



2009 ASSEMBLY BILL 809

March 4, 2010 – Introduced by Representatives DEXTER, DANOU, CLARK, GARTHWAITE, HILGENBERG, HRAYCHUCK, POPE-ROBERTS, ROYS, SINICKI, SMITH, STASKUNAS and ZIGMUNT, cosponsored by Senators KREITLOW, VINEHOUT and HOLPERIN. Referred to Committee on Education.

1 **AN ACT** *to amend* 121.54 (2) (b) 1., 121.54 (2) (b) 4. and 121.55 (3) (b) of the
2 statutes; **relating to:** transportation of private school pupils.

Analysis by the Legislative Reference Bureau

Current law, with some exceptions, requires a school district to provide transportation to and from school for a pupil attending a private school that is located at least two miles from the pupil's residence.

This bill requires a school district to provide transportation for private school pupils only during the school term of the school district. A school term is the time beginning on the first school day and ending on the last school day that the schools of a school district are in operation for the attendance of pupils in a school year, excluding summer classes.

Under current law, 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. Except as provided below, 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.

In a first class city school district (currently, only the Milwaukee Public Schools), 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. This bill extends this provision to all school districts.

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Currently, annually by May 15 each private school must notify each school board of the names, grade levels, and locations of all pupils eligible to be transported by the school board during the succeeding school term. This bill changes the notification date to July 15.

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.** 121.54 (2) (b) 1. of the statutes is amended to read:

2 121.54 (2) (b) 1. Except as provided in sub. (1) or otherwise provided in this
3 subsection, the school board of each district operating high school grades shall
4 provide transportation during the school term to and from the school a pupil attends
5 for each pupil residing in the school district who attends any elementary grade,
6 including kindergarten, or high school grade at a private school located 2 miles or
7 more from the pupil's residence, if such private school is a school within whose
8 attendance area the pupil resides and is situated within the school district or not
9 more than 5 miles beyond the boundaries of the school district measured along the
10 usually traveled route.

11 **SECTION 2.** 121.54 (2) (b) 4. of the statutes is amended to read:

12 121.54 (2) (b) 4. No later than ~~May~~ July 15 in each year, each private school
13 shall notify each school board of the names, grade levels and locations of all pupils,
14 if any, eligible to have transportation provided by such school board under this
15 paragraph and planning to attend such private school during the forthcoming school
16 term. The school board may extend the notification deadline.

17 **SECTION 3.** 121.55 (3) (b) of the statutes, as created by 2009 Wisconsin Act 28,
18 is amended to read:

