



2013 SENATE BILL 584

1 **AN ACT** *to repeal* 118.30 (1s) (b) and 119.23 (7) (f); *to renumber* 118.60 (1) (a);
2 *to renumber and amend* 118.30 (1s) (a), 118.60 (7) (ad), 119.23 (7) (ad) and
3 895.035 (1) (a); *to amend* 7.30 (2) (am), 48.355 (2) (c), 118.07 (3), 118.30 (2) (b)
4 5., 118.33 (1) (f) 3., 118.33 (6) (c) 1., 118.33 (6) (c) 2., 118.60 (1) (c), 118.60 (2) (a)
5 (intro.), 118.60 (2) (a) 3. a., 118.60 (7) (em) 1., 118.60 (9), 118.60 (10) (am) 2.,
6 118.60 (10) (ar), 119.23 (1) (am), 119.23 (2) (a) (intro.), 119.23 (2) (a) 3., 119.23
7 (2) (a) 7. a., 119.23 (2) (a) 7. c., 119.23 (2) (a) 7. d., 119.23 (7) (em) 1., 119.23 (9),
8 119.23 (10) (am) 2., 119.23 (10) (ar), 447.06 (2) (a) 2. and 950.08 (2w); *to repeal*
9 *and recreate* 118.60 (2) (a) 7. and 119.23 (2) (a) 7. b.; and *to create* 39.41 (1)
10 (aj), 115.001 (3d), 118.60 (1) (ab), 118.60 (1) (af), 118.60 (1) (bn), 118.60 (1) (cm),
11 118.60 (2) (a) 3g., 118.60 (2) (ag), 118.60 (2) (ar), 118.60 (7) (ad) 1. and 2., 118.60
12 (7) (ag), 118.60 (7) (ao), 119.23 (1) (ab), 119.23 (1) (af), 119.23 (1) (ai), 119.23 (1)
13 (ap), 119.23 (2) (a) 3g., 119.23 (2) (a) 7. bg. and br., 119.23 (2) (a) 7. e., 119.23 (2)
14 (ag), 119.23 (2) (ar), 119.23 (7) (ad) 1. and 2., 119.23 (7) (ag), 119.23 (7) (ao),

SENATE BILL 584

1 895.035 (1) (a) 2. and 938.02 (6m) of the statutes; **relating to:** requirements for
2 new private schools seeking to participate in a parental choice program and
3 requiring a private school participating in a parental choice program to
4 maintain accreditation.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 7.30 (2) (am) of the statutes is amended to read:

6 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
7 16 or 17 years of age and who is enrolled in grades 9 to 12 in a public or private school
8 or in a tribal school, as defined in s. 115.001 (15m), may serve as an inspector at the
9 polling place serving the pupil's residence, with the approval of the pupil's parent or
10 guardian. Any pupil who has at least a 3.0 grade point average or the equivalent may
11 serve. In addition, a school board ~~or~~, governing body of a private school, as defined
12 in s. 115.001 (3d), or tribal school may establish criteria for service by a pupil who
13 does not have at least a 3.0 grade point average or the equivalent. A pupil may serve
14 as an inspector at a polling place under this paragraph only if at least one election
15 official at the polling place other than the chief inspector is a qualified elector of this
16 state. No pupil may serve as chief inspector at a polling place under this paragraph.
17 Before appointment by any municipality of a pupil as an inspector under this
18 paragraph, the municipal clerk shall obtain written authorization from the pupil's
19 parent or guardian for the pupil to serve for the election for which he or she is
20 appointed. In addition, if a pupil does not have at least a 3.0 grade point average or
21 the equivalent, the municipal clerk shall obtain written certification from the

SENATE BILL 584

1 principal of the school where the pupil is enrolled that the pupil meets any criteria
2 established by the school board or governing body for service as an inspector. Upon
3 appointment of a pupil to serve as an inspector, the municipal clerk shall notify the
4 principal of the school where the pupil is enrolled of the name of the pupil and the
5 date of the election at which the pupil has been appointed to serve.

6 **SECTION 2.** 39.41 (1) (aj) of the statutes is created to read:

7 39.41 (1) (aj) “Governing body of a private school” has the meaning given in s.
8 115.001 (3d).

9 **SECTION 3.** 48.355 (2) (c) of the statutes is amended to read:

10 48.355 (2) (c) If school attendance is a condition of an order under par. (b) 7.,
11 the order shall specify what constitutes a violation of the condition and shall direct
12 the school board of the school district, in which the child is enrolled or the governing
13 body of the private school, as defined in s. 115.001 (3d), in which the child is enrolled,
14 or shall request the governing body of the tribal school in which the child is enrolled,
15 to notify the county department that is responsible for supervising the child or, in a
16 county having a population of 500,000 or more, the department within 5 days after
17 any violation of the condition by the child.

18 **SECTION 4.** 115.001 (3d) of the statutes is created to read:

19 115.001 (3d) GOVERNING BODY OF A PRIVATE SCHOOL. “Governing body of a private
20 school” and “governing body of a new private school” means a board elected or
21 appointed to govern the private school or, if no board is appointed or elected to govern
22 the school, any other person having direct charge of the private school.

23 **SECTION 5.** 118.07 (3) of the statutes is amended to read:

24 118.07 (3) The department shall make available to school districts, private
25 schools, tribal schools, and charter schools information about meningococcal disease,

SENATE BILL 584**SECTION 5**

1 including the causes and symptoms of the disease, how it is spread, and how to obtain
2 additional information about the disease and the availability, effectiveness, and
3 risks of vaccinations against the disease. The department may do so by posting the
4 information on its Internet site. ~~At the beginning of the 2006–07 to 2011–12 school~~
5 ~~years, each school board and the governing body of each private school and each~~
6 ~~charter school shall provide the parents and guardians of pupils enrolled in grades~~
7 ~~6 to 12 in the school district or school with the information.~~ At the beginning of the
8 2012–13 school year and each school year thereafter, each school board and the
9 governing body of each private school and each charter school shall provide the
10 parents and guardians of pupils enrolled in grade 6 in the school district or school
11 with the information.

