

2007 ASSEMBLY BILL 398

June 14, 2007 – Introduced by Representatives WASSERMAN, ALBERS, BALLWEG, JESKEWITZ, TOWNSEND, CULLEN, GRIGSBY, HIXSON and POPE-ROBERTS, cosponsored by Senators LASSA, ROESSLER and TAYLOR. Referred to Committee on Education Reform.

- 1 **AN ACT** *to renumber and amend* 121.55 (3); and *to create* 121.55 (3) (b) of the
2 statutes; **relating to:** transportation of pupils to private schools.

Analysis by the Legislative Reference Bureau

Under current law, a school board is required to transport pupils to private school under certain conditions. If the estimated cost of transporting a pupil to a private school is more than 1.5 times the school district's average cost per pupil for bus transportation, the school board may fulfill its obligation to transport the pupil by contracting with the pupil's parent or guardian. The contract must provide for an annual payment for each pupil of at least \$5 times the number of miles between the pupil's residence and the private school, or the school district's average cost per pupil for bus transportation, whichever is greater.

This bill provides that, if two or more pupils reside in the same household and attend the same private school, the contract may, at the discretion of the school board, provide for a total annual payment of the amount described above for all of the pupils instead of for each of the pupils.

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:

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1 **SECTION 1.** 121.55 (3) of the statutes is renumbered 121.55 (3) (a) and amended
2 to read:

3 121.55 **(3)** (a) If the estimated cost of transporting a pupil under s. 121.54 (2)
4 (b) 1. is more than 1.5 times the school district's average cost per pupil for bus
5 transportation in the previous year, exclusive of transportation for kindergarten
6 pupils during the noon hour and for pupils with disabilities, the school board may
7 fulfill its obligation to transport a pupil under s. 121.54 (2) (b) 1. by offering to
8 contract with the parent or guardian of the pupil. The Except as provided in pars.
9 (b) and (c), the contract shall provide for an annual payment for each pupil of not less
10 than \$5 times the distance in miles between the pupil's residence and the private
11 school he or she attends, or the school district's average cost per pupil for bus
12 transportation in the previous year exclusive of transportation for kindergarten
13 pupils during the noon hour and for pupils with disabilities, whichever is greater, ~~but~~
14 ~~the.~~

15 (c) The payment under this subsection shall not exceed the actual cost nor may
16 the aids paid under s. 121.58 (2) (a) for the pupil exceed the cost thereof. A school
17 board which intends to offer a contract under this subsection shall notify the parent
18 or guardian of the private school pupil of its intention at least 30 days before the
19 commencement of the school term of the public school district.

20 **SECTION 2.** 121.55 (3) (b) of the statutes is created to read:

21 121.55 **(3)** (b) Except as provided in par. (c), if 2 or more pupils reside in the
22 same household and attend the same private school, the contract under par. (a) may,
23 at the discretion of the school board, provide for a total annual payment for all such
24 pupils of not less than \$5 times the distance in miles between the pupils' residence
25 and the private school they attend, or the school district's average cost per pupil for

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1 bus transportation in the previous year exclusive of transportation for kindergarten
2 pupils during the noon hour and for pupils with disabilities, whichever is greater.

3 **SECTION 3. Initial applicability.**

4 (1) This act first applies to contracts entered into under section 121.55 (3) of the
5 statutes, as affected by this act, on the effective date of this subsection.

6 (END)