

2001 DRAFTING REQUEST

Bill

Received: 11/27/2001

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Glenn Grothman (608) 264-8486

By/Representing: Jim

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Addl. Drafters:

Subject: Education - school boards
Education - school finance

Extra Copies: MJL

Submit via email: YES

Requester's email: Rep.Grothman@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Discontinue counting 4-year-old kindergarten pupils in membership

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>
/?	grantpr 11/28/2001	gilfokm 11/30/2001					S&L
/1	grantpr 02/15/2002	gilfokm 02/18/2002	pgreensl 12/03/2001		lrb_docadmin 12/03/2001 lrb_docadmin 01/29/2002		S&L

Vers. Drafted Reviewed Typcd Proofed Submitted Jacketed Required

/2

jfrantze _____
02/18/2002 _____

lrb_docadmin
02/18/2002

lrb_docadmin
02/26/2002

FE Sent For:

at introduction

<END>

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1		12-2/18 Kmg	pgreensl 12/03/2001		lrb_docadmin 12/03/2001 lrb_docadmin 01/29/2002		

Handwritten signatures and dates:
12/18
12/18

Handwritten note:
requested 2nd PDF copy via e-mail

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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1?	grantpr	11/30 King	12/3 P8	12/3 P8/15			

FE Sent For:

<END>

11/27/01

TC from Jim in Guthman's etc.

delete all funding for 4-yr-old K programs,
leave 5-yr-old K programs as is.

LRB-4326
PG:kmg

2001 BILL

discontinuing the counting of pupils
regenerate

1 AN ACT to repeal 121.004 (7) (cm); and to amend 121.004 (7) (c) 1. a. and b.,
 2 121.004 (7) (c) 2., 121.004 (7) (f) and 121.86 (3) of the statutes; relating to: ~~the~~
 3 ~~manner in which a pupil~~ enrolled in a 4-year-old kindergarten program is
 4 ~~counted~~ for state aid purposes

Analysis by the Legislative Reference Bureau

Under current law, a school district other than a union high school district must operate a five-year-old kindergarten program. A pupil enrolled in a five-year-old kindergarten program is counted for state aid purposes as one-half pupil, except that a pupil enrolled in a five-year-old kindergarten program requiring full-day attendance for five days a week for an entire school year is counted as one pupil and a pupil enrolled in a five-year-old kindergarten program requiring full-day attendance for less than five days a week for an entire school year is counted according to the time scheduled for the program. A school district is not required to operate a four-year-old kindergarten program. If it does and the program provides 437 hours of direct pupil instruction, an enrolled pupil is counted as one-half pupil. If in addition it offers 87.5 hours of outreach activity, an enrolled pupil is counted as 0.6 pupil. If a four-year-old kindergarten program requires more than 437 hours of direct pupil instruction, an enrolled pupil is still counted as either one-half pupil or 0.6 pupil. If a school district operates a four-year-old kindergarten program requiring fewer than 437 hours of direct pupil instruction, the pupil is not counted at all for state aid.

BILL

discontinues the counting of all

This bill ~~counts~~ four-year-old kindergarten pupils ~~in the same manner as five-year-old kindergarten pupils are currently counted.~~

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.** 121.004 (7) (c) 1. a. and b. of the statutes are amended to read:

2 121.004 (7) (c) 1. a. A pupil enrolled in a 5-year-old kindergarten program
3 requiring full-day attendance for 5 days a week for an entire school year shall be
4 counted as one pupil.

5 b. A pupil enrolled in a 5-year-old kindergarten program requiring full-day
6 attendance for less than 5 days a week for an entire school year shall be counted as
7 the result obtained by multiplying the number of hours in each day in which the pupil
8 is enrolled by the total number of days for which the pupil is enrolled, and dividing
9 the result by the product of the number of hours of attendance per day required of
10 first grade pupils in the school district multiplied by 180.

