

State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1358/P3 P4

TKK:cjs:rs

stays insert d-note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

DUE TUES, 7/16  
please

in 6/28/13

~~soon (after budget is signed)~~

SAN

Repeal

1 AN ACT *to repeal* 118.30 (1s) (b), 118.60 (2) (b), 119.23 (2) (a) 3m. and 119.23 (7)  
2 (f); *to renumber* 118.60 (1) (a); *to renumber and amend* 118.30 (1s) (a),  
3 118.60 (2) (a) 7. and 895.035 (1) (a); *to amend* 7.30 (2) (am), 20.255 (1) (j) (title),  
4 20.255 (2) (fv) (title), 48.355 (2) (c), 118.07 (2) (a), 118.07 (3), 118.30 (2) (b) 5.,  
5 118.33 (1) (f) 3., 118.33 (6) (c) 1., 118.33 (6) (c) 2., 118.60 (title), 118.60 (2) (a)  
6 (intro.), 118.60 (2) (a) 3. a., 118.60 (9), 118.60 (10) (c), 119.23 (2) (a) (intro.),  
7 119.23 (2) (a) 3., 119.23 (2) (a) 7. a., 119.23 (2) (a) 7. b., 119.23 (2) (a) 7. c., 119.23  
8 (2) (a) 7. d., 119.23 (9), 119.23 (10) (a) 2., 119.23 (10) (am) 1., 119.23 (10) (c),  
9 447.06 (2) (a) 2. and 950.08 (2w); and *to create* 39.41 (1) (aj), 115.001 (3d),  
10 118.60 (1) (ab), 118.60 (1) (bn), 118.60 (1) (cm), 118.60 (2) (a) 3g., 118.60 (2) (a)  
11 7. c., 118.60 (2) (ag), 118.60 (2) (ar), 118.60 (7) (ad), 118.60 (7) (ao), 118.60 (7)  
12 (em), 118.60 (10) (am) 1., 118.60 (10) (ar), 118.60 (11) (c), 119.23 (1) (ab), 119.23  
13 (1) (ai), 119.23 (1) (ap), 119.23 (2) (a) 3g., 119.23 (2) (a) 7. bm. and br., 119.23 (2)  
14 (a) 7. e., 119.23 (2) (ag), 119.23 (2) (ar), 119.23 (7) (ad), 119.23 (7) (ao), 119.23 (7)  
15 (em), 119.23 (10) (ar), 119.23 (11) (c), 895.035 (1) (a) 2. and 938.02 (6m) of the

1 statutes; **relating to:** requirements for new private schools seeking to  
2 participate in a parental choice program and requiring a private school  
3 participating in a parental choice program to maintain accreditation.

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

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

5 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is  
6 16 or 17 years of age and who is enrolled in grades 9 to 12 in a public or private school  
7 or in a tribal school, as defined in s. 115.001 (15m), may serve as an inspector at the  
8 polling place serving the pupil's residence, with the approval of the pupil's parent or  
9 guardian. Any pupil who has at least a 3.0 grade point average or the equivalent may  
10 serve. In addition, a school board ~~or~~, governing body of a private school, as defined  
11 in s. 115.001 (3d), or tribal school may establish criteria for service by a pupil who  
12 does not have at least a 3.0 grade point average or the equivalent. A pupil may serve  
13 as an inspector at a polling place under this paragraph only if at least one election  
14 official at the polling place other than the chief inspector is a qualified elector of this  
15 state. No pupil may serve as chief inspector at a polling place under this paragraph.  
16 Before appointment by any municipality of a pupil as an inspector under this  
17 paragraph, the municipal clerk shall obtain written authorization from the pupil's  
18 parent or guardian for the pupil to serve for the election for which he or she is

1 appointed. In addition, if a pupil does not have at least a 3.0 grade point average or  
2 the equivalent, the municipal clerk shall obtain written certification from the  
3 principal of the school where the pupil is enrolled that the pupil meets any criteria  
4 established by the school board or governing body for service as an inspector. Upon  
5 appointment of a pupil to serve as an inspector, the municipal clerk shall notify the  
6 principal of the school where the pupil is enrolled of the name of the pupil and the  
7 date of the election at which the pupil has been appointed to serve.

8 **SECTION 2.** 20.255 (1) (j) (title) of the statutes is amended to read:

9 20.255 (1) (j) (title) *Milwaukee Parental Choice Program and the parental*  
10 *choice ~~programs in other~~ program for eligible school districts; financial audits.*

11 **SECTION 3.** 20.255 (2) (fv) (title) of the statutes is amended to read:

12 20.255 (2) (fv) (title) *Milwaukee Parental Choice Program and the parental*  
13 *choice ~~programs in other~~ program for eligible school districts; transfer pupils.*

14 **SECTION 4.** 39.41 (1) (aj) of the statutes is created to read:

15 39.41 (1) (aj) "Governing body of a private school" has the meaning given in s.  
16 115.001 (3d).

17 **SECTION 5.** 48.355 (2) (c) of the statutes is amended to read:

18 48.355 (2) (c) If school attendance is a condition of an order under par. (b) 7.,  
19 the order shall specify what constitutes a violation of the condition and shall direct  
20 the school board of the school district, in which the child is enrolled or the governing  
21 body of the private school, as defined in s. 115.001 (3d), in which the child is enrolled,  
22 or shall request the governing body of the tribal school in which the child is enrolled,  
23 to notify the county department that is responsible for supervising the child or, in a  
24 county having a population of 500,000 or more, the department within 5 days after  
25 any violation of the condition by the child.

1           **SECTION 6.** 115.001 (3d) of the statutes is created to read:

2           115.001 (3d) GOVERNING BODY OF A PRIVATE SCHOOL. "Governing body of a private  
3 school" and "governing body of a new private school" means a board elected or  
4 appointed to govern the private school or, if no board is appointed or elected to govern  
5 the school, any other person having direct charge of the private school.

6           \*\*\*NOTE: Under s. 990.01 (26), "person" includes all partnerships, associations and  
7 bodies politic or corporate." Okay?

8           **SECTION 7.** 118.07 (2) (a) of the statutes is amended to read:

9           118.07 (2) (a) Once each month, without previous warning, the person having  
10 direct charge of any public or private school shall drill all pupils in the proper method  
11 of departure from the building in case of a fire, except when the person having direct  
12 charge deems that the health of the pupils may be endangered by inclement weather  
13 conditions. At least twice annually, without previous warning, the person having  
14 direct charge of any public or private school shall drill all pupils in the proper method  
15 of evacuation to a safe location in case of a tornado or other hazard. At least twice  
16 annually, without previous warning, the person having direct charge of any public  
17 or private school shall drill all pupils in the proper method of evacuation or other  
18 appropriate action in case of a school safety incident. The public and private school  
19 safety drill shall be based on the school safety plan adopted under s. 118.07 (4). A  
20 safety drill may be substituted for any other drill required under this paragraph. The  
21 school board or ~~governing body of the person having direct charge of the private~~  
22 school shall maintain for at least 7 years a record of each fire drill, tornado or other  
hazard drill, and school safety drill conducted.

23           **SECTION 8.** 118.07 (3) of the statutes is amended to read:

- 5 -

§ as affected by 2013 Wisconsin Act 20

1           118.07 (3) The department shall make available to school districts, private  
 2 schools, tribal schools, and charter schools information about meningococcal disease,  
 3 including the causes and symptoms of the disease, how it is spread, and how to obtain  
 4 additional information about the disease and the availability, effectiveness, and  
 5 risks of vaccinations against the disease. The department may do so by posting the  
 6 information on its Internet site. ~~At the beginning of the 2006-07 to 2011-12 school~~  
 7 ~~years, each school board and the governing body of each private school and each~~  
 8 ~~charter school shall provide the parents and guardians of pupils enrolled in grades~~  
 9 ~~6 to 12 in the school district or school with the information.~~ At the beginning of the  
 10 2012-13 school year and each school year thereafter, each school board and the  
 11 governing body of each private school and each charter school shall provide the  
 12 parents and guardians of pupils enrolled in grade 6 in the school district or school  
 13 with the information.

14           **SECTION 9.** 118.30 (1s) (a) of the statutes is renumbered 118.30 (1s), and 118.30  
 15 (1s) (intro.), as renumbered, is amended to read:

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

19           **SECTION 10.** 118.30 (1s) (b) of the statutes is repealed.

20           **SECTION 11.** 118.30 (2) (b) 5. of the statutes ~~is~~ <sup>§ as affected by 2013 Wisconsin Act 20</sup> 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 ~~3 (c)~~ <sup>3m (d)</sup>

24           **SECTION 12.** 118.33 (1) (f) 3. of the statutes is amended to read:

3m (d)  
9  
cm

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 13.** 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 14.** 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

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 15.** 118.60 (title) of the statutes is amended to read:  
5 **118.60 (title) Parental choice programs program for eligible school**  
6 **districts.**

7 **SECTION 16.** 118.60 (1) (a) of the statutes is renumbered 118.60 (1) (ae).

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

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

15 **SECTION 18.** 118.60 (1) (bn) of the statutes is created to read:

16 118.60 (1) (bn) "New private school" means a school that satisfies either of the  
17 following:

18 1. The school qualifies as a private school under s. 115.001 (3r), but has never  
19 operated in this state.

20 2. The school satisfies all of the following:

21 a. The school is operating as a private school, as defined under s. 115.001 (3r).

22 b. The school has been in continuous operation for less than 12 consecutive  
23 months.

24 c. The school is not participating in the program under this section or under s.  
25 119.23.

*fewer than*

1 d. The school provides education to a minimum of 40 pupils divided into 2 or  
2 fewer grades.

