

1 4. Notwithstanding the deadline to obtain preaccreditation under sub. (2) (a)  
 2 7. <sup>a</sup> <sup>b</sup> (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 24.** 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 reinitiate the  
 13 process under par. (ag) *for the next following school year*

14 **SECTION 25.** 118.60 (7) (ad) of the statutes, as created by 2013 Wisconsin Act  
 15 20, is renumbered 118.60 (7) (ad) 3. and amended to read:

16 118.60 (7) (ad) 3. The governing body of a private school participating in the  
 17 program under this section and accredited as required under subds. 1. and 2. and  
 18 sub. (2) (a) 7. shall ensure that the private school continuously maintains  
 19 accreditation from ~~Wisconsin North Central Association, Wisconsin Religious and~~  
 20 ~~Independent School Accreditation, Independent Schools Association of the Central~~  
 21 ~~States, Wisconsin Evangelical Lutheran Synod School Accreditation, National~~  
 22 ~~Lutheran School Accreditation, Wisconsin Association of Christian Schools, the~~  
 23 ~~diocese or archdiocese within which the private school is located, or by any other~~  
 24 ~~organization recognized by the National Council for Private Schools Accreditation~~

1 an accrediting entity as long as the private school continues to participate in the  
2 program under this section.

3 **SECTION 26.** 118.60 (7) (ad) 1. and 2. of the statutes are created to read:

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

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

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

16 118.60 (7) (ao) By November 1 of the first school term in which a private school  
17 participates in the program under this section, the governing body of the private  
18 school shall submit to the department on a form provided by the department a budget  
19 reflecting the enrollments in the private school on the immediately preceding 3rd  
20 Friday in September and any related changes in revenues, costs, and cash flow  
21 requirements.

22 **SECTION 28.** 118.60 (7) (em) 1. of the statutes, as created by 2013 Wisconsin Act  
23 20, is amended to read:

24 118.60 (7) (em) 1. Beginning in the 2013-14 school year, the governing body of  
25 each private school participating in the program under this section shall, subject to

Insert  
15-15

1 subd. 2., annually, by January 15, provide the department with evidence  
2 demonstrating that the private school remains accredited for the current school year  
3 as required under par. (ad). The governing body shall include as evidence of  
4 accreditation a letter prepared by ~~Wisconsin North Central Association, Wisconsin~~  
5 ~~Religious and Independent School Accreditation, Independent Schools Association~~  
6 ~~of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~  
7 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~  
8 ~~Schools, the diocese or archdiocese within which the private school is located, or by~~  
9 ~~any other organization recognized by the National Council for Private Schools~~  
10 ~~Accreditation~~ an accrediting entity that confirms that the private school is accredited  
11 by that entity as of the date of the letter.

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

13 118.60 (9) If any accrediting agency ~~specified under sub. (2) (a) 7. or~~  
14 preaccrediting entity determines during the accrediting or preaccrediting process  
15 that a private school does not meet all of the requirements under s. 118.165 (1), it  
16 shall report that failure to the department.

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

18 118.60 (10) (am) 2. The private school's application for accreditation has been  
19 denied by the accrediting ~~organization~~ entity.

20 **SECTION 31.** 118.60 (10) (ar) of the statutes, as created by 2013 Wisconsin Act  
21 20, is amended to read:

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,

1 ~~denied~~, or terminated by ~~Wisconsin North Central Association, Wisconsin Religious~~  
2 ~~and Independent School Accreditation, Independent Schools Association of the~~  
3 ~~Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~  
4 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~  
5 ~~Schools, the diocese or archdiocese within which the private school is located, or by~~  
6 ~~any other organization recognized by the National Council for Private Schools~~  
7 ~~Accreditation~~ an accrediting entity, the state superintendent shall issue an order  
8 barring the private school's participation in the program under this section at the end  
9 of the current school year.

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

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

25 119.23 (1) (ab) "Accrediting entity" means all of the following:

1 1. Wisconsin North Central Association, Wisconsin Religious and Independent  
2 Schools 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 a private school is located, and any other organization  
6 recognized by the National Council for Private School Accreditation.

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

Insert  
18-9

9 SECTION 33. 119.23 (1) (ai) of the statutes is created to read:

10 <sup>10 Except as provided in subd 20;</sup>  
11 119.23 (1) (ai) ~~"New private school"~~ means a school that satisfies either of the  
following: <sup>qualifies as a private school under s. 115.001 (3r)</sup>  
<sup>and that</sup>

Insert  
18-12

- 12 1. The school qualifies as a private school under s. 115.001 (3r), but has never
- 13 operated in this state.
- 14 2. The school satisfies all of the following:
- 15 a. The school is operating as a private school, as defined under s. 115.001 (3r).
- 16 b. The school has been in continuous operation for less than 12 consecutive
- 17 months.
- 18 c. The school is not participating in the program under this section or under s.
- 19 118.60.
- 20 d. The school provides education to fewer than 40 pupils divided into 2 or fewer
- 21 grades.
- 22 e. The school is not operated or managed by a corporate board that currently
- 23 operates or manages a private school that is participating in the program under this
- 24 section or under s. 118.60.