11 **SECTION 2.** 121.004 (7) (c) 2. of the statutes is amended to read:

12 121.004 (7) (c) 2. In subd. 1. a. and b., "full-day" means the length of the school
13 day for pupils in the first grade of the school district operating the 5-year-old
14 kindergarten program.

15 **SECTION 3.** 121.004 (7) (cm) of the statutes is repealed.

16 **SECTION 4.** 121.004 (7) (f) of the statutes is amended to read:

17 121.004 (7) (f) A pupil who transfers from one school district to another under
18 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as
19 0.75 pupil or, if appropriate, as a number equal to the result obtained by multiplying
20 0.75 by the appropriate fraction under par. (c), ~~(cm)~~ or (d).

2-14 ✓

Section #. 121.004 (7) (c) 1. (intro.) of the statutes is amended to read:

121.004 (7) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only if the pupil attains the age permitted under s. 120.12 (25) or required under s. 118.14 for kindergarten admission. A ~~kindergarten pupil~~ shall be counted as one-half pupil, except that:

History: 1977 c. 29 ss. 1081, 1085e, 1085m; 1977 c. 418, 429; 1979 c. 34, 221; 1979 c. 346 s. 15; 1981 c. 20, 317; 1983 a. 27, 189; 1985 a. 29; 1987 a. 27; 1991 a. 39, 48; 1993 a. 16; 1997 a. 27, 164, 240; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16.

to a 5-year-old
kindergarten program

enrolled in a 5-year-old kindergarten program

~~Jim Emerson~~
Corrothman

48486

- 4318

- 4326

→ no # for 4 yr old K

ST^{del} 6,60

+ no credit underneath the cap

4326 → no # (state aid) for 4 yr. old K pupils, her.
not counter.

BUT

(std value for shared cost
" " " partice rd. revenue)

~~the~~

can still do it if by 11/02

+ spr. election every 4 years

have a referendum

at least once
every 5 years

even then, won't count, but

→ can still levy for 'em

still answer yes
& out in 10/16



2001 BILL

wanted
Monday
pm

1 AN ACT to repeal 121.004 (7) (cm); and to amend 121.004 (7) (c) 1. (intro.),
 2 121.004 (7) (f) and 121.86 (3) of the statutes; relating to: ~~discontinuing the~~
 3 ~~counting of pupils enrolled in a~~ ^{the funding of} 4-year-old kindergarten program for state-aid
 4 ~~purposes.~~

regenerate

Analysis by the Legislative Reference Bureau

Under current law, a school district other than a union high school district must operate a five-year-old kindergarten program. A pupil enrolled in a five-year-old kindergarten program is counted for state aid purposes as one-half pupil, except that a pupil enrolled in a five-year-old kindergarten program requiring full-day attendance for five days a week for an entire school year is counted as one pupil and a pupil enrolled in a five-year-old kindergarten program requiring full-day attendance for less than five days a week for an entire school year is counted according to the time scheduled for the program. A school district is not required to operate a four-year-old kindergarten program. If it does and the program provides 437 hours of direct pupil instruction, an enrolled pupil is counted as one-half pupil. If in addition it offers 87.5 hours of outreach activity, an enrolled pupil is counted as 0.6 pupil. If a four-year-old kindergarten program requires more than 437 hours of direct pupil instruction, an enrolled pupil is still counted as either one-half pupil or 0.6 pupil. If a school district operates a four-year-old kindergarten program requiring fewer than 437 hours of direct pupil instruction, the pupil is not counted at all for state aid.

This bill discontinues the counting of all four-year-old kindergarten pupils.