3 e. The school is not operated or managed by a corporate board that currently  
4 operates or manages a private school that is participating in the program under this  
5 section or under s. 119.23.

*Insert 8-16*

*le* **\*\*\*NOTE:** Do you want to specify what "corporate board" means?

6 **SECTION 19.** 118.60 (1) (cm) of the statutes is created to read:

7 118.60 (1) (cm) "Preaccrediting entity" means the Institute for the  
8 Transformation of Learning at Marquette University, Wisconsin North Central  
9 Association, Wisconsin Religious and Independent Schools Accreditation,  
10 Independent Schools Association of the Central States, Wisconsin Evangelical  
11 Lutheran Synod School Accreditation, National Lutheran School Accreditation, and  
12 the diocese or archdiocese within which a private school is located.

13 **SECTION 20.** 118.60 (2) (a) (intro.) of the statutes <sup>↑ as affected by 2013 Wisconsin Act 20 ↓</sup> is amended to read:

14 118.60 (2) (a) (intro.) <sup>Any</sup> ~~Subject to par. (b)~~ <sup>g</sup> ~~pars. (ag) and (ar),~~ <sup>↓</sup> any pupil in grades  
15 kindergarten to 12 who resides within an eligible school district may attend any  
16 private school if all of the following apply:

*Insert 8-16*

17 **SECTION 21.** 118.60 (2) (a) 3. a. of the statutes <sup>↑ as affected by 2013 Wisconsin Act 20 ↓</sup> is amended to read:

18 118.60 (2) (a) 3. a. Except as provided in subd. 3. b. ~~and sub. (2) (ag) 1.,~~ *and c.* the  
19 private school notified the state superintendent of its intent to participate in the  
20 program under this section <sup>or in the program under s. 119.23</sup> and paid the nonrefundable fee <sup>g</sup> set by the department  
21 as required under s. 119.23 (2) (a) 3., by February 1 of the previous school year. The  
22 notice shall specify the number of pupils participating in the program under this  
23 section <sup>are in the program under s. 119.23</sup> for which the school has space.

24 **SECTION 22.** 118.60 (2) (a) 3g. of the statutes is created to read:



Insert 9-1 ✓

1 118.60 (2) (a) 3g. By May 2 before the first term of participation in the program  
 2 under this section, the governing body of the private school submits to the  
 3 department on a form provided by the department an anticipated budget for the first  
 4 fiscal period of participation in the program under this section that shows a positive  
 5 cash flow in each month of the fiscal period and no operating deficit. The governing  
 6 body shall include <sup>on</sup> in the anticipated budget <sup>completed form</sup> anticipated enrollments for all pupils  
 7 enrolled in the private school and for pupils enrolled in the private school under this  
 8 section; estimated revenues and costs; a schedule of anticipated beginning and  
 9 ending net choice program assets; and a schedule of monthly cash flow requirements.  
 10 The governing body shall include in the budget contingent funding sources the  
 11 private school will use in the event that actual enrollments are less than expected.

\*\*\*\*NOTE: As this is a prerequisite to participation, rather than a requirement for private schools that are already participating in the program, I create it under sub. (2) rather than under sub. (7) as proposed in the drafting instructions. I also match the language under this subdivision with the language proposed for s. 118.60 (2) (ag) 1. b.; that is, I use "anticipated budget" rather than "complete budget" and "first fiscal period" rather than "ensuing fiscal period." Finally, I require the budget to have a positive cash flow in each month and no operating deficit, as these are required of "new private schools." Please let me know if you have any questions or concerns about the changes made in this provision.

\*\*\*\*NOTE: Forgive my ignorance. I understand that this language comes from DPI's administrative rules governing the MPCP; that doesn't necessarily mean that it makes sense to me as a legislative drafter. What does "beginning and ending net choice program assets" mean? And "monthly cash flow requirements"? It would be helpful for me to have this in plain English to make sure that what I am drafting makes sense. Thank you!

12 SECTION 23. 118.60 (2) (a) 7. of the statutes <sup>as affected by 2013 Wisconsin Act 20</sup> is renumbered 118.60 (2) (a) 7. a.  
 13 and amended to read:

14 118.60 (2) (a) 7. a. For a private school that is a first-time participant in the  
 15 ~~program under this section, and that is not accredited by Wisconsin North Central~~ <sup>the effective date</sup>  
 16 ~~Association, Wisconsin Religious and Independent School Accreditation,~~ <sup>of this</sup>  
 17 ~~Independent Schools Association of the Central States, Wisconsin Evangelical~~ <sup>subd 7c</sup>  
 18 ~~Lutheran Synod School Accreditation, National Lutheran School Accreditation,~~ <sup>as...</sup>  
 the <sup>date</sup>

Wisconsin Association of Christian Schools

1 ~~diocese or archdiocese within which the private school is located, or by any other~~  
 2 ~~organization recognized by the National Council for Private Schools Accreditation~~  
 3 ~~an accrediting entity, the private school obtains preaccreditation by the Institute for~~  
 4 ~~the Transformation of Learning at Marquette University, Wisconsin North Central~~  
 5 ~~Association, Wisconsin Religious and Independent Schools Accreditation,~~  
 6 ~~Independent Schools Association of the Central States, Wisconsin Evangelical~~  
 7 ~~Lutheran Synod School Accreditation, National Lutheran School Accreditation, or~~  
 8 ~~the diocese or archdiocese within which the private school is located a~~  
 9 ~~preaccreditation entity by~~ <sup>August</sup> ~~September~~ 1 before the first school term of participation  
 10 in the program under this section ~~that begins after~~ <sup>or in the program under s. 119.23</sup> ~~August 31, 2011; by~~ ~~August 1~~  
 11 ~~before the first school term of participation in the program under this section that~~ <sup>July 1, 2013</sup>  
 12 ~~begins in the first school year that begins after a school district is identified as an~~  
 13 ~~eligible school district under sub. (1m)~~ <sup>August 31, 2011</sup> ~~or by May 1 if the private school begins~~  
 14 ~~participation in the program under this section~~ <sup>or in the program under s. 119.23</sup> ~~during summer school. In any school~~  
 15 ~~year, a private school may apply for and seek to obtain preaccreditation from only one~~  
 16 ~~of the entities enumerated in this subdivision~~ ~~preaccrediting entity.~~ A private school  
 17 that fails to obtain ~~accreditation~~ <sup>PLAIN</sup> ~~preaccreditation~~ in a school year may apply for and  
 18 seek to obtain preaccreditation from one of the entities enumerated in this  
 19 subdivision ~~a preaccrediting entity~~ in the following school year. The

20 b. ~~Each private school shall achieve accreditation by Wisconsin North Central~~  
 21 ~~Association, Wisconsin Religious and Independent Schools Accreditation,~~  
 22 ~~Independent Schools Association of the Central States, Wisconsin Evangelical~~  
 23 ~~Lutheran Synod School Accreditation, National Lutheran School Accreditation, the~~  
 24 ~~diocese or archdiocese within which the private school is located, or any other~~  
 25 ~~organization recognized by the National Council for Private School Accreditation,~~

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

\*\*\*NOTE: Bob Soldner at DPI requested language indicating that, once a private school is accredited, the private school does not need to seek additional accreditation to add grades. I have two questions about this request:

1. Does the language "or additional accreditation by an accrediting entity" satisfy this request? See also ss. 118.60 (2) (a) 7. c. and 119.23 (2) (a) 7. bg., 7. br., 7. d., and 7. e.
2. Is there no difference between the requirements for accreditation for a private school that offers elementary grades and the requirements for accreditation for a private school that offers high school grades?

12 SECTION 24. 118.60 (2) (a) 7. c. <sup>and do</sup> of the statutes <sup>are</sup> created to read:  
 13 118.60 (2) (a) 7. c. Beginning on the effective date of this subd. 7. c. .... [LRB  
 14 inserts date], <sup>E</sup> each private school that begins participation in, or reenters, the  
 15 program under this section <sup>on or after the effective date of this subd. 7. c. .... [LRB</sup> (and that is not accredited by an accrediting entity) shall <sup>inserts</sup>  
 16 <sup>Insert 11-16</sup> apply for accreditation by an accrediting entity by December 31 of the first school <sup>date]</sup>  
 17 year that begins after the effective date of this subd. 7. <sup>do</sup> c).... [LRB inserts date], in  
 18 which the private school begins participation in, or reenters, the program under this  
 19 section, and shall achieve accreditation by an accrediting entity by December 31 of  
 20 the 3rd school year following the school year in which the private school begins

1 participation in, or reenters, the program under this section. If the private school is  
 2 accredited under this subd. 7. <sup>✓</sup> ~~c~~ <sup>e do</sup>, the private school is not required to obtain  
 3 preaccreditation under subd. 7. <sup>✓</sup> ~~a~~ <sup>co</sup> or additional accreditation by an accrediting entity  
 4 as a prerequisite to providing instruction under this section in additional grades or  
 5 in an additional or new school.

\*\*\*\*NOTE: What does "reenter" mean in this subdivision? When and why would a private school "reenter" the program? Is it possible that a private school could avoid ever becoming accredited by operating for 3 years without satisfying the accreditation requirements, dropping out, "reentering," and simply repeating this cycle?

\*\*\*\*NOTE: Must a certain period of time pass between a school dropping out and then seeking to reenter? Must the school satisfy any requirements before being allowed to "reenter"?