12 **SECTION 6.** 118.30 (1s) (a) of the statutes, as affected by 2013 Wisconsin Act 20,
13 is renumbered 118.30 (1s), and 118.30 (1s) (intro.), as renumbered, is amended to
14 read:

15 118.30 (1s) (intro.) ~~Except as provided in par. (b), annually~~ Annually, the
16 governing body of each private school participating in the program under s. 119.23
17 shall do all of the following:

18 **SECTION 7.** 118.30 (1s) (b) of the statutes is repealed.

19 **SECTION 8.** 118.30 (2) (b) 5. of the statutes, as affected by 2013 Wisconsin Act
20 20, is amended to read:

21 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
22 body of a private school participating in the program under s. 119.23 shall excuse the
23 pupil from taking an examination administered under sub. (1s) (a) ~~1. to 3m~~ (cm).

24 **SECTION 9.** 118.33 (1) (f) 3. of the statutes is amended to read:

SENATE BILL 584

1 118.33 (1) (f) 3. ~~Beginning on September 1, 2005, neither~~ Neither a school
2 board nor an operator of a charter school under s. 118.40 (2r) may grant a high school
3 diploma to any pupil unless the pupil has satisfied the criteria specified in the school
4 board's or charter school's policy under subd. 1. or 2. ~~Beginning on September 1,~~
5 ~~2010, the~~ The governing body of a private school participating in the program under
6 s. 119.23 may not grant a high school diploma to any pupil attending the private
7 school under s. 119.23 unless the pupil has satisfied the criteria specified in the
8 governing body's policy under subd. 2m. The governing body of a private school
9 participating in the program under s. 118.60 may not grant a high school diploma to
10 any pupil attending the private school under s. 118.60 unless the pupil has satisfied
11 the criteria specified in the governing body's policy under subd. 2r.

12 **SECTION 10.** 118.33 (6) (c) 1. of the statutes is amended to read:

13 118.33 (6) (c) 1. The governing body of each private school participating in the
14 program under s. 119.23 shall adopt a written policy specifying criteria for promoting
15 a pupil who is attending the private school under s. 119.23 from the 4th grade to the
16 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
17 pupil's score on the examination administered under s. 118.30 (1s) (a) ~~1. or 2.~~ (b),
18 unless the pupil has been excused from taking the examination under s. 118.30 (2)
19 (b); the pupil's academic performance; the recommendations of teachers, which shall
20 be based solely on the pupil's academic performance; and any other academic criteria
21 specified by the governing body of the private school.

22 **SECTION 11.** 118.33 (6) (c) 2. of the statutes is amended to read:

23 118.33 (6) (c) 2. ~~Beginning on September 1, 2010, the~~ The governing body of a
24 private school participating in the program under s. 119.23 may not promote a 4th
25 grade pupil who is attending the private school under s. 119.23 to the 5th grade, and

SENATE BILL 584**SECTION 11**

1 may not promote an 8th grade pupil who is attending the private school under s.
2 119.23 to the 9th grade, unless the pupil satisfies the criteria for promotion specified
3 in the governing body's policy under subd. 1.

4 **SECTION 12.** 118.60 (1) (a) of the statutes is renumbered 118.60 (1) (ad).

5 **SECTION 13.** 118.60 (1) (ab) of the statutes is created to read:

6 118.60 (1) (ab) "Accrediting entity" means Wisconsin North Central
7 Association, Wisconsin Religious and Independent Schools Accreditation,
8 Independent Schools Association of the Central States, Wisconsin Evangelical
9 Lutheran Synod School Accreditation, National Lutheran School Accreditation,
10 Wisconsin Association of Christian Schools, the diocese or archdiocese within which
11 a private school is located, and any other organization recognized by the National
12 Council for Private School Accreditation.

13 **SECTION 14.** 118.60 (1) (af) of the statutes is created to read:

14 118.60 (1) (af) "Disqualified organization" means an accrediting organization
15 that is not an accrediting entity or a member of or otherwise sanctioned by an
16 accrediting entity.

17 **SECTION 15.** 118.60 (1) (bn) of the statutes is created to read:

18 118.60 (1) (bn) 1. Except as provided in subd. 2., "new private school" means
19 a school that qualifies as a private school under s. 115.001 (3r) and that satisfies
20 either of the following:

21 a. The school has been in continuous operation in this state for less than 12
22 consecutive months.

23 b. The school provides education to fewer than 40 pupils divided into 2 or fewer
24 grades.

SENATE BILL 584

1 2. “New private school” does not include a private school the governing body of
2 which operates or manages a private school that is participating in the program
3 under this section or under s. 119.23 if all of the following apply:

4 a. No payment has been withheld from any private school operated or managed
5 by the governing body under sub. (10) (d) or s. 119.23 (10) (d) in the 3 immediately
6 preceding school years.

7 b. No order barring any private school operated or managed by the governing
8 body from participating in the program under this section or s. 119.23 has been
9 issued under sub. (10) (a), (am), (ar), or (b) or under s. 119.23 (10) (a), (am), (ar), or
10 (b) in the 3 immediately preceding school years.

11 **SECTION 16.** 118.60 (1) (c) of the statutes is amended to read:

12 118.60 (1) (c) “Preaccreditation” means the review and approval of an
13 educational plan. Review of an education plan includes consideration of whether the
14 school submitting the plan meets the requirements under s. 118.165 (1). The fact
15 that a private school has obtained preaccreditation does not require an ~~accreditation~~
16 ~~organization~~ accrediting entity to accredit the private school.

17 **SECTION 17.** 118.60 (1) (cm) of the statutes is created to read:

18 118.60 (1) (cm) “Preaccrediting entity” means the Institute for the
19 Transformation of Learning at Marquette University, Wisconsin North Central
20 Association, Wisconsin Religious and Independent Schools Accreditation,
21 Independent Schools Association of the Central States, Wisconsin Evangelical
22 Lutheran Synod School Accreditation, National Lutheran School Accreditation,
23 Wisconsin Association of Christian Schools, and the diocese or archdiocese within
24 which a private school is located.