NS
A →

BILL

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:

INS 2-1
1 SECTION 1. 121.004 (7) (c) 1. (intro.) of the statutes is amended to read:

2 121.004 (7) (c) 1. (intro.) A pupil enrolled in kindergarten may be counted only
3 if the pupil attains the age permitted under s. 120.12 (25) or required under s. 118.14
4 for ~~kindergarten~~ admission to a 5-year-old kindergarten program. A kindergarten
5 pupil enrolled in a 5-year-old kindergarten program shall be counted as one-half
6 pupil, except that:

7 SECTION 2. 121.004 (7) (cm) of the statutes is repealed.

8 SECTION 3. 121.004 (7) (f) of the statutes is amended to read:

9 121.004 (7) (f) A pupil who transfers from one school district to another under
10 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as
11 0.75 pupil or, if appropriate, as a number equal to the result obtained by multiplying
12 0.75 by the appropriate fraction under par. (c), ~~(cm)~~ or (d).

13 SECTION 4. 121.86 (3) of the statutes is amended to read:

14 121.86 (3) STATE AID EXCEPTION. Pupils under sub. (2) (b) and (c) who are
15 enrolled in a kindergarten program or in a preschool program under subch. V of ch.
16 115 shall be multiplied under sub. (2) (a) 2. by a number equal to the result obtained
17 by multiplying 0.25 by the appropriate fraction under s. 121.004 (7) (c), ~~(cm)~~ or (d).

18 SECTION 5. Initial applicability.

19 (1) This act first applies to the distribution of state school aid in, and the
20 calculation of revenue limits for, the 2002-03 school year.

21 (END)

(A)

(w/II) The bill also provides that a school district may not include any expenditures for a ^{four} ~~4~~-year-old kindergarten

program, or levy a property tax for a ^{four} ~~4~~-year-old kindergarten program, unless ~~it~~ ^{the school board} adopts a resolution stating its intention to do so and the resolution is approved at a referendum. Approval at ~~the~~ ^a referendum is valid for ~~5~~ years.

Five

in its shared cost (the amount that may be aided by the state)

2-1:1

BILL

1 120.13 (26m) CONTRACTS WITH COUNTY CHILDREN WITH DISABILITIES EDUCATION
 2 BOARDS. Contract with a county children with disabilities education board for special
 3 education services. ~~The costs of such services shall be included in the school district's~~
 4 ~~shared cost under s. 121.07 (6).~~ This subsection applies beginning on the effective
 5 date of a resolution adopted under s. 115.817 (9) (c).

6 SECTION 73. 120.13 (27m) of the statutes is amended to read:

7 120.13 (27m) TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to
 8 and from school for indigent pupils who reside in the school district and who are not
 9 required to be transported under s. 121.54. In this subsection, "indigent pupils"
 10 means pupils who are eligible for free lunches or reduced-price lunches under 42
 11 USC 1758 or who are members of a Wisconsin works group, as defined in s. 49.141
 12 (1) (s), with a member who is participating in Wisconsin works under s. 49.147 (3)
 13 to (5) or any combination thereof, as determined by the school board. If a school board
 14 determines to provide transportation under this subsection, there shall be
 15 reasonable uniformity in the transportation furnished such pupils whether they
 16 attend public or private schools. ~~The cost of transporting pupils under this~~
 17 ~~subsection may not be included in the school district's shared cost under s. 121.07 (6)~~
 18 (a).

19 SECTION 74. 120.145 of the statutes is created to read:

20 ~~120.145 Tax for school operations~~ ^{§ Referendum for 4-year-old kindergarten aid and tax levy.} (1) Notwithstanding ss. 65.07 (1) (c),
 21 119.46, 120.10 (6) ^{and} (8) ^{and} (10m) ~~and~~ and 120.12 (3), beginning in 2003, if a school
 22 board ~~annual meeting of a common or union high school district, or common council~~
 23 ~~of a 1st class city intends to levy a tax for school operations,~~ the school board ^{to that effect} or
 24 ~~common council~~ shall adopt a resolution specifying the amount of the levy. The
 25 resolution shall be filed as provided in s. 8.37. ~~The school district clerk shall~~

wishes to include its expenditures for a 4-year-old kindergarten program in its shared cost under s. 121.07 (6)(a) and (ag) and to be able to levy property taxes for that purpose

2-1:2

BILL

1 the foundation amount in the previous school year by the rate certified under s.
2 73.0305.

