

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-4078/P1dn  
TKK:jld:jf

January 13, 2010

Representative Kessler:

This bill establishes an Office of School Inspection and Licensure in the city of Milwaukee. The bill prohibits any person from operating a school in the city of Milwaukee unless the person has obtained an operating license for that school. The bill defines school to mean a public school operated by the board of school directors of the city of Milwaukee, an independent charter school operating in Milwaukee, and a private school participating in the Milwaukee Parental Choice Program. Please review the draft carefully to ensure that it accomplishes your intent. I have embedded questions and comments in the notes in the text of the draft for your consideration. In addition, I have the following questions:

1. Delayed Effective Date. Do you want to establish a delayed effective date for the bill? If so, what would be the first school year in which Milwaukee Public Schools (MPS) or the operator of an independent charter or Milwaukee Parental Choice School (MPCP) would be required to have a provisional operating license in hand before operating a school?
2. Payment for education of children with disabilities enrolled in MPCP schools. There is currently no requirement under state law that private schools enroll children with disabilities. Further, there is currently no mechanism under state law to pay private schools for the education of children with disabilities.

This bill requires private schools participating in the MPCP to enroll children with disabilities according to the formula established in the bill. Did you intend that MPCP schools be paid state aid for the education of those pupils?

If so, what would be the source of that aid? That is, do you want to create a new appropriation to cover the costs incurred by MPCP schools for the education of children with disabilities or use an existing appropriation? Would the MPCP schools be reimbursed for their special education costs at the same rate as MPS schools? Would the state aid for MPCP special education costs be deducted from the amount appropriated to MPS by the state?

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