6 SECTION 25. 118.60 (2) (ag) of the statutes is created to read:

7 118.60 (2) (ag) The governing body of a new private school shall comply with  
 8 all of the following before the new private school may participate in the program  
 9 under this section:

10 1. By August 1 of the school year immediately preceding the school year in

11 which the new private school intends to participate in the program under this  
 12 section, complete and submit to the department the following ~~on forms provided by~~  
 13 ~~the department:~~

14 a. ~~notice of intent to participate and agreement to comply with procedural~~  
 15 requirements.

16 b. ~~An anticipated budget for the first fiscal period of participation in the~~  
 17 program under this section <sup>showing</sup> that ~~shows~~ <sup>a the private school will have</sup> a positive cash flow in each month of the fiscal  
 18 period and no operating deficit. The governing body shall include <sup>on</sup> in the ~~anticipated~~

19 ~~budget~~ <sup>a completed form</sup> anticipated enrollments for all pupils enrolled in the new private school and  
 20 for pupils enrolled in the new private school under this section; estimated revenues  
 21 and costs; a schedule of anticipated beginning and ending net choice program assets;

do not delete  
step

step

A complete budget  
the private school

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

4 c. The nonrefundable fee established by the department, as required under s.  
5 119.23 (2) (a) 3., for the school year in which the fee is paid by the new private school.  
6 If the amount of the fee paid by the new private school under this subd. 1. c. increases  
7 for the school year in which the new private school will first participate in the  
8 program under this section, the new private school shall pay the difference between  
9 the fee paid and the fee due to the department. If the amount of the fee paid by the  
10 new private school under this subd. 1. c. decreases for the school year in which the  
11 new private school will first participate in the program under this section, the  
12 department shall refund the new private school the difference between the fee paid  
13 and the fee due to the department.

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

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

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

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

5 SECTION 26. 118.60 (2) (ar) of the statutes is created to read:

6 118.60 (2) (ar) By December 31 of the school year immediately preceding the  
7 school year in which a new private school intends to participate in the program under  
8 this section, the department shall notify the new private school in writing whether  
9 it has satisfied those requirements under par. (ag) that must be satisfied before  
10 December 31. If the department determines that the new private school has not  
11 satisfied those requirements, the new private school may not participate in the  
12 program under this section in the following school year, but may immediately  
13 reinitiate the process under par. (ag).

14 SECTION 27. 118.60 (2) (b) of the statutes is repealed.

15 SECTION 28. 118.60 (7) (ad) of the statutes is created to read:

16 118.60 (7) (ad) The governing body of a private school participating in the  
17 program under this section and accredited as required under sub. (2) (a) 7. shall  
18 ensure that the private school continuously maintains accreditation from an  
19 accrediting entity as long as the private school continues to participate in the  
20 program under this section.

21 SECTION 29. 118.60 (7) (ao) of the statutes is created to read:

22 118.60 (7) (ao) By November 1 of the first school term in which a new private  
23 school participates in the program under this section, the governing body of the  
24 private school shall submit to the department on a form provided by the department  
25 a budget reflecting the enrollments in the new private school on the immediately

by 2013 Wisconsin Act 20, L  
renumbered 118.60(7)(ad)  
and  
amended

fix component

Insert  
14-11

Insert 14-18

1 preceding 3rd Friday in September and any related changes in revenues, costs, and  
2 cash flow requirements.

Fix component

3 → SECTION 30. 118.60 (7) (em) <sup>as created by 2013 Wisconsin Act 20,</sup> of the statutes <sup>is</sup> ~~created~~ <sup>amended</sup> to read:

4 118.60 (7) (em) 1. Subject to subd. 2. <sup>B</sup> beginning in the 2013-14 school year, the  
5 governing body of each private school participating in the program under this section  
6 shall <sup>subject to subd. 2.</sup> annually, by January 15, provide the department with evidence demonstrating  
7 that the private school remains accredited for the current school year as required  
8 under par. (ad). The governing body shall include as evidence of accreditation a letter  
9 prepared by <sup>Insert 15-9</sup> an accrediting entity that confirms that the private school is accredited  
10 by that entity as of the date of the letter.

6 11 2. The governing body shall immediately notify the department if its  
12 accreditation status changes.

13 SECTION 31. 118.60 (9) of the statutes is amended to read:

14 118.60 (9) If any accrediting agency ~~specified under sub. (2) (a) 7.~~ or  
15 preaccrediting entity determines during the accrediting or preaccrediting process  
16 that a private school does not meet all of the requirements under s. 118.165 (1), it  
17 shall report that failure to the department.

Insert 15-18

18 SECTION 32. 118.60 (10) (am) 1. of the statutes is created to read:

19 118.60 (10) (am) 1. The private school has not complied with the requirements  
20 under sub. (7) (em).

as by 2013 Wisconsin Act 20 is amended

21 → SECTION 33. 118.60 (10) (ar) of the statutes <sup>is</sup> ~~created~~ <sup>is</sup> created to read:

Fix component

22 118.60 (10) (ar) 1. If the state superintendent determines that a private school  
23 has failed to continuously maintain accreditation as required under sub. (7) (ad),  
24 that the governing body of the private school has withdrawn the private school from  
25 the accreditation process, or that the private school's accreditation has been revoked,

Insert 16-1

Plain comma

1 denied, or terminated by an accrediting entity, the state superintendent shall issue  
2 an order barring the private school's participation in the program under this section  
3 at the end of the current school year.

4 2. A private school whose participation in the program under this section is  
5 barred under subd. 1. may not participate in the program under this section or under  
6 s. 119.23 until all of the following are satisfied:

not

7 a. Two consecutive school years pass.

8 b. The governing body of the private school demonstrates to the satisfaction of  
9 the department that it has obtained accreditation from an accrediting entity.

Insert 16-9A

Insert 16-9B

\*\*\*\*NOTE: Should a school barred under this paragraph be required to obtain preaccreditation before it may participate in or reenter the program? Compare the requirements under this subdivision 2. and under s. 119.23 (10) (ar) with the requirements under s. 118.60 (2) (a) 7. a. and s. 119.23 (2) (a) 7. b. and 7. bm.

10 SECTION 34. 118.60 (10) (c) of the statutes is amended to read:  
11 118.60 (10) (c) Whenever the state superintendent issues an order under par.  
12 (a), (am), (ar), or (b), he or she shall immediately notify the parent or guardian of each  
13 pupil attending the private school under this section.

14 SECTION 35. 118.60 (11) (c) of the statutes is created to read:  
15 118.60 (11) (c) Within 10 days after receiving the information submitted as  
16 required under sub. (7) (em), notify the participating private school of receipt and  
17 approval of accreditation status.

18 SECTION 36. 119.23 (1) (ab) of the statutes is created to read:  
19 119.23 (1) (ab) "Accrediting entity" means all of the following:  
20 1. Wisconsin North Central Association, Wisconsin Religious and Independent  
21 Schools Accreditation, Independent Schools Association of the Central States,  
22 Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran  
23 School Accreditation, the Wisconsin Association of Christian Schools, the diocese or archdiocese within which a private school is



1 located, and any other organization recognized by the National Council for Private  
2 School Accreditation.

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

5 **SECTION 37.** 119.23 (1) (ai) of the statutes is created to read:

6 119.23 (1) (ai) "New private school" means a school that satisfies either of the  
7 following:

8 1. The school qualifies as a private school under s. 115.001 (3r), but has never  
9 operated in this state.

10 2. The school satisfies all of the following:

11 a. The school is operating as a private school, as defined under s. 115.001 (3r).

12 b. The school has been in continuous operation for less than 12 consecutive  
13 months.

14 c. The school is not participating in the program under this section or under s.  
15 118.60.

✓ 16 d. The school provides education to <sup>fewer than</sup> a minimum of 40 pupils divided into 2 or  
17 fewer grades.

18 e. The school is not operated or managed by a corporate board that currently  
19 operates or manages a private school that is participating in the program under this  
20 section or under s. 118.60.

Insert  
12-21

21 **SECTION 38.** 119.23 (1) (ap) of the statutes is created to read:

22 119.23 (1) (ap) "Preaccrediting entity" means the Institute for the  
23 Transformation of Learning at Marquette University, Wisconsin North Central  
24 Association, Wisconsin Religious and Independent Schools Accreditation,  
25 Independent Schools Association of the Central States, Wisconsin Evangelical

1 Lutheran Synod School Accreditation, National Lutheran School Accreditation, and  
2 the diocese or archdiocese within which a private school is located.

