section 501 (c) (3) of the internal revenue code verifying that the private school is a
7 nonprofit organization that is exempt from federal income tax.

8 3. A copy of the appeals process used if the private school rejects the applicant.

9 4. A statement that the private school agrees to permit public inspection and
10 copying of any record, as defined in s. 19.32 (2), of the private school to the same
11 extent as required of, and subject to the same terms and enforcement provisions that
12 apply to, an authority under subch. II of ch. 19.

13 5. A statement that the private school agrees to provide public access to
14 meetings of the governing body of the private school to the same extent as is required
15 of, and subject to the same terms and enforcement provisions that apply to, a
16 governmental body under subch. V of ch. 19.

17 6. A copy of the private school's policies and procedures on nondiscrimination
18 adopted under s. 118.13 (2) (am).

19 (b) Upon request by any person, provide the material specified in par. (a) and
20 the number of pupils enrolled in the private school in the previous school year, pupil
21 scores on standardized tests administered in the previous school year, and the
22 number of pupils who were expelled or who failed to graduate in the previous school
23 year.

24 SECTION 12. 119.23 (7) (c) of the statutes is amended to read:

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
.....

FNS - ANNA 450

Current law prohibits public schools and charter schools from discriminating against pupils on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability. In addition, each school board must adopt policies and procedures implementing this non-discrimination requirement.

This bill extends non-discrimination requirement to schools participating in the Milwaukee parental choice program (MPCP), under which state funds are used to pay for the cost of children from low-income families to attend, at no charge, private school located in the city of Milwaukee. The bill also requires each MPCP school and charter school to develop written policies and procedures to implement the non-discrimination requirement and to provide each applicant to a school with all of the following: (1) a list of the names, addresses, and telephone numbers of the members of the governing body of the school; (2) a notice stating whether the school is an organization run for profit or not for profit, and, if the school is run not for profit, proof of its federal tax-exempt status; (3) a copy of the appeals process used if the school rejects an applicant for admission; (4) a statement that the school agrees to be subject to the open meetings and open records requirements applicable to public bodies; and a copy of the school's non-discrimination policies and procedures. In addition, upon request of any person, the school must provide the information above, ~~and~~ the number of pupils enrolled in the previous school year, pupil scores on standardized tests administered in the previous school year, and the number of pupils who were expelled or who failed to graduate in the previous school year.

Under current law an MPCP school must exempt an MPCP pupil from participating in any religious activity if the pupil's parent or guardian submits a written request to that effect. This bill requires an MPCP school to provide each applicant for admission with a copy of a statement embodying this exemption requirement.



(me)

(5)

as well as





State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

April 12, 2001

MEMORANDUM

To: Representative Sinicki

From: Madelon J. Lief, Legislative Attorney

Re: LRB-3054/1 Redraft LRB-4935 but make clear in Section 11 that all pupils (including pupils who are not participating in MPCP but are attending MPCP school) receive notice

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

 X JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7380 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.