3 (2) Beginning in the 2002-03 school year, annually the department shall pay
4 each school district an amount determined by multiplying the membership of the
5 school district in the previous school year by the foundation amount.

6 SECTION 90. 121.085 of the statutes is created to read:

7 **121.085 Building projects; debt service aid.** (1) In this section, "board"
8 means the school facilities building board.

9 (2) By January 1, 2003, and by January 1 of every 5th year thereafter, each
10 school board shall submit to the board a 5-year facilities need assessment for the
11 school district. The board shall review the assessments and approve those projects
12 that are needed the most according to criteria established by the board by rule.

13 (3) If a school board wishes to proceed with a building project, it shall adopt a
14 resolution specifying the total cost of the project, the amount of state aid that will be
15 received for the project, and the amount of the tax levy necessary to fund the project.
16 ~~The resolution shall be filed as provided in s. 8.57.~~ Within 10 days after adopting the
17 resolution, the school board shall notify the board of the scheduled date of the
18 referendum and submit a copy of the resolution to the department.

19 (2) (a) The school board shall call a ~~public~~ referendum for the purpose of
20 submitting the resolution to the electors of the school district for approval or
21 rejection. ~~In lieu of a special referendum, the school board may specify that the~~
22 referendum ^{shall} be held at the next succeeding spring primary or election ~~or September~~
23 ~~primary or general election, if such election is to be held~~ ^{that is} not sooner than 42 days after
24 the filing of the resolution of the school board. ~~The school district clerk shall certify~~

BILL

2-1:3

1 ~~the results of the referendum to the board within 10 days after the referendum is~~
2 ~~held.~~

3 (b) The school district clerk shall publish type A, B, C, D, and E notices of the
4 referendum under s. 10.01 (2). Notwithstanding s. 10.01 (2) (a), the type A notice
5 shall include a copy of the resolution under sub. (3). Section 5.01 (1) applies in the
6 event of failure to comply with the notice requirements of this paragraph.

7 (c) The referendum shall be held in accordance with chs. 5 to 12. The school
8 district clerk shall provide the election officials with all necessary election supplies.
9 The form of the ballot shall correspond substantially with the standard form for
10 referendum ballots prescribed by the elections board under ss. 5.64 (2) and 7.08 (1)

11 (a) The question submitted shall be whether the school district may proceed with
12 the building project. *as specified in the resolution for the succeeding 2 years 5*

13 (d) The school board may proceed with the building project if the resolution is
14 approved by a majority of the school district electors voting at the referendum.

the resolution for the succeeding 5 years

15 (5) If a building project is approved by the board under sub. (2) and by the school
16 district electors under sub. (4), annually the state shall pay to the school district,
17 from the appropriation under s. 20.255 (2) (as), the following percentage of the school
18 district's debt service costs for the project:
19 (a) If the school district's equalized valuation per member is less than 50% of
20 the statewide average equalized valuation per member, 90%.
21 (b) If the school district's equalized valuation per member is more than 150%
22 of the statewide average equalized valuation per member, 10%.
23 (c) If the school district's equalized valuation per member is at least 50% but
24 no more than 150% of the statewide average equalized valuation per member, the
25 percentage determined as follows:

212

SEC. CR: 121.07(6)(ag)

121.07(6)(ag) Except as provided in s. 120.145,

"shared cost" excludes any expenditures ~~for~~

~~for~~ for a 4-year old kindergarten program.

Emery, Lynn

From: Emerson, James
Sent: Tuesday, February 26, 2002 10:45 AM
To: LRB.Legal
Subject: Draft review: LRB-4326/2 Topic: Discontinue counting 4-year-old kindergarten pupils in membership

It has been requested by <Emerson, James> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-4326/2 Topic: Discontinue counting 4-year-old kindergarten pupils in membership