3 SECTION 39. 119.23 (2) (a) (intro.) of the statutes is amended to read:

4 119.23 (2) (a) (intro.) Any Subject to pars. (ag) and (ar), any pupil in grades  
5 kindergarten to 12 who resides within the city may attend any private school if all  
6 of the following apply: *as affected by 2013 Wisconsin Act 205*

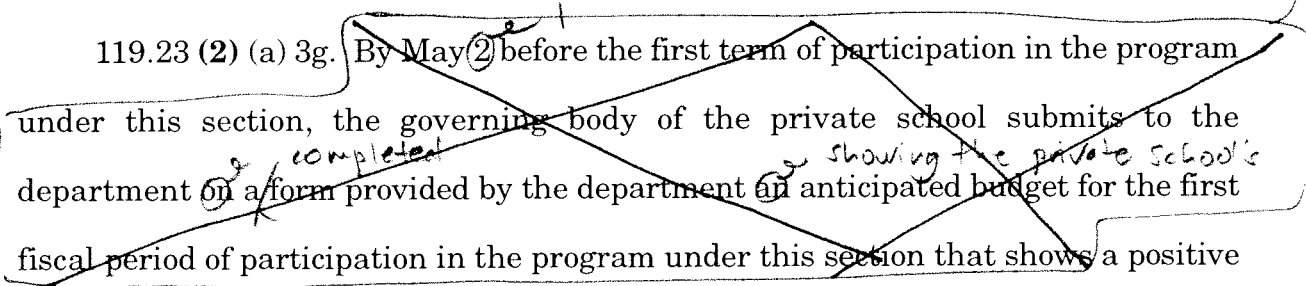
7 SECTION 40. 119.23 (2) (a) 3. of the statutes <sup>is</sup> amended to read:

8 119.23 (2) (a) 3. Except as provided in subd. 3m. b. sub. (2) (ag) 1., the private  
9 school notified the state superintendent of its intent to participate in the program  
10 under this section, <sup>or in the program under s. 118.60</sup> and paid <sup>the</sup> a nonrefundable <sup>annual</sup> fee set by the department, by February  
11 1 of the previous school year. The notice shall specify the number of pupils  
12 participating in the program under this section <sup>and in the program under s. 118.60</sup> for which the school has space. The  
13 department shall by rule set the fee charged under this subdivision at an amount  
14 such that the total fee revenue covers the costs of employing one full-time auditor  
15 to evaluate the financial information submitted by private schools under sub. (7)  
16 (am) and (d) 2. and 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

✓  
Insert 18-18

17 SECTION 41. 119.23 (2) (a) 3g. of the statutes is created to read:

18 119.23 (2) (a) 3g. ~~By May 2 before the first term of participation in the program~~  
19 ~~under this section, the governing body of the private school submits to the~~  
20 ~~department on a form provided by the department an anticipated budget for the first~~  
21 ~~fiscal period of participation in the program under this section that shows a positive~~  
22 ~~cash flow in each month of the fiscal period and no operating deficit. The governing~~  
23 ~~body shall include in the anticipated budget anticipated enrollments for all pupils~~  
24 ~~enrolled in the private school and for pupils enrolled in the private school under this~~  
25 ~~section; estimated revenues and costs; a schedule of anticipated beginning and~~



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

4 **SECTION 42.** 119.23 (2) (a) 3m. of the statutes is repealed. *as affected by 2013 Wisconsin Act 20*

5 **SECTION 43.** 119.23 (2) (a) 7. a. of the statutes is amended to read:

6 119.23 (2) (a) 7. a. Subject to subd. 7. c. and d., for a private school participating  
7 in the program under this section on July 1, 2009, the private school achieves  
8 accreditation by ~~Wisconsin North Central Association, Wisconsin Religious and~~  
9 ~~Independent Schools Accreditation, Independent Schools Association of the Central~~  
10 ~~States, Wisconsin Evangelical Lutheran Synod School Accreditation, National~~  
11 ~~Lutheran School Accreditation, the diocese or archdiocese within which the private~~  
12 ~~school is located, or any other organization recognized by the National Council for~~  
13 ~~Private School Accreditation, an accrediting entity~~ by December 31 of the 3rd school  
14 year following the first school year that begins after June 30, 2006, in which it  
15 participates in the program under this section. If the private school is accredited as  
16 provided under this subd. 7. a., the private school is not required to obtain  
17 preaccreditation under subd. 7. b. or additional accreditation by an accrediting entity  
18 as a prerequisite to providing instruction under this section in additional grades or  
19 in an additional or new school. *as affected by 2013 Wisconsin Act 20*

20 **SECTION 44.** 119.23 (2) (a) 7. b. of the statutes is amended to read:

21 119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., ~~for~~ For a private school that is  
22 a first-time participant in the program under this section ~~on or after July 1, 2009,~~  
23 ~~and before the effective date of this subd. 7. b. .... [LRB inserts date], and that is not~~  
24 accredited as provided under subd. 7. a., the private school obtains preaccreditation  
25 by the ~~Institute for the Transformation of Learning at Marquette University,~~

1 Wisconsin North Central Association, Wisconsin Religious and Independent Schools  
 2 Accreditation, Independent Schools Association of the Central States, Wisconsin  
 3 Evangelical Lutheran Synod School Accreditation, National Lutheran School  
 4 Accreditation, or the diocese or archdiocese within which the private school is located  
 5 a preaccrediting entity by August 1 before the first school term of participation in the  
 6 program under this section that begins after July 1, 2009, or by May 1 if the private  
 7 school begins participating in the program <sup>Insert 20-6</sup> during summer school. In any school  
 8 year, a private school to which this subd. 7. b. applies may apply for and seek to obtain ~~to obtain~~  
 9 preaccreditation from only one of the entities enumerated in this subd. 7. b.  
 10 preaccrediting entity. A private school to which this subd. 7. b. applies that fails to  
 11 obtain accreditation preaccreditation in a school year may apply for and seek to  
 12 obtain preaccreditation from one of the entities enumerated in this subd. 7. b. a  
 13 preaccrediting entity in the following school year. The

14 bg. Subject to subd. 7. c. and d., a private school to which subd. 7. b. applies shall  
 15 achieve accreditation by Wisconsin North Central Association, Wisconsin Religious  
 16 and Independent Schools Accreditation, Independent Schools Association of the  
 17 Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,  
 18 National Lutheran School Accreditation, <sup>Wisconsin Association of Christian Schools</sup> the diocese or archdiocese within which the  
 19 private school is located, or any other organization recognized by the National  
 20 Council for Private School Accreditation, an accrediting entity by December 31 of the  
 21 3rd school year following the first school year that begins after July 1, 2009, in which  
 22 it the private school participates in the program under this section. <sup>or in the program under</sup> If the private  
 23 school is accredited under this subd. 7. b. bg., the private school is not required to  
 24 obtain preaccreditation or additional accreditation by an accrediting entity as a

1 prerequisite to providing instruction under this section in additional grades or in an  
2 additional or new school.

3 SECTION 45. 119.23 (2) (a) 7. bm. and br. of the statutes are created to read:

4 119.23 (2) (a) 7. bm. <sup>Each</sup> For a private school that begins participation in, or  
5 reenters, the program under this section on or after the effective date of this subd.

6 7. bm. .... [LRB inserts date], and that is not accredited by an accrediting entity, <sup>shall</sup> the

7 private school obtain<sup>g</sup> preaccreditation by a preaccrediting entity by August 1 before  
8 the first school term in which the private school begins participation in, or reenters,  
9 the program under this section, or by May 1 if the private school begins participating  
10 in, or reenters, the program during summer school. In any school year, a private  
11 school to which this subd. 7. bm. applies may apply for and seek to obtain  
12 preaccreditation from only one preaccrediting entity. A private school to which this  
13 subd. 7. bm. applies that fails to obtain preaccreditation in a school year may apply  
14 for and seek to obtain preaccreditation from a preaccrediting entity in the following  
15 school year.

16 br. A private school to which subd. 7. bm. applies shall apply for accreditation  
17 by an accrediting entity by December 31 of the first school year that begins after the  
18 effective date of this subd. 7. br. .... [LRB inserts date], in which the private school  
19 begins participation in, or reenters, the program under this section, and shall  
20 achieve accreditation by an accrediting entity by December 31 of the 3rd school year  
21 following the school year in which the private school begins participation in, or  
22 reenters, the program under this section. If the private school is accredited under  
23 this subd. 7. br., the private school is not required to obtain preaccreditation <sup>or</sup>

24 additional accrediting by an accrediting entity as a prerequisite to providing  
25 instruction under this section in additional grades or in an additional or new school.

↑ as affected by 2013 Wisconsin Act 20 ↓

1

SECTION 46. 119.23 (2) (a) 7. c. of the statutes is amended to read:

2

119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or

3

seeking to participate in the program under this section <sup>or in the program under s. 119.60</sup> may not apply for

4

accreditation by the Institute for the Transformation of Learning at Marquette

5

University, except that a private school that has applied for accreditation to the

6

Institute for the Transformation of Learning at Marquette University before July 1,

7

2009, and that is participating in the program under this section on the effective date

8

of this subd. 7. c. ... [LRB inserts date], may, subject to subd. 7. e., complete the

9

accreditation process with the Institute for the Transformation of Learning at

10

Marquette University, and may, subject to subd. 7. e., seek renewal of accreditation

11

from the Institute for the Transformation of Learning at Marquette University.

12

SECTION 47. 119.23 (2) (a) 7. d. of the statutes is amended to read:

13

119.23 (2) (a) 7. d. For a private school that was approved for scholarship

14

funding for the 2005-06 school year by Partners Advancing Values in Education and

15

is participating in the program under this section on November 19, 2011, the private

16

school achieves accreditation by ~~Wisconsin North Central Association, Wisconsin~~

17

~~Religious and Independent Schools Accreditation, Independent Schools Association~~

18

~~of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~

19

~~National Lutheran School Accreditation, Wisconsin Association of Christian Schools,~~

20

private school is located, or any other organization recognized by the National

21

Council for Private School Accreditation, an accrediting entity by December 31,

22

2015. If the private school is accredited as provided under this subd. 7. d., the private

23

school is not required to obtain preaccreditation under subd. 7. b. or additional

24

accreditation by an accrediting entity as a prerequisite to providing instruction

25

under this section in additional grades or in an additional or new school.

1 SECTION 48. 119.23 (2) (a) 7. e. of the statutes is created to read:

2 119.23 (2) (a) 7. e. For a private school that is accredited by the Institute for  
3 the Transformation of Learning at Marquette University and that is participating  
4 in the program under this section on the effective date of this subd. 7. e. .... [LRB  
5 inserts date], the private school achieves accreditation by an accrediting entity under  
6 sub. (1) (ab) 1. by December 31, 2016. If the private school is accredited as provided  
7 under this subd. 7. e., the private school is not required to obtain preaccreditation  
8 under subd. 7. b. or bm. or additional accreditation by an accrediting entity as a  
9 prerequisite to providing instruction under this section in additional grades or in an  
10 additional or new school.