SENATE BILL 584**SECTION 18**

1 **SECTION 18.** 118.60 (2) (a) (intro.) of the statutes, as affected by 2013 Wisconsin
2 Act 20, is amended to read:

3 118.60 (2) (a) (intro.) ~~Any~~ Subject to pars. (ag) and (ar), any pupil in grades
4 kindergarten to 12 who resides within an eligible school district may attend any
5 private school under this section and, subject to pars. ~~(ag), (ar),~~ (be), (bm), and (bs),
6 any pupil in grades kindergarten to 12 who resides in a school district, other than
7 an eligible school district or a 1st class city school district, may attend any private
8 school under this section if all of the following apply:

9 **SECTION 19.** 118.60 (2) (a) 3. a. of the statutes, as affected by 2013 Wisconsin
10 Act 20, is amended to read:

11 118.60 (2) (a) 3. a. Except as provided in subd. 3. b. and c. and sub. (2) (ag) 1.,
12 the private school notified the state superintendent of its intent to participate in the
13 program under this section or in the program under s. 119.23, and paid the
14 nonrefundable fee, set by the department as required under s. 119.23 (2) (a) 3., by
15 February 1 of the previous school year. The notice shall specify the number of pupils
16 participating in the program under this section and in the program under s. 119.23
17 for which the school has space.

18 **SECTION 20.** 118.60 (2) (a) 3g. of the statutes is created to read:

19 118.60 (2) (a) 3g. By May 1 before the first term of participation in the program
20 under this section, the private school submits to the department, on a form provided
21 by the department, a complete anticipated budget for the first fiscal period of
22 participation in the program under this section. The governing body shall include
23 on the completed form anticipated enrollments for all pupils enrolled in the private
24 school and for pupils enrolled in the private school under this section; estimated
25 revenues and costs; a schedule of anticipated beginning and ending net choice

SENATE BILL 584

1 program assets; and a schedule of monthly cash flow requirements. The governing
2 body shall include in the budget contingent funding sources the private school will
3 use in the event that actual enrollments are less than expected.

4 **SECTION 21.** 118.60 (2) (a) 7. of the statutes, as affected by 2013 Wisconsin Act
5 20, is repealed and recreated to read:

6 118.60 (2) (a) 7. a. For a private school that was a first-time participant in the
7 program under this section before the effective date of this subd. 7. a. [LRB inserts
8 date], and that is not accredited by an accrediting entity, the private school obtains
9 accreditation from an accrediting entity by December 31 of the 3rd school year
10 following the first school year in which the private school began participating in the
11 program under this section. If the private school is accredited under this subd. 7. a.,
12 the private school is not required to obtain preaccreditation under subd. 7. b. as a
13 prerequisite to providing instruction under this section in additional grades or in an
14 additional or new school.

15 b. Each private school that begins participation in the program under this
16 section on or after the effective date of this subd. 7. b. [LRB inserts date], and that
17 is not accredited by an accrediting entity, shall obtain preaccreditation by a
18 preaccrediting entity by August 1 before the first school term in which the private
19 school begins participation in the program under this section, or by May 1 if the
20 private school begins participating in the program during summer school. In any
21 school year, a private school to which this subd. 7. b. applies may apply for and seek
22 to obtain preaccreditation from only one preaccrediting entity. A private school to
23 which this subd. 7. b. applies that fails to obtain preaccreditation as required under
24 this subd. 7. b. may not participate in the program under this section or under s.
25 119.23 until preaccreditation has been obtained, but the private school may apply for

SENATE BILL 584**SECTION 21**

1 and seek to obtain preaccreditation from a preaccrediting entity for the following
2 school year.

3 c. A private school to which subd. 7. b. applies shall apply for accreditation by
4 an accrediting entity by December 31 of the first school year that begins after the
5 effective date of this subd. 7. c. [LRB inserts date], in which the private school
6 begins participation in the program under this section, and shall achieve
7 accreditation by an accrediting entity by December 31 of the 3rd school year following
8 the first school year in which the private school begins participation in the program
9 under this section. If the private school is accredited under this subd. 7. c., the
10 private school is not required to obtain preaccreditation under subd. 7. b. as a
11 prerequisite to providing instruction under this section in additional grades or in an
12 additional or new school.

13 **SECTION 22.** 118.60 (2) (ag) of the statutes is created to read:

14 118.60 (2) (ag) The governing body of a new private school shall comply with
15 all of the following before the new private school may participate in the program
16 under this section:

17 1. By August 1 of the school year immediately preceding the school year in
18 which the new private school intends to participate in the program under this
19 section, complete and submit to the department the following on forms provided by
20 the department:

21 a. A notice of intent to participate and agreement to comply with procedural
22 requirements.

23 b. A complete anticipated budget for the first fiscal period of participation in
24 the program under this section showing that the private school will have a positive
25 cash flow in each month of the fiscal period and no operating deficit. The governing

SENATE BILL 584

1 body shall include on the completed form anticipated enrollments for all pupils
2 enrolled in the new private school and for pupils enrolled in the new private school
3 under this section; estimated revenues and costs; a schedule of anticipated beginning
4 and ending net choice program assets; and a schedule of monthly cash flow
5 requirements. The governing body shall include in the budget contingent funding
6 sources the new private school will use in the event that actual enrollments are less
7 than expected.

8 c. The nonrefundable fee established by the department, as required under s.
9 119.23 (2) (a) 3., for the school year in which the fee is paid by the new private school.
10 If the amount of the fee paid by the new private school under this subd. 1. c. increases
11 for the school year in which the new private school will first participate in the
12 program under this section, the new private school shall pay the difference between
13 the fee paid and the fee due to the department. If the amount of the fee paid by the
14 new private school under this subd. 1. c. decreases for the school year in which the
15 new private school will first participate in the program under this section, the
16 department shall refund the new private school the difference between the fee paid
17 and the fee due to the department.

18 2. a. By August 1 of the school year immediately preceding the school year in
19 which the new private school intends to participate in the program under this
20 section, submit to the department the information required under sub. (6m) (a) and
21 (c).

22 b. If, at the time the new private school submits the information required under
23 subd. 2. a., the new private school does not have a physical property within which the
24 private school intends to operate, submit a mailing address of an administrator of
25 the private school.

SENATE BILL 584**SECTION 22**

1 3. By August 1 of the school year immediately preceding the school year in
2 which the new private school intends to participate in the program under this
3 section, submit to the department a statement indicating which of the standards
4 under sub. (7) (a) the private school intends to meet.