11 SECTION 49. 119.23 (2) (ag) of the statutes is created to read:

12 119.23 (2) (ag) The governing body of a new private school shall comply with  
13 all of the following before the new private school may participate in the program  
14 under this section:

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

19 a. A notice of intent to participate and agreement to comply with procedural  
20 requirements. complete

21 b. An anticipated budget for the first fiscal period of participation in the  
22 program under this section showing the private school will have  
23 period and no operating deficit. The governing body shall include in the anticipated  
24 budget on anticipated enrollments for all pupils enrolled in the new private school and  
25 for pupils enrolled in the new private school under this section; estimated revenues

do not delete

Step

Step

Step

17

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

5 c. The nonrefundable fee established by the department, as required under s.  
6 119.23 (2) (a) 3., for the school year in which the fee is paid by the new private school.  
7 If the amount of the fee paid by the new private school under this subd. 1. c. increases  
8 for the school year in which the new private school will first participate in the  
9 program under this section, the new private school shall pay the difference between  
10 the fee paid and the fee due to the department. If the amount of the fee paid by the  
11 new private school under this subd. 1. c. decreases for the school year in which the  
12 new private school will first participate in the program under this section, the  
13 department shall refund the new private school the difference between the fee paid  
14 and the fee due to the department.

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

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

23 3. By August 1 of the school year immediately preceding the school year in  
24 which the new private school intends to participate in the program under this



1 section, submit to the department a statement indicating which of the standards  
2 under sub. (7) (a) the private school intends to meet.

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

7 SECTION 50. 119.23 (2) (ar) of the statutes is created to read:

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

fix  
comparat

16 SECTION 51. 119.23 (7) (ad) of the statutes <sup>as</sup> ~~is~~ created <sup>to</sup> read: <sup>by 2013 Wisconsin Act 209 is</sup> <sup>renumbered 119.23(7)(a)</sup> <sup>3a and amended</sup>

17 119.23 (7) (ad) <sup>30</sup> (The governing body of a private school participating in the  
18 program under this section and accredited as required under <sup>subds 10 and 20 and</sup> sub. (2) (a) 7. shall  
19 ensure that the private school continuously maintains accreditation from an  
20 accrediting entity as long as the private school continues to participate in the  
21 program under this section.

Insert 25-19

Insert  
25-22

22 SECTION 52. 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 the new private  
24 school participates in the program under this section, the governing body of the  
25 private school shall submit to the department on a form provided by the department

1 a budget reflecting the enrollments in the <sup>new</sup> private school on the immediately  
2 preceding 3rd Friday in September and any related changes in revenues, costs, and  
3 cash flow requirements.

4 **SECTION 53.** 119.23 (7) (em) <sup>1.</sup> of the statutes <sup>is</sup> created <sup>to read:</sup>

5 119.23 (7) (em) 1. Subject to subd. 2. <sup>B</sup> beginning in the 2013-14 school year, the

6 governing body of each private school participating in the program under this section

7 shall annually, by January 15, provide the department with evidence demonstrating

8 that the private school remains accredited for the current school year as required

9 under par. (ad). The governing body shall include as evidence of accreditation a letter

10 prepared by an accrediting entity that confirms that the private school is accredited

11 by that entity as of the date of the letter.

12 2. The governing body shall immediately notify the department if its  
13 accreditation status changes.

14 **SECTION 54.** 119.23 (7) (f) of the statutes is repealed.

15 **SECTION 55.** 119.23 (9) of the statutes is amended to read:

16 119.23 (9) If any accrediting agency ~~specified under sub. (2) (a) 7. a., b., or d.~~  
17 or preaccrediting entity determines during the accrediting or preaccrediting process  
18 that a private school does not meet all of the requirements under s. 118.165 (1), it  
19 shall report that failure to the department.

20 **SECTION 56.** 119.23 (10) (a) 2. of the statutes is amended to read:

21 119.23 (10) (a) 2. Failed to provide the notice or pay the fee required under sub.  
22 (2) (a) 3. ~~or 3m. b.,~~ or provide the information required under sub. (7) (am) or (d), by  
23 the date or within the period specified.

24 **SECTION 57.** 119.23 (10) (am) 1. of the statutes is amended to read:

Insert 26-24 ✓

fix component

by 2013 Wisconsin Act 201, is amended

1. <sup>has been</sup>

subject to subd. 2.

Insert 26-10

6

6

6

js

1 119.23 (10) (am) 1. The private school has not complied with the requirement  
2 requirements under sub. (7) (f) (em).

3 SECTION 58. 119.23 (10) (ar) of the statutes is <sup>as created by 2013 Wisconsin Act 20</sup> ~~created~~ <sup>amended</sup> to read:

fix  
composit

4 119.23 (10) (ar) 1. If the state superintendent determines that a private school  
5 has failed to continuously maintain accreditation as required under sub. (7) (ad),  
6 that the governing body of the private school has withdrawn the private school from  
7 the accreditation process, or that the private school's accreditation has been revoked,  
8 denied or terminated by <sup>Insert 27-8</sup> an accrediting agency, the state superintendent shall issue  
9 an order barring the private school's participation in the program under this section  
10 at the end of the current school year.

11 2. A private school whose participation in the program under this section is  
12 barred under subd. 1. may not participate in the program under this section or under  
13 s. 118.60 until all of the following are satisfied:

- 14 a. Two consecutive school years pass.
- 15 ~~NO F~~ b. The governing body of the private school demonstrates to the satisfaction of  
16 the department that it has obtained accreditation from <sup>Insert 27-16A</sup> an accrediting entity <sup>Insert 27-16B</sup>

17 SECTION 59. 119.23 (10) (c) of the statutes is amended to read:  
18 119.23 (10) (c) Whenever the state superintendent issues an order under par.  
19 (a), (am), (ar), or (b), he or she shall immediately notify the parent or guardian of each  
20 pupil attending the private school under this section.  
21 SECTION 60. 119.23 (11) (c) of the statutes is created to read:  
22 119.23 (11) (c) Within 10 days after receiving the information submitted as  
23 required under sub. (7) (em), notify the participating private school of receipt and  
24 approval of accreditation status.

25 SECTION 61. 447.06 (2) (a) 2. of the statutes is amended to read:

1           447.06 (2) (a) 2. For a school board ~~or~~, a governing body of a private school, as  
2           defined in s. 115.001 (3d), or a governing body of a tribal school, as defined in s.  
3           115.001 (15m).

4           **SECTION 62.** 895.035 (1) (a) of the statutes is renumbered 895.035 (1) (a) (intro.)  
5           and amended to read:

6           895.035 (1) (a) In this section, “custody”:

7           1. “Custody” means either legal custody of a child under a court order under  
8           s. 767.225 or 767.41, custody of a child under a stipulation under s. 767.34 or actual  
9           physical custody of a child. “Custody” does not include legal custody, as defined  
10          under s. 48.02 (12), by an agency or a person other than a child’s birth or adoptive  
11          parent.

12          **SECTION 63.** 895.035 (1) (a) 2. of the statutes is created to read:

13          895.035 (1) (a) 2. “Governing body of a private school” has the meaning given  
14          in s. 115.001 (3d).

15          **SECTION 64.** 938.02 (6m) of the statutes is created to read:

16          938.02 (6m) “Governing body of a private school” has the meaning given in s.  
17          115.001 (3d).

18          **SECTION 65.** 950.08 (2w) of the statutes is amended to read:

19          950.08 (2w) INFORMATION TO BE PROVIDED BY DISTRICT ATTORNEYS TO SCHOOLS IN  
20          CRIMINAL CASES. If a criminal complaint is issued under s. 968.02 or if a petition for  
21          waiver is granted pursuant to s. 938.18, and the district attorney reasonably believes  
22          the person charged is a pupil enrolled in a school district, a private school, or a  
23          charter school established pursuant to 118.40 (2r), the district attorney shall make  
24          a reasonable attempt to notify the school board, governing body of the private school  
25          governing body, as defined in s. 115.001 (3d), or charter school governing body of the

1 charges pending against the pupil. The district attorney shall also notify the school  
2 board, governing body of the private school ~~governing body~~, or charter school  
3 governing body of the final disposition of the charges.

4 **SECTION 66. Nonstatutory provisions.**

5 (1) Notwithstanding sections 118.60 (7) (em) 1. and 119.23 (7) (em) 1. of the  
6 statutes, as created by this act, within 45 days after the effective date of this  
7 subsection, the governing body of each private school participating in the program  
8 under section 118.60 or 119.23 of the statutes in the 2012-13 school year shall submit  
9 to the department of public instruction evidence demonstrating the accreditation  
10 status of the private school. If applicable, the governing body of the participating  
11 private school shall include as evidence of accreditation a letter prepared by one of  
12 the accrediting entities identified under section 118.60 (1) (ab) or 119.23 (1) (ab) of  
13 the statutes that confirms that the private school is accredited by that entity or  
14 organization as of the date of the letter.

15 (2) If a private school described in subsection (1) fails to comply with the  
16 notification requirement under subsection (1), the state superintendent of public  
17 instruction shall issue an order barring the private school's participation in the  
18 programs under sections 118.60 and 119.23 of the statutes beginning in the 2013-14  
19 school year.

20 **SECTION 67. Effective dates.** This act takes effect on the day after publication,  
21 except as follows:

22 (1) The treatment of section 118.60 (2) (b) of the statutes takes effect on July  
23 1, 2013, or on the day after publication, whichever is later.