5 4. Notwithstanding the deadline to obtain preaccreditation under sub. (2) (a)
6 7. b., by December 15 of the school year immediately preceding the school year in
7 which the new private school intends to participate in the program under this
8 section, obtain preaccreditation from a preaccrediting entity.

9 5. By August 1 of the first school year in which the new private school intends
10 to participate in the program under this section, demonstrate to the satisfaction of
11 the department that the new private school has contracted with a 3rd-party payroll
12 service that will remit federal and state payroll taxes for each employee of the new
13 private school for the duration of the school year.

14 **SECTION 23.** 118.60 (2) (ar) of the statutes is created to read:

15 118.60 (2) (ar) By December 31 of the school year immediately preceding the
16 school year in which a new private school intends to participate in the program under
17 this section, the department shall notify the new private school in writing whether
18 it has satisfied those requirements under par. (ag) that must be satisfied before
19 December 31. If the department determines that the new private school has not
20 satisfied those requirements, the new private school may not participate in the
21 program under this section in the following school year, but may reinitiate the
22 process under par. (ag) for the next following school year.

23 **SECTION 24.** 118.60 (7) (ad) of the statutes, as created by 2013 Wisconsin Act
24 20, is renumbered 118.60 (7) (ad) 3. and amended to read:

SENATE BILL 584

1 118.60 (7) (ad) 3. The governing body of a private school participating in the
2 program under this section and accredited as required under subds. 1. and 2. and
3 sub. (2) (a) 7. shall ensure that the private school continuously maintains
4 accreditation from ~~Wisconsin North Central Association, Wisconsin Religious and~~
5 ~~Independent School Accreditation, Independent Schools Association of the Central~~
6 ~~States, Wisconsin Evangelical Lutheran Synod School Accreditation, National~~
7 ~~Lutheran School Accreditation, Wisconsin Association of Christian Schools, the~~
8 ~~diocese or archdiocese within which the private school is located, or by any other~~
9 ~~organization recognized by the National Council for Private Schools Accreditation~~
10 an accrediting entity as long as the private school continues to participate in the
11 program under this section.

12 **SECTION 25.** 118.60 (7) (ad) 1. and 2. of the statutes are created to read:

13 118.60 (7) (ad) 1. If a private school participating in the program under this
14 section or s. 119.23 and accredited under sub. (2) (a) 7. to offer instruction in any
15 elementary grade, but not any high school grade, seeks to offer instruction in any
16 high school grade, the private school shall apply for and achieve accreditation to offer
17 instruction in the additional grades in the manner established under sub. (2) (a) 7.
18 c.

19 2. If a private school participating in the program under this section or s. 119.23
20 and accredited under sub. (2) (a) 7. to offer instruction in any high school grade, but
21 not any elementary grade, seeks to offer instruction in any elementary grade, the
22 private school shall apply for and achieve accreditation to offer instruction in the
23 additional grades in the manner established under sub. (2) (a) 7. c.

24 **SECTION 26.** 118.60 (7) (ag) of the statutes is created to read:

SENATE BILL 584**SECTION 26**

1 118.60 (7) (ag) If a participating private school learns that an accrediting
2 organization with which the private school is maintaining accreditation, as required
3 under par. (ad), is a disqualified organization, the private school shall immediately
4 notify the department in writing of this fact and shall obtain accreditation from an
5 accrediting entity no later than 3 years from the date on which the private school
6 learned that the accrediting organization is a disqualified organization.

7 **SECTION 27.** 118.60 (7) (ao) of the statutes is created to read:

8 118.60 (7) (ao) By November 1 of the first school term in which a private school
9 participates in the program under this section, the private school shall submit to the
10 department on a form provided by the department a budget reflecting the
11 enrollments in the private school on the immediately preceding 3rd Friday in
12 September and any related changes in revenues, costs, and cash flow requirements.

13 **SECTION 28.** 118.60 (7) (em) 1. of the statutes, as created by 2013 Wisconsin Act
14 20, is amended to read:

15 118.60 (7) (em) 1. Beginning in the 2013–14 school year, the governing body of
16 each private school participating in the program under this section shall, subject to
17 subd. 2., annually, by January 15, provide the department with evidence
18 demonstrating that the private school remains accredited for the current school year
19 as required under par. (ad). The governing body shall include as evidence of
20 accreditation a letter prepared by ~~Wisconsin North Central Association, Wisconsin~~
21 ~~Religious and Independent School Accreditation, Independent Schools Association~~
22 ~~of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~
23 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~
24 ~~Schools, the diocese or archdiocese within which the private school is located, or by~~
25 ~~any other organization recognized by the National Council for Private Schools~~

SENATE BILL 584

1 ~~Accreditation~~ an accrediting entity that confirms that the private school is accredited
2 by that entity as of the date of the letter.

3 **SECTION 29.** 118.60 (9) of the statutes is amended to read:

4 118.60 (9) If any accrediting agency ~~specified under sub. (2) (a) 7. or~~
5 preaccrediting entity determines during the accrediting or preaccrediting process
6 that a private school does not meet all of the requirements under s. 118.165 (1), it
7 shall report that failure to the department.

8 **SECTION 30.** 118.60 (10) (am) 2. of the statutes is amended to read:

9 118.60 (10) (am) 2. The private school's application for accreditation has been
10 denied by the accrediting ~~organization~~ entity.

11 **SECTION 31.** 118.60 (10) (ar) of the statutes, as created by 2013 Wisconsin Act
12 20, is amended to read:

13 118.60 (10) (ar) 1. If the state superintendent determines that a private school
14 has failed to continuously maintain accreditation as required under sub. (7) (ad),
15 that the governing body of the private school has withdrawn the private school from
16 the accreditation process, or that the private school's accreditation has been revoked,
17 denied, or terminated by ~~Wisconsin North Central Association, Wisconsin Religious~~
18 ~~and Independent School Accreditation, Independent Schools Association of the~~
19 ~~Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~
20 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~
21 ~~Schools, the diocese or archdiocese within which the private school is located, or by~~
22 ~~any other organization recognized by the National Council for Private Schools~~
23 Accreditation an accrediting entity, the state superintendent shall issue an order
24 barring the private school's participation in the program under this section at the end
25 of the current school year.

SENATE BILL 584**SECTION 31**

1 2. A private school whose participation in the program under this section is
2 barred under subd. 1. may not participate in the program under this section or under
3 s. 119.23 until the governing body of the private school demonstrates to the
4 satisfaction of the department that it has obtained accreditation from ~~Wisconsin~~
5 ~~North Central Association, Wisconsin Religious and Independent School~~
6 ~~Accreditation, Independent Schools Association of the Central States, Wisconsin~~
7 ~~Evangelical Lutheran Synod School Accreditation, National Lutheran School~~
8 ~~Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese~~
9 ~~within which the private school is located, or by any other organization recognized~~
10 ~~by the National Council for Private Schools Accreditation~~ an accrediting entity,
11 provided the accreditation is from an entity other than the entity with which the
12 private school failed to continuously maintain accreditation or, if the private school's
13 accreditation was revoked, denied, or terminated, other than the entity that revoked,
14 denied, or terminated the private school's accreditation.

15 **SECTION 32.** 119.23 (1) (ab) of the statutes is created to read:

16 119.23 (1) (ab) "Accrediting entity" means all of the following:

17 1. Wisconsin North Central Association, Wisconsin Religious and Independent
18 Schools Accreditation, Independent Schools Association of the Central States,
19 Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran
20 School Accreditation, Wisconsin Association of Christian Schools, the diocese or
21 archdiocese within which a private school is located, and any other organization
22 recognized by the National Council for Private School Accreditation.

23 2. Subject to sub. (2) (a) 7. e., for a private school to which sub. (2) (a) 7. c.
24 applies, the Institute for the Transformation of Learning at Marquette University.

25 **SECTION 33.** 119.23 (1) (af) of the statutes is created to read:

SENATE BILL 584

1 119.23 (1) (af) “Disqualified organization” means an accrediting organization
2 that is not an accrediting entity or a member of or otherwise sanctioned by an
3 accrediting entity.

4 **SECTION 34.** 119.23 (1) (ai) of the statutes is created to read:

5 119.23 (1) (ai) 1. Except as provided in subd. 2., “new private school” means a
6 school that qualifies as a private school under s. 115.001 (3r) and that satisfies either
7 of the following:

8 a. The school has been in continuous operation in this state for less than 12
9 consecutive months.

10 b. The school provides education to fewer than 40 pupils divided into 2 or fewer
11 grades.

12 2. “New private school” does not include a private school the governing body of
13 which operates or manages a private school that is participating in the program
14 under this section or under s. 118.60 if all of the following apply:

15 a. No payment has been withheld from any private school operated or managed
16 by the governing body under sub. (10) (d) or s. 118.60 (10) (d) in the 3 immediately
17 preceding school years.

18 b. No order barring any private school operated or managed by the governing
19 body from participating in the program under this section or s. 118.60 has been
20 issued under sub. (10) (a), (am), (ar), or (b) or under s. 118.60 (10) (a), (am), (ar), or
21 (b) in the 3 immediately preceding school years.

22 **SECTION 35.** 119.23 (1) (am) of the statutes is amended to read:

23 119.23 (1) (am) “Preaccreditation” means the review and approval of an
24 educational plan. Review of an education plan includes consideration of whether the
25 school submitting the plan meets the requirements under s. 118.165 (1). The fact

SENATE BILL 584**SECTION 35**

1 that a private school has obtained preaccreditation does not require an ~~accreditation~~
2 ~~organization~~ accrediting entity to accredit the private school.

3 **SECTION 36.** 119.23 (1) (ap) of the statutes is created to read:

4 119.23 (1) (ap) “Preaccrediting entity” means the Institute for the
5 Transformation of Learning at Marquette University, Wisconsin North Central
6 Association, Wisconsin Religious and Independent Schools Accreditation,
7 Independent Schools Association of the Central States, Wisconsin Evangelical
8 Lutheran Synod School Accreditation, National Lutheran School Accreditation,
9 Wisconsin Association of Christian Schools, and the diocese or archdiocese within
10 which a private school is located.

11 **SECTION 37.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

12 119.23 (2) (a) (intro.) ~~Any~~ Subject to pars. (ag) and (ar), any pupil in grades
13 kindergarten to 12 who resides within the city may attend any private school if all
14 of the following apply:

15 **SECTION 38.** 119.23 (2) (a) 3. of the statutes, as affected by 2013 Wisconsin Act
16 20, is amended to read:

17 119.23 (2) (a) 3. ~~The~~ Except as provided in sub. (2) (ag) 1., the private school
18 notified the state superintendent of its intent to participate in the program under
19 this section or in the program under s. 118.60, and paid the nonrefundable annual
20 fee set by the department, by February 1 of the previous school year. The notice shall
21 specify the number of pupils participating in the program under this section and in
22 the program under s. 118.60 for which the school has space. The department shall
23 by rule set the fee charged under this subdivision at an amount such that the total
24 fee revenue covers the costs of employing one full-time auditor to evaluate the

SENATE BILL 584

1 financial information submitted by private schools under sub. (7) (am) and (d) 2. and
2 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

3 **SECTION 39.** 119.23 (2) (a) 3g. of the statutes is created to read:

4 119.23 (2) (a) 3g. By May 1 before the first term of participation in the program
5 under this section, the private school submits to the department, on a form provided
6 by the department, a complete anticipated budget for the first fiscal period of
7 participation in the program under this section. The governing body shall include
8 on the completed form anticipated enrollments for all pupils enrolled in the private
9 school and for pupils enrolled in the private school under this section; estimated
10 revenues and costs; a schedule of anticipated beginning and ending net choice
11 program assets; and a schedule of monthly cash flow requirements. The governing
12 body shall include in the budget contingent funding sources the private school will
13 use in the event that actual enrollments are less than expected.