*d-note*

2013-2014 DRAFTING INSERT  
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LRB-1358/P3ins  
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LPS - INSERTS  
OUT OF ORDER  
INSERT 8-6

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

2 118.60 (1) (c) "Preaccreditation" means the review and approval of an  
3 educational plan. Review of an education plan includes consideration of whether the  
4 school submitting the plan meets the requirements under s. 118.165 (1). The fact  
5 that a private school has obtained preaccreditation does not require an ~~accreditation~~  
6 ~~organization~~ accrediting entity to accredit the private school.

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).  
History: ~~effective~~ but not including changes to provisions governing health or safety, prior to the beginning of the school year in which the change takes effect.

INSERT 8-16

7 no PD under this section and, subject to pars. (ag), (ar), (be), (bm), and (bs), any pupil  
8 in grades kindergarten to 12 who resides in a school district, other than an eligible  
9 school district or a 1st class city school district, may attend any private school under  
10 this section

INSERT 14-21

11 SECTION 2. 118.60 (7) (ad) 1. and 2. of the statutes are created to read:  
12 118.60 (7) (ad) 1. If a private school <sup>participating in the program under this section or s. 119.023 and</sup> accredited under sub. (2) (a) 7. to offer  
13 instruction in any elementary grade, but not any high school grade, seeks to offer  
14 instruction in any high school grade, the private school shall comply with the  
15 requirements to apply for and achieve accreditation <sup>to offer instruction in the</sup> for any additional grade in the  
16 manner established under <sup>sub.</sup> (2) (a) 7. c.  
17 2. If a private school <sup>participating in the program under this section or s. 119.023 and</sup> accredited under sub. (2) (a) 7. to offer instruction in any  
18 high school grade, but not any elementary grade, seeks to offer instruction in any  
19 elementary grade, the private school shall comply with the requirements to apply for  
20 and achieve accreditation <sup>s</sup> for any additional grade in the manner established under  
21 (2) (a) 7. c. <sup>to offer instruction in the</sup>

sub.

NOT

INSERT 14-18

1 ~~Wisconsin North Central Association, Wisconsin Religious and Independent~~  
2 ~~School Accreditation, Independent Schools Association of the Central States,~~  
3 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran~~  
4 ~~School Accreditation, Wisconsin Association of Christian Schools, the diocese or~~  
5 ~~archdiocese within which the private school is located, or by any other organization~~  
6 ~~recognized by the National Council for Private Schools Accreditation~~

NOT

INSERT 15-9

7 ~~Wisconsin North Central Association, Wisconsin Religious and Independent~~  
8 ~~School Accreditation, Independent Schools Association of the Central States,~~  
9 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran~~  
10 ~~School Accreditation, Wisconsin Association of Christian Schools, the diocese or~~  
11 ~~archdiocese within which the private school is located, or by any other organization~~  
12 ~~recognized by the National Council for Private Schools Accreditation~~

NOT

INSERT 16-1

13 ~~Wisconsin North Central Association, Wisconsin Religious and Independent~~  
14 ~~School Accreditation, Independent Schools Association of the Central States,~~  
15 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran~~  
16 ~~School Accreditation, Wisconsin Association of Christian Schools, the diocese or~~  
17 ~~archdiocese within which the private school is located, or by any other organization~~  
18 ~~recognized by the National Council for Private Schools Accreditation~~

NOT

INSERT 16-9A

19 ~~Wisconsin North Central Association, Wisconsin Religious and Independent~~  
20 ~~School Accreditation, Independent Schools Association of the Central States,~~  
21 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran~~  
22 ~~School Accreditation, Wisconsin Association of Christian Schools, the diocese or~~

1 archdiocese within which the private school is located, or by any other organization  
2 recognized by the National Council for Private Schools Accreditation

**INSERT 16-9B**

(3) <sup>NOT</sup>, provided the accreditation is from an entity other than the entity with which  
4 the private school failed to continuously maintain accreditation or, if the private  
5 school's accreditation was revoked, denied, or terminated, other than the entity that  
6 revoked, denied, or terminated the private school's accreditation ✓

**INSERT 17-21**

7 **SECTION 3.** 119.23 (1) (am) of the statutes is amended to read:

8 119.23 (1) (am) "Preaccreditation" means the review and approval of an  
9 educational plan. Review of an education plan includes consideration of whether the  
10 school submitting the plan meets the requirements under s. 118.165 (1). The fact  
11 that a private school has obtained preaccreditation does not require an accreditation  
12 organization accrediting entity to accredit the private school.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

**INSERT 20-6**

(13) <sup>NOT</sup> ~~2013~~, by August 1 before the first school term of participation in the program  
14 under s. 118.60 that begins in the first school year that begins after a school district  
15 is identified as an eligible school district under s. 118.60 (1m); <sup>NO 4</sup> ✓

**INSERT 25-19**

(16) <sup>NOT</sup> Wisconsin North Central Association, Wisconsin Religious and Independent  
17 School Accreditation, Independent Schools Association of the Central States,  
18 Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran  
19 School Accreditation, Wisconsin Association of Christian Schools, the diocese or  
20 archdiocese within which the private school is located, by any other organization  
21 recognized by the National Council for Private Schools Accreditation, or, for a private



1 ~~school to which sub. (2) (a) 7. c. applies, the Institute for the Transformation of~~  
2 ~~Learning at Marquette University,~~ ✓

INSERT 25-22

3 SECTION 4. 119.23 (7) (ad) 1. and 2. of the statutes are created to read: ✓  
*participating in the program under this section or § 1180.60 or*

4 119.23 (7) (ad) 1. If a private school accredited under sub. (2) (a) 7. to offer  
5 instruction in any elementary grade, but not any high school grade, seeks to offer

6 instruction in any high school grade, the private school shall comply with the  
*to offer instruction in the*

7 requirements to apply for and achieve accreditation for any additional grade<sub>s</sub> in the

8 manner established under (2) (a) 7. br. *Sub.*

9 2. If a private school accredited under sub. (2) (a) 7. to offer instruction in any  
10 high school grade, but not any elementary grade, seeks to offer instruction in any

11 elementary grade, the private school shall comply with the requirements to apply for  
*to offer instruction in the*

12 and achieve accreditation for any additional grade<sub>s</sub> in the manner established under

13 (2) (a) 7. br. *Sub.*

INSERT 26-10

14 ~~Wisconsin North Central Association, Wisconsin Religious and Independent~~  
*no 90*

15 ~~School Accreditation, Independent Schools Association of the Central States,~~

16 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran~~

17 ~~School Accreditation, Wisconsin Association of Christian Schools, the diocese or~~

18 ~~archdiocese within which the private school is located, by any other organization~~

19 ~~recognized by the National Council for Private Schools Accreditation, or, for a private~~

20 ~~school to which sub. (2) (a) 7. c. applies, the Institute for the Transformation of~~

21 ~~Learning at Marquette University,~~ *which* ✓



no p

INSERT 27-8

1 ~~Wisconsin North Central Association, Wisconsin Religious and Independent~~  
 2 ~~School Accreditation, Independent Schools Association of the Central States,~~  
 3 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran~~  
 4 ~~School Accreditation, Wisconsin Association of Christian Schools, the diocese or~~  
 5 ~~archdiocese within which the private school is located, by any other organization~~  
 6 ~~recognized by the National Council for Private Schools Accreditation, or, for a private~~  
 7 ~~school to which sub. (2) (a) 7. c. applies, the Institute for the Transformation of~~  
 8 ~~Learning at Marquette University,~~

no p

INSERT 27-16A

9 ~~Wisconsin North Central Association, Wisconsin Religious and Independent~~  
 10 ~~School Accreditation, Independent Schools Association of the Central States,~~  
 11 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran~~  
 12 ~~School Accreditation, Wisconsin Association of Christian Schools, the diocese or~~  
 13 ~~archdiocese within which the private school is located, or by any other organization~~  
 14 ~~recognized by the National Council for Private Schools Accreditation~~

INSERT 27-16B

15 ~~, provided the accreditation is from an entity other than the entity with which~~  
 16 ~~the private school failed to continuously maintain accreditation or, if the private~~  
 17 ~~school's accreditation was revoked, denied, or terminated, other than the entity that~~  
 18 ~~revoked, denied, or terminated the private school's accreditation~~

no p

20 A school 7c

2013-2014 DRAFTING INSERT  
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LEGISLATIVE REFERENCE BUREAU

LRB-1358/P3ins  
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INSERT 9-1

1 ~~NO~~  
2 By May 1 before the first term of participation in the program under this  
3 section, the private school submits to the department, on a form provided by the  
4 department, a complete anticipated budget for the first fiscal period of participation  
5 in the program under this section showing that the private school will have ~~NO~~

INSERT 11-16

6 ~~NO~~ obtain preaccreditation by a preaccrediting entity by August 1 before the first  
7 school term in which the private school begins participation in, or reenters, the  
8 program under this section, or by May 1 if the private school begins participating in,  
9 or reenters the program during summer school. In any school year, a private school  
10 to which this subd. 7. c. ✓ applies may apply for and seek to obtain preaccreditation  
11 from only one preaccrediting entity. A private school to which this subd. 7. c. ✓ applies  
12 that fails to obtain preaccreditation in a school year may apply for and seek to obtain  
13 preaccreditation from a preaccrediting entity in the following school year.

14 ~~NO~~ d. A private school to which subd. 7. c. ✓ applies shall ~~NO~~

INSERT 15-18

15 ~~NO~~ SECTION 1. 118.60 (10) (am) 2. of the statutes is amended to read:  
16 118.60 (10) (am) 2. The private school's application for accreditation has been  
17 denied by the accrediting ~~organization~~ entity. ✓

History: 2011 a. 32, 47, 215; s. 35.17 correction in (4) (d) (intro.).  
History: g the program, including changes to application or filing deadlines but not including changes to provisions governing health or safety, prior to the beginning of the school year in which the change takes effect.