14 **SECTION 40.** 119.23 (2) (a) 7. a. of the statutes, as affected by 2013 Wisconsin
15 Act 20, is amended to read:

16 119.23 (2) (a) 7. a. Subject to subd. 7. c. and d., for a private school participating
17 in the program under this section on July 1, 2009, the private school achieves
18 accreditation by ~~Wisconsin North Central Association, Wisconsin Religious and~~
19 ~~Independent Schools Accreditation, Independent Schools Association of the Central~~
20 ~~States, Wisconsin Evangelical Lutheran Synod School Accreditation, National~~
21 ~~Lutheran School Accreditation, Wisconsin Association of Christian Schools, the~~
22 ~~diocese or archdiocese within which the private school is located, or any other~~
23 ~~organization recognized by the National Council for Private School Accreditation, an~~
24 accrediting entity by December 31 of the 3rd school year following the first school
25 year that begins after June 30, 2006, in which it participates in the program under

SENATE BILL 584**SECTION 40**

1 this section. If the private school is accredited as provided under this subd. 7. a., the
2 private school is not required to obtain preaccreditation under subd. 7. ~~b.~~ bg. as a
3 prerequisite to providing instruction under this section in additional grades or in an
4 additional or new school.

5 **SECTION 41.** 119.23 (2) (a) 7. b. of the statutes, as affected by 2013 Wisconsin
6 Act 20, is repealed and recreated to read:

7 119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that was a
8 first-time participant in the program under this section before the effective date of
9 this subd. 7. b. [LRB inserts date], and that is not accredited by an accrediting
10 entity, the private school obtains accreditation from an accrediting entity by
11 December 31 of the 3rd school year following the first school year in which the private
12 school began participating in the program under this section. If the private school
13 is accredited under this subd. 7. b., the private school is not required to obtain
14 preaccreditation under subd. 7. bg. as a prerequisite to providing instruction under
15 this section in additional grades or in an additional or new school.

16 **SECTION 42.** 119.23 (2) (a) 7. bg. and br. of the statutes are created to read:

17 119.23 (2) (a) 7. bg. Each private school that begins participation in the
18 program under this section on or after the effective date of this subd. 7. bg. [LRB
19 inserts date], and that is not accredited by an accrediting entity, shall obtain
20 preaccreditation by a preaccrediting entity by August 1 before the first school term
21 in which the private school begins participation in the program under this section,
22 or by May 1 if the private school begins participating in the program during summer
23 school. In any school year, a private school to which this subd. 7. bg. applies may
24 apply for and seek to obtain preaccreditation from only one preaccrediting entity. A
25 private school to which this subd. 7. bg. applies that fails to obtain preaccreditation

SENATE BILL 584

1 as required under this subd. 7. bg. may not participate in the program under this
2 section or under s. 118.60 until preaccreditation has been obtained, but the private
3 school may apply for and seek to obtain preaccreditation from a preaccrediting entity
4 for the following school year.

5 br. A private school to which subd. 7. bg. applies shall apply for accreditation
6 by an accrediting entity by December 31 of the first school year that begins after the
7 effective date of this subd. 7. br. [LRB inserts date], in which the private school
8 begins participation in the program under this section, and shall achieve
9 accreditation by an accrediting entity by December 31 of the 3rd school year following
10 the school year in which the private school begins participation in the program under
11 this section. If the private school is accredited under this subd. 7. br., the private
12 school is not required to obtain preaccreditation as a prerequisite to providing
13 instruction under this section in additional grades or in an additional or new school.

14 **SECTION 43.** 119.23 (2) (a) 7. c. of the statutes, as affected by 2013 Wisconsin
15 Act 20, is amended to read:

16 119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or
17 seeking to participate in the program under this section or in the program under s.
18 118.60 may not apply for accreditation by the Institute for the Transformation of
19 Learning at Marquette University, except that a private school that has applied for
20 accreditation to the Institute for the Transformation of Learning at Marquette
21 University before July 1, 2009, and that is participating in the program under this
22 section on the effective date of this subd. 7. c. [LRB inserts date], may, subject to
23 subd. 7. e., complete the accreditation process with the Institute for the
24 Transformation of Learning at Marquette University, and may, subject to subd. 7. e.,

SENATE BILL 584**SECTION 43**

1 seek renewal of accreditation from the Institute for the Transformation of Learning
2 at Marquette University.

3 **SECTION 44.** 119.23 (2) (a) 7. d. of the statutes, as affected by 2013 Wisconsin
4 Act 20, is amended to read:

5 119.23 (2) (a) 7. d. For a private school that was approved for scholarship
6 funding for the 2005–06 school year by Partners Advancing Values in Education and
7 is participating in the program under this section on November 19, 2011, the private
8 school achieves accreditation by ~~Wisconsin North Central Association, Wisconsin~~
9 ~~Religious and Independent Schools Accreditation, Independent Schools Association~~
10 ~~of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~
11 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~
12 ~~Schools, the diocese or archdiocese within which the private school is located, or any~~
13 ~~other organization recognized by the National Council for Private School~~
14 ~~Accreditation, an accrediting entity by December 31, 2015. If the private school is~~
15 ~~accredited as provided under this subd. 7. d., the private school is not required to~~
16 ~~obtain preaccreditation under subd. 7. b. bg. as a prerequisite to providing~~
17 ~~instruction under this section in additional grades or in an additional or new school.~~

18 **SECTION 45.** 119.23 (2) (a) 7. e. of the statutes is created to read:

19 119.23 (2) (a) 7. e. For a private school that is accredited by the Institute for
20 the Transformation of Learning at Marquette University and that is participating
21 in the program under this section on the effective date of this subd. 7. e. [LRB
22 inserts date], the private school achieves accreditation by an accrediting entity under
23 sub. (1) (ab) 1. by December 31, 2014. If the private school is accredited as provided
24 under this subd. 7. e., the private school is not required to obtain preaccreditation

SENATE BILL 584

1 under subd. 7. bg. as a prerequisite to providing instruction under this section in
2 additional grades or in an additional or new school.

3 **SECTION 46.** 119.23 (2) (ag) of the statutes is created to read:

4 119.23 (2) (ag) The governing body of a new private school shall comply with
5 all of the following before the new private school may participate in the program
6 under this section:

7 1. By August 1 of the school year immediately preceding the school year in
8 which the new private school intends to participate in the program under this
9 section, complete and submit to the department the following on forms provided by
10 the department:

11 a. A notice of intent to participate and agreement to comply with procedural
12 requirements.

13 b. A complete anticipated budget for the first fiscal period of participation in
14 the program under this section showing that the private school will have a positive
15 cash flow in each month of the fiscal period and no operating deficit. The governing
16 body shall include on the completed form anticipated enrollments for all pupils
17 enrolled in the new private school and for pupils enrolled in the new private school
18 under this section; estimated revenues and costs; a schedule of anticipated beginning
19 and ending net choice program assets; and a schedule of monthly cash flow
20 requirements. The governing body shall include in the budget contingent funding
21 sources the new private school will use in the event that actual enrollments are less
22 than expected.

23 c. The nonrefundable fee established by the department, as required under s.
24 119.23 (2) (a) 3., for the school year in which the fee is paid by the new private school.
25 If the amount of the fee paid by the new private school under this subd. 1. c. increases

SENATE BILL 584**SECTION 46**

1 for the school year in which the new private school will first participate in the
2 program under this section, the new private school shall pay the difference between
3 the fee paid and the fee due to the department. If the amount of the fee paid by the
4 new private school under this subd. 1. c. decreases for the school year in which the
5 new private school will first participate in the program under this section, the
6 department shall refund the new private school the difference between the fee paid
7 and the fee due to the department.

8 2. a. By August 1 of the school year immediately preceding the school year in
9 which the new private school intends to participate in the program under this
10 section, submit to the department the information required under sub. (6m) (a) and
11 (c).

12 b. If, at the time the new private school submits the information required under
13 subd. 2. a., the new private school does not have a physical property within which the
14 private school intends to operate, submit a mailing address of an administrator of
15 the private school.

16 3. By August 1 of the school year immediately preceding the school year in
17 which the new private school intends to participate in the program under this
18 section, submit to the department a statement indicating which of the standards
19 under sub. (7) (a) the private school intends to meet.

20 4. Notwithstanding the deadline to obtain preaccreditation under sub. (2) (a)
21 7. bg., by December 15 of the school year immediately preceding the school year in
22 which the new private school intends to participate in the program under this
23 section, obtain preaccreditation from a preaccrediting entity.

24 5. By August 1 of the first school year in which the new private school intends
25 to participate in the program under this section, demonstrate to the satisfaction of

SENATE BILL 584

1 the department that the new private school has contracted with a 3rd-party payroll
2 service that will remit federal and state payroll taxes for each employee of the new
3 private school for the duration of the school year.

4 **SECTION 47.** 119.23 (2) (ar) of the statutes is created to read:

5 119.23 (2) (ar) By December 31 of the school year immediately preceding the
6 school year in which a new private school intends to participate in the program under
7 this section, the department shall notify the new private school in writing whether
8 it has satisfied those requirements under par. (ag) that must be satisfied before
9 December 31. If the department determines that the new private school has not
10 satisfied those requirements, the new private school may not participate in the
11 program under this section in the following school year, but may reinitiate the
12 process under par. (ag) for the next following school year.

13 **SECTION 48.** 119.23 (7) (ad) of the statutes, as created by 2013 Wisconsin Act
14 20, is renumbered 119.23 (7) (ad) 3. and amended to read:

15 119.23 (7) (ad) 3. The governing body of a private school participating in the
16 program under this section and accredited as required under subds. 1. and 2. and
17 sub. (2) (a) 7. shall ensure that the private school continuously maintains
18 accreditation from ~~Wisconsin North Central Association, Wisconsin Religious and~~
19 ~~Independent School Accreditation, Independent Schools Association of the Central~~
20 ~~States, Wisconsin Evangelical Lutheran Synod School Accreditation, National~~
21 ~~Lutheran School Accreditation, Wisconsin Association of Christian Schools, the~~
22 ~~diocese or archdiocese within which the private school is located, by any other~~
23 ~~organization recognized by the National Council for Private Schools Accreditation,~~
24 ~~or, for a private school to which sub. (2) (a) 7. c. applies, the Institute for the~~

SENATE BILL 584**SECTION 48**

1 ~~Transformation of Learning at Marquette University, an accrediting entity~~ as long
2 as the private school continues to participate in the program under this section.

3 **SECTION 49.** 119.23 (7) (ad) 1. and 2. of the statutes are created to read:

4 119.23 (7) (ad) 1. If a private school participating in the program under this
5 section or s. 118.60 and accredited under sub. (2) (a) 7. to offer instruction in any
6 elementary grade, but not any high school grade, seeks to offer instruction in any
7 high school grade, the private school shall apply for and achieve accreditation to offer
8 instruction in the additional grades in the manner established under sub. (2) (a) 7.
9 br.

10 2. If a private school participating in the program under this section or s. 118.60
11 and accredited under sub. (2) (a) 7. to offer instruction in any high school grade, but
12 not any elementary grade, seeks to offer instruction in any elementary grade, the
13 private school shall apply for and achieve accreditation to offer instruction in the
14 additional grades in the manner established under sub. (2) (a) 7. br.

15 **SECTION 50.** 119.23 (7) (ag) of the statutes is created to read:

16 119.23 (7) (ag) If a participating private school learns that an accrediting
17 organization with which the private school is maintaining accreditation, as required
18 under par. (ad), is a disqualified organization, the private school shall immediately
19 notify the department in writing of this fact and shall obtain accreditation from an
20 accrediting entity no later than 3 years from the date on which the private school
21 learned that the accrediting organization is a disqualified organization.

22 **SECTION 51.** 119.23 (7) (ao) of the statutes is created to read:

23 119.23 (7) (ao) By November 1 of the first school term in which a private school
24 participates in the program under this section, the private school shall submit to the
25 department on a form provided by the department a budget reflecting the

SENATE BILL 584

1 enrollments in the private school on the immediately preceding 3rd Friday in
2 September and any related changes in revenues, costs, and cash flow requirements.