INSERT 18-18

18 ~~NO~~ By May 1 before the first term of participation in the program under this  
19 section, ✓ the private school submits to the department, on a form provided by the  
20 department, a complete anticipated budget for the first fiscal period of participation  
in the program under this section showing that the private school will have ~~NO~~

✕ INSERT 26-24

1 SECTION 2. 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. ✓

**History:** 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8; s. 13.92 (2) (i); s. 35.17 correction in (4) (d) (intro.).

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

LRB-1358/P3<sup>4</sup>dn

TKK:cjs:rs

*stays*

*- date -*

Sarah Archibald:

1. Private schools that "reenter" a parental choice program. I'm still not entirely clear about the language related to a private school that seeks to "reenter" the program under s. 118.60 or 119.23. This terminology appears in three subdivisions created in the bill: s. 118.60 (2) (a) 7. c. and s. 119.23 (2) (a) 7. bm. and br. All three of these subdivisions relate to preaccreditation and accreditation requirements.

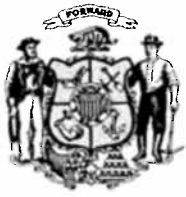
\* When we spoke on June 20th, you mentioned that a school that seeks to reenter the program should be required to satisfy the requirements applicable to "new schools." These requirements are found in s. 118.60 (2) (ag), and enforced under s. 118.60 (2) (ar). If that is your intent, I think I should remove the language about reentering schools from the accreditation sections, where the term is not defined and appears without any explanation or context, and instead include such schools as a separate kind of "new school."

\* That said, what are the parameters for identifying such schools? How long must a school have been out of the program before it is considered to be "reentering" the program? *For example* Are there any prohibitions applicable to schools that want to reenter the program? That is, if a school was barred from participating in the program under ss. 118.60 (10) (a) 8. or (b) or 119.23 (10) (a) 8. or (b), may it nevertheless reenter the program? And, more generally, if a school is not participating in one of the programs, but has participated in the past (two or more years ago, for example) and is accredited, must the school still satisfy the requirements applicable to new schools?

Let me know how you'd like to proceed on this topic.

\* 2. Accreditation of private schools that seek to offer additional grades. In response to my questions on p. 11 of LRB-1358/P3, you indicated that a private school that offers elementary grades must obtain a separate accreditation in order to offer high school grades; similarly, a private school that offers high school grades must obtain a separate accreditation in order to offer elementary grades. I have added language to this effect under ss. 118.60 (7) (ad) and 119.23 (7) (ad), both of which are created in 2013 Wisconsin Act 20 (the budget bill). Please review the language carefully to ensure that it accurately captures the standards and conventions for accreditation.

Tracy K. Kuczenski  
Legislative Attorney  
Phone: (608) 266-9867  
E-mail: tracy.kuczenski@legis.wisconsin.gov



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1358/P4 P5

TKK:cjs:jm

Stays

insert  
d-note

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

10/4/13

soon

STV

Gen  
Cot

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 (2) (a) 7., 118.60 (7) (ad),  
3 119.23 (7) (ad) and 895.035 (1) (a); *to amend* 7.30 (2) (am), 48.355 (2) (c), 118.07  
4 (2) (a), 118.07 (3), 118.30 (2) (b) 5., 118.33 (1) (f) 3., 118.33 (6) (c) 1., 118.33 (6)  
5 (c) 2., 118.60 (1) (c), 118.60 (2) (a) (intro.), 118.60 (2) (a) 3. a., 118.60 (7) (em) 1.,  
6 118.60 (9), 118.60 (10) (am) 2., 118.60 (10) (ar), 119.23 (1) (am), 119.23 (2) (a)  
7 (intro.), 119.23 (2) (a) 3., 119.23 (2) (a) 7. a., 119.23 (2) (a) 7. b., 119.23 (2) (a) 7.  
8 c., 119.23 (2) (a) 7. d., 119.23 (7) (em) 1., 119.23 (9), 119.23 (10) (am) 2., 119.23  
9 (10) (ar), 447.06 (2) (a) 2. and 950.08 (2w); and *to create* 39.41 (1) (aj), 115.001  
10 (3d), 118.60 (1) (ab), 118.60 (1) (bn), 118.60 (1) (cm), 118.60 (2) (a) 3g., 118.60 (2)  
11 (a) 7. c. and d., 118.60 (2) (ag), 118.60 (2) (ar), 118.60 (7) (ad) 1. and 2., 118.60  
12 (7) (ao), 119.23 (1) (ab), 119.23 (1) (ai), 119.23 (1) (ap), 119.23 (2) (a) 3g., 119.23  
13 (2) (a) 7. bm. and br., 119.23 (2) (a) 7. e., 119.23 (2) (ag), 119.23 (2) (ar), 119.23  
14 (7) (ad) 1. and 2., 119.23 (7) (ao), 895.035 (1) (a) 2. and 938.02 (6m) of the  
15 statutes; **relating to:** requirements for new private schools seeking to

1           participate in a parental choice program and requiring a private school  
2           participating in a parental choice program to maintain accreditation.

---

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

For further information see the **state** 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:***

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

4           7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is  
5           16 or 17 years of age and who is enrolled in grades 9 to 12 in a public or private school  
6           or in a tribal school, as defined in s. 115.001 (15m), may serve as an inspector at the  
7           polling place serving the pupil's residence, with the approval of the pupil's parent or  
8           guardian. Any pupil who has at least a 3.0 grade point average or the equivalent may  
9           serve. In addition, a school board or, governing body of a private school, as defined  
10          in s. 115.001 (3d), or tribal school may establish criteria for service by a pupil who  
11          does not have at least a 3.0 grade point average or the equivalent. A pupil may serve  
12          as an inspector at a polling place under this paragraph only if at least one election  
13          official at the polling place other than the chief inspector is a qualified elector of this  
14          state. No pupil may serve as chief inspector at a polling place under this paragraph.  
15          Before appointment by any municipality of a pupil as an inspector under this  
16          paragraph, the municipal clerk shall obtain written authorization from the pupil's  
17          parent or guardian for the pupil to serve for the election for which he or she is  
18          appointed. In addition, if a pupil does not have at least a 3.0 grade point average or

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

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

8 39.41 (1) (aj) “Governing body of a private school” has the meaning given in s.  
9 115.001 (3d).

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

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

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

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

24 **SECTION 5.** 118.07 (2) (a) of the statutes is amended to read:



1 118.07 (2) (a) Once each month, without previous warning, the person having  
2 direct charge of any public or private school shall drill all pupils in the proper method  
3 of departure from the building in case of a fire, except when the person having direct  
4 charge deems that the health of the pupils may be endangered by inclement weather  
5 conditions. At least twice annually, without previous warning, the person having  
6 direct charge of any public or private school shall drill all pupils in the proper method  
7 of evacuation to a safe location in case of a tornado or other hazard. At least twice  
8 annually, without previous warning, the person having direct charge of any public  
9 or private school shall drill all pupils in the proper method of evacuation or other  
10 appropriate action in case of a school safety incident. The public and private school  
11 safety drill shall be based on the school safety plan adopted under s. 118.07 (4). A  
12 safety drill may be substituted for any other drill required under this paragraph. The  
13 school board or governing body of the person having direct charge of the private  
14 school shall maintain for at least 7 years a record of each fire drill, tornado or other  
15 hazard drill, and school safety drill conducted.

16 SECTION 6. 118.07 (3) of the statutes is amended to read:

17 118.07 (3) The department shall make available to school districts, private  
18 schools, tribal schools, and charter schools information about meningococcal disease,  
19 including the causes and symptoms of the disease, how it is spread, and how to obtain  
20 additional information about the disease and the availability, effectiveness, and  
21 risks of vaccinations against the disease. The department may do so by posting the  
22 information on its Internet site. ~~At the beginning of the 2006-07 to 2011-12 school~~  
23 ~~years, each school board and the governing body of each private school and each~~  
24 ~~charter school shall provide the parents and guardians of pupils enrolled in grades~~  
25 ~~6 to 12 in the school district or school with the information.~~ At the beginning of the

1 2012–13 school year and each school year thereafter, each school board and the  
2 governing body of each private school and each charter school shall provide the  
3 parents and guardians of pupils enrolled in grade 6 in the school district or school  
4 with the information.

5 **SECTION 7.** 118.30 (1s) (a) of the statutes, as affected by 2013 Wisconsin Act 20,  
6 is renumbered 118.30 (1s), and 118.30 (1s) (intro.), as renumbered, is amended to  
7 read:

8 118.30 (1s) (intro.) ~~Except as provided in par. (b), annually~~ Annually, the  
9 governing body of each private school participating in the program under s. 119.23  
10 shall do all of the following:

11 **SECTION 8.** 118.30 (1s) (b) of the statutes is repealed.

12 **SECTION 9.** 118.30 (2) (b) 5. of the statutes, as affected by 2013 Wisconsin Act  
13 20, is amended to read:

14 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing  
15 body of a private school participating in the program under s. 119.23 shall excuse the  
16 pupil from taking an examination administered under sub. (1s) (a) ~~1. to 3m~~ (cm).

17 **SECTION 10.** 118.33 (1) (f) 3. of the statutes is amended to read:

18 118.33 (1) (f) 3. ~~Beginning on September 1, 2005, neither~~ Neither a school  
19 board nor an operator of a charter school under s. 118.40 (2r) may grant a high school  
20 diploma to any pupil unless the pupil has satisfied the criteria specified in the school  
21 board's or charter school's policy under subd. 1. or 2. ~~Beginning on September 1,~~  
22 ~~2010, the~~ The governing body of a private school participating in the program under  
23 s. 119.23 may not grant a high school diploma to any pupil attending the private  
24 school under s. 119.23 unless the pupil has satisfied the criteria specified in the  
25 governing body's policy under subd. 2m. The governing body of a private school

1 participating in the program under s. 118.60 may not grant a high school diploma to  
2 any pupil attending the private school under s. 118.60 unless the pupil has satisfied  
3 the criteria specified in the governing body’s policy under subd. 2r.

4 SECTION 11. 118.33 (6) (c) 1. of the statutes is amended to read:

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

14 SECTION 12. 118.33 (6) (c) 2. of the statutes is amended to read:

15 118.33 (6) (c) 2. ~~Beginning on September 1, 2010, the~~ The governing body of a  
16 private school participating in the program under s. 119.23 may not promote a 4th  
17 grade pupil who is attending the private school under s. 119.23 to the 5th grade, and  
18 may not promote an 8th grade pupil who is attending the private school under s.  
19 119.23 to the 9th grade, unless the pupil satisfies the criteria for promotion specified  
20 in the governing body’s policy under subd. 1.

21 SECTION 13. 118.60 (1) (a) of the statutes is renumbered 118.60 (1) (ae). (ad)

22 SECTION 14. 118.60 (1) (ab) of the statutes is created to read:

23 118.60 (1) (ab) “Accrediting entity” means Wisconsin North Central  
24 Association, Wisconsin Religious and Independent Schools Accreditation,  
25 Independent Schools Association of the Central States, Wisconsin Evangelical

1 Lutheran Synod School Accreditation, National Lutheran School Accreditation,  
2 Wisconsin Association of Christian Schools, the diocese or archdiocese within which  
3 a private school is located, and any other organization recognized by the National  
4 Council for Private School Accreditation.

Insert  
7-5

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

10 Except as provided in subd. 20, <sup>qualifies as a private school</sup>  
11 118.60 (1) (bn) ~~“New private school”~~ means a school that satisfies either of the <sup>under</sup>

x (6)

s. 115.001  
(3r)

7 following:

Insert  
7-8

8 1. The school qualifies as a private school under s. 115.001 (3r), but has never  
9 operated in this state. <sup>and</sup>

that

10 2. The school satisfies all of the following:

11 a. The school is operating as a private school, as defined under s. 115.001 (3r).

12 b. The school has been in continuous operation for less than 12 consecutive  
13 months.

14 c. The school is not participating in the program under this section or under s.  
15 119.23.

16 d. The school provides education to fewer than 40 pupils divided into 2 or fewer  
17 grades.

18 e. The school is not operated or managed by a corporate board that currently  
19 operates or manages a private school that is participating in the program under this  
20 section or under s. 119.23.

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

22 118.60 (1) (c) “Preaccreditation” means the review and approval of an  
23 educational plan. Review of an education plan includes consideration of whether the  
24 school submitting the plan meets the requirements under s. 118.165 (1). The fact

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

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

4 118.60 (1) (cm) "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, <sup>Wisconsin Association of Christian Schools</sup> and ↗  
9 the diocese or archdiocese within which a private school is located.

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

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

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

20 118.60 (2) (a) 3. a. Except as provided in subd. 3. b. and c. and sub. (2) (ag) 1.,  
21 the private school notified the state superintendent of its intent to participate in the  
22 program under this section or in the program under s. 119.23, and paid the  
23 nonrefundable fee, set by the department as required under s. 119.23 (2) (a) 3., by  
24 February 1 of the previous school year. The notice shall specify the number of pupils

1 participating in the program under this section and in the program under s. 119.23  
2 for which the school has space.

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

4 118.60 (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 showing that the private school will

8 have a positive cash flow in each month of the fiscal period and no operating deficit.

9 The governing body shall include on the completed form anticipated enrollments for  
10 all pupils enrolled in the private school and for pupils enrolled in the private school  
11 under this section; estimated revenues and costs; a schedule of anticipated beginning  
12 and ending net choice program assets; and a schedule of monthly cash flow  
13 requirements. The governing body shall include in the budget contingent funding  
14 sources the private school will use in the event that actual enrollments are less than  
15 expected.

16 **SECTION 21.** 118.60 (2) (a) 7. of the statutes, as affected by 2012 Wisconsin Act  
17 20, is renumbered 118.60 (2) (a) 7. a. and amended to read:

18 118.60 (2) (a) 7. a. For a private school that is a first-time participant in the  
19 program under this section ~~or in the program under s. 119.23~~, on the effective date  
20 of this subd. 7. a. ... [LRB inserts date] and that is not accredited by Wisconsin North  
21 Central Association, Wisconsin Religious and Independent School Accreditation,  
22 Independent Schools Association of the Central States, Wisconsin Evangelical  
23 Lutheran Synod School Accreditation, National Lutheran School Accreditation,  
24 Wisconsin Association of Christian Schools, the diocese or archdiocese within which  
25 the private school is located, or by any other organization recognized by the National

x  
Insert  
9-14

x  
le

1 Council for Private Schools Accreditation an accrediting entity, the private school  
2 obtains preaccreditation by the Institute for the Transformation of Learning at  
3 Marquette University, Wisconsin North Central Association, Wisconsin Religious  
4 and Independent Schools Accreditation, Independent Schools Association of the  
5 Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,  
6 National Lutheran School Accreditation, or the diocese or archdiocese within which  
7 the private school is located a preaccreditation entity by August 1 before the first  
8 school term of participation in the program under this section or in the program  
9 under s. 119.23 that begins after July 1, 2013; August 1 before the first school term  
10 of participation in the program under this section that begins in the first school year  
11 that begins after a school district is identified as an eligible school district under sub.  
12 (1m); August 31, 2011, or by May 1 if the private school begins participation in the  
13 program under this section or in the program under s. 119.23 during summer school.  
14 In any school year, a private school may apply for and seek to obtain preaccreditation  
15 from only one of the entities enumerated in this subdivision preaccrediting entity.  
16 A private school that fails to obtain preaccreditation in a school year may apply for  
17 and seek to obtain preaccreditation from one of the entities enumerated in this  
18 subdivision a preaccrediting entity in the following school year. The

19 b. Each private school shall achieve accreditation by 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, the diocese or archdiocese within which  
24 the private school is located, or any other organization recognized by the National  
25 Council for Private School Accreditation, participating in the program under this

(e)

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

12 **SECTION 22.** 118.60 (2) (a) 7. c. and d. of the statutes are created to read:

X

13 b0-e 118.60 (2) (a) 7. c. Each private school that begins participation in, or reenters,  
 14 the program under this section on or after the effective date of this subd. 7. c.... [LRB  
 15 inserts date], and that is not accredited by an accrediting entity, shall obtain  
 16 preaccreditation by a preaccrediting entity by August 1 before the first school term  
 17 in which the private school begins participation in, or reenters, the program under  
 18 this section, or by May 1 if the private school begins participating in, or reenters, the  
 19 program during summer school. In any school year, a private school to which this  
 20 subd. 7. c applies may apply for and seek to obtain preaccreditation from only one  
 21 preaccrediting entity. A private school to which this subd. 7. c applies that fails to  
 22 obtain preaccreditation in a school year may apply for and seek to obtain  
 23 preaccreditation from a preaccrediting entity in the following school year.  
 24 c0-e d. A private school to which subd. 7. c applies shall apply for accreditation by  
 25 an accrediting entity by December 31 of the first school year that begins after the

as required under this subd. 7. b0 may not participate in the program under this section or under 119.23 until preaccreditation has been obtained but the private school



① effective date of this subd. 7. <sup>CO</sup>d).... [LRB inserts date], in which the private school  
② begins participation in, or reenters the program under this section, and shall  
3 achieve accreditation by an accrediting entity by December 31 of the 3rd school year  
④ following the <sup>first</sup> school year in which the private school begins participation in, or  
⑤ reenters, the program under this section. If the private school is accredited under  
⑥ this subd. 7. <sup>CO</sup>d), the private school is not required to obtain preaccreditation under  
⑦ subd. 7. <sup>CO</sup>e) as a prerequisite to providing instruction under this section in additional  
8 grades or in an additional or new school.

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

10           118.60 (2) (ag) The governing body of a new private school shall comply with  
11 all of the following before the new private school may participate in the program  
12 under this section:

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

17           a. A notice of intent to participate and agreement to comply with procedural  
18 requirements.

19           b. A complete anticipated budget for the first fiscal period of participation in  
②0 the program under this section showing that the private school will have a positive  
②1 cash flow in each month of the fiscal period and no operating deficit. The governing  
22 body shall include on the completed form anticipated enrollments for all pupils  
23 enrolled in the new private school and for pupils enrolled in the new private school  
24 under this section; estimated revenues and costs; a schedule of anticipated beginning  
25 and ending net choice program assets; and a schedule of monthly cash flow

1 requirements. The governing body shall include in the budget contingent funding  
2 sources the new private school will use in the event that actual enrollments are less  
3 than expected.

4 c. The nonrefundable fee established by the department, as required under s.  
5 119.23 (2) (a) 3., for the school year in which the fee is paid by the new private school.  
6 If the amount of the fee paid by the new private school under this subd. 1. c. increases  
7 for the school year in which the new private school will first participate in the  
8 program under this section, the new private school shall pay the difference between  
9 the fee paid and the fee due to the department. If the amount of the fee paid by the  
10 new private school under this subd. 1. c. decreases for the school year in which the  
11 new private school will first participate in the program under this section, the  
12 department shall refund the new private school the difference between the fee paid  
13 and the fee due to the department.

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

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

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