3 **SECTION 52.** 119.23 (7) (em) 1. of the statutes, as created by 2013 Wisconsin Act
4 20, is amended to read:

5 119.23 (7) (em) 1. Beginning in the 2013–14 school year, the governing body of
6 each private school participating in the program under this section shall, subject to
7 subd. 2., annually, by January 15, provide the department with evidence
8 demonstrating that the private school remains accredited for the current school year
9 as required under par. (ad). The governing body shall include as evidence of
10 accreditation a letter prepared by ~~Wisconsin North Central Association, Wisconsin~~
11 ~~Religious and Independent School Accreditation, Independent Schools Association~~
12 ~~of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~
13 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~
14 ~~Schools, the diocese or archdiocese within which the private school is located, by any~~
15 ~~other organization recognized by the National Council for Private Schools~~
16 ~~Accreditation, or, for a private school to which sub. (2) (a) 7. c. applies, the Institute~~
17 ~~for the Transformation of Learning at Marquette University, which an accrediting~~
18 ~~entity that confirms that the private school is accredited by that entity as of the date~~
19 of the letter.

20 **SECTION 53.** 119.23 (7) (f) of the statutes is repealed.

21 **SECTION 54.** 119.23 (9) of the statutes is amended to read:

22 119.23 (9) If any accrediting agency ~~specified under sub. (2) (a) 7. a., b., or d.~~
23 ~~or preaccrediting entity~~ determines during the accrediting or preaccrediting process
24 that a private school does not meet all of the requirements under s. 118.165 (1), it
25 shall report that failure to the department.

SENATE BILL 584**SECTION 55**

1 **SECTION 55.** 119.23 (10) (am) 2. of the statutes is amended to read:

2 119.23 (10) (am) 2. The private school's application for accreditation has been
3 denied by the accrediting ~~organization~~ entity.

4 **SECTION 56.** 119.23 (10) (ar) of the statutes, as created by 2013 Wisconsin Act
5 20, is amended to read:

6 119.23 (10) (ar) 1. If the state superintendent determines that a private school
7 has failed to continuously maintain accreditation as required under sub. (7) (ad),
8 that the governing body of the private school has withdrawn the private school from
9 the accreditation process, or that the private school's accreditation has been revoked,
10 denied, or terminated by ~~Wisconsin North Central Association, Wisconsin Religious~~
11 ~~and Independent School Accreditation, Independent Schools Association of the~~
12 ~~Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~
13 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~
14 ~~Schools, the diocese or archdiocese within which the private school is located, by any~~
15 ~~other organization recognized by the National Council for Private Schools~~
16 ~~Accreditation, or, for a private school to which sub. (2) (a) 7. c. applies, the Institute~~
17 ~~for the Transformation of Learning at Marquette University~~ an accrediting agency,
18 the state superintendent shall issue an order barring the private school's
19 participation in the program under this section at the end of the current school year.

20 2. A private school whose participation in the program under this section is
21 barred under subd. 1. may not participate in the program under this section or under
22 s. 118.60 until the governing body of the private school demonstrates to the
23 satisfaction of the department that it has obtained accreditation from ~~Wisconsin~~
24 ~~North Central Association, Wisconsin Religious and Independent School~~
25 ~~Accreditation, Independent Schools Association of the Central States, Wisconsin~~

SENATE BILL 584

1 ~~Evangelical Lutheran Synod School Accreditation, National Lutheran School~~
2 ~~Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese~~
3 ~~within which the private school is located, or by any other organization recognized~~
4 ~~by the National Council for Private Schools Accreditation~~ an accrediting entity,
5 provided the accreditation is from an entity other than the entity with which the
6 private school failed to continuously maintain accreditation or, if the private school's
7 accreditation was revoked, denied, or terminated, other than the entity that revoked,
8 denied, or terminated the private school's accreditation.

9 **SECTION 57.** 447.06 (2) (a) 2. of the statutes is amended to read:

10 447.06 (2) (a) 2. For a school board ~~or,~~ a governing body of a private school, as
11 defined in s. 115.001 (3d), or a governing body of a tribal school, as defined in s.
12 115.001 (15m).

13 **SECTION 58.** 895.035 (1) (a) of the statutes is renumbered 895.035 (1) (a) (intro.)
14 and amended to read:

15 895.035 (1) (a) In this section, “eustody”:

16 1. “Custody” means either legal custody of a child under a court order under
17 s. 767.225 or 767.41, custody of a child under a stipulation under s. 767.34 or actual
18 physical custody of a child. “Custody” does not include legal custody, as defined
19 under s. 48.02 (12), by an agency or a person other than a child's birth or adoptive
20 parent.

21 **SECTION 59.** 895.035 (1) (a) 2. of the statutes is created to read:

22 895.035 (1) (a) 2. “Governing body of a private school” has the meaning given
23 in s. 115.001 (3d).

24 **SECTION 60.** 938.02 (6m) of the statutes is created to read:

SENATE BILL 584**SECTION 60**

1 938.02 **(6m)** “Governing body of a private school” has the meaning given in s.
2 115.001 (3d).

3 **SECTION 61.** 950.08 (2w) of the statutes is amended to read:

4 950.08 **(2w)** INFORMATION TO BE PROVIDED BY DISTRICT ATTORNEYS TO SCHOOLS IN
5 CRIMINAL CASES. If a criminal complaint is issued under s. 968.02 or if a petition for
6 waiver is granted pursuant to s. 938.18, and the district attorney reasonably believes
7 the person charged is a pupil enrolled in a school district, a private school, or a
8 charter school established pursuant to 118.40 (2r), the district attorney shall make
9 a reasonable attempt to notify the school board, governing body of the private school
10 governing body, as defined in s. 115.001 (3d), or charter school governing body of the
11 charges pending against the pupil. The district attorney shall also notify the school
12 board, governing body of the private school governing body, or charter school
13 governing body of the final disposition of the charges.

14 **SECTION 62. Initial applicability.**

15 (1) (a) In this subsection, “new private school” has the meaning given in
16 sections 118.60 (1) (bn) and 119.23 (1) (ai) of the statutes, as created by this act.

17 (b) The treatment of sections 118.60 (2) (ag) and (ar) and 119.23 (2) (ag) and (ar)
18 of the statutes, as created by this act, first applies to a new private school seeking to
19 participate in either or both of the programs under sections 118.60 and 119.23 of the
20 statutes, as affected by this act, in the 2015–16 school year.

21 (2) The treatment of sections 118.60 (7) (ao) and 119.23 (7) (ao) of the statutes
22 first applies to a private school that first participates in the program under section
23 118.60 or 119.23 of the statutes in the first school year that begins on or after the
24 effective date of this subsection.

25

(END)