25 SECTION 34. 119.23 (1) (am) of the statutes is amended to read:

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

6           **SECTION 35.** 119.23 (1) (ap) of the statutes is created to read:

7           119.23 (1) (ap) "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. <sup>Wisconsin Association</sup>  
<sub>of Christian School</sub>

13           **SECTION 36.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

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

17           **SECTION 37.** 119.23 (2) (a) 3. of the statutes, as affected by 2013 Wisconsin Act  
18 20, is amended to read:

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

1 fee revenue covers the costs of employing one full-time auditor to evaluate the  
2 financial information submitted by private schools under sub. (7) (am) and (d) 2. and  
3 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

4 **SECTION 38.** 119.23 (2) (a) 3g. of the statutes is created to read:

5 119.23 (2) (a) 3g. By May 1 before the first term of participation in the program  
6 under this section, the private school submits to the department, on a form provided  
7 by the department, a complete anticipated budget for the first fiscal period of  
8 participation in the program under this section showing that the private school will  
9 have a positive cash flow in each month of the fiscal period and no operating deficit.

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

17 **SECTION 39.** 119.23 (2) (a) 7. a. of the statutes, as affected by 2013 Wisconsin  
18 Act 20, is amended to read:

19 119.23 (2) (a) 7. a. Subject to subd. 7. c. and d., for a private school participating  
20 in the program under this section on July 1, 2009, the private school achieves  
21 accreditation by Wisconsin North Central Association, Wisconsin Religious and  
22 Independent Schools Accreditation, Independent Schools Association of the Central  
23 States, Wisconsin Evangelical Lutheran Synod School Accreditation, National  
24 Lutheran School Accreditation, Wisconsin Association of Christian Schools, the  
25 diocese or archdiocese within which the private school is located, or any other

b. bg.

~~bg.~~

1 organization recognized by the National Council for Private School Accreditation, an  
2 accrediting entity by December 31 of the 3rd school year following the first school  
3 year that begins after June 30, 2006, in which it participates in the program under  
4 this section. If the private school is accredited as provided under this subd. 7. a., the  
5 private school is not required to obtain preaccreditation under subd. 7. b. as a  
6 prerequisite to providing instruction under this section in additional grades or in an  
7 additional or new school.

Insert  
21-8

6

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

10 119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for For a private school that is  
11 a first-time participant in the program under this section or in the program under  
12 118.60 on or after July 1, 2009, and before the effective date of this subd. 7. b. .... [LRB  
13 inserts date], and that is not accredited as provided under subd. 7. a., the private  
14 school obtains preaccreditation by the Institute for the Transformation of Learning  
15 at Marquette University, 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, or the diocese or archdiocese within which  
19 the private school is located a preaccrediting entity by August 1 before the first school  
20 term of participation in the program under this section that begins after July 1, 2013;  
21 by August 1 before the first school term of participation in the program under s.  
22 118.60 that begins in the first school year that begins after a school district is  
23 identified as an eligible school district under s. 118.60 (1m); 2009, or by May 1 if the  
24 private school begins participating in the program under this section or in the  
25 program under s. 118.60 during summer school. In any school year, a private school



1 to which this subd. 7. b. applies may apply for and seek to obtain preaccreditation  
 2 from only one of the entities enumerated in this subd. 7. b. preaccrediting entity. A  
 3 private school to which this subd. 7. b. applies that fails to obtain accreditation  
 4 preaccreditation in a school year may apply for and seek to obtain preaccreditation  
 5 from one of the entities enumerated in this subd. 7. b. a preaccrediting entity in the  
 6 following school year. The

7 bg. Subject to subd. 7. c. and d., a private school to which subd. 7. b. applies shall  
 8 achieve accreditation by ~~Wisconsin North Central Association, Wisconsin Religious~~  
 9 ~~and Independent Schools Accreditation, Independent Schools Association of the~~  
 10 ~~Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~  
 11 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~  
 12 ~~Schools, the diocese or archdiocese within which the private school is located, or any~~  
 13 ~~other organization recognized by the National Council for Private School~~  
 14 ~~Accreditation, an accrediting entity~~ by December 31 of the 3rd school year following  
 15 the first school year that begins after July 1, 2009, in which it the private school  
 16 participates in the program under this section ~~or in the program under s. 118.60~~. If  
 17 the private school is accredited under this subd. 7. b. bg., the private school is not  
 18 required to obtain preaccreditation as a prerequisite to providing instruction under  
 19 this section in additional grades or in an additional or new school.

20 **SECTION 41.** 119.23 (2) (a) 7. bm and br. of the statutes are created to read:

21 119.23 (2) (a) 7. bm Each private school that begins participation in, or  
 22 reenters, the program under this section on or after the effective date of this subd.  
 23 7. bm .... [LRB inserts date], and that is not accredited by an accrediting entity, shall  
 24 obtain preaccreditation by a preaccrediting entity by August 1 before the first school  
 25 term in which the private school begins participation in, or reenters, the program

*as required under this subd. 7. b. g. may not participate in the program under this section or under s. 118.60 until preaccreditation has been obtained; but the private school*

under this section, or by May 1 if the private school begins participating in, or

reenters, the program during summer school. In any school year, a private school to

which this subd. 7. (b.m.) applies may apply for and seek to obtain preaccreditation

from only one preaccrediting entity. A private school to which this subd. 7. (b.m.)

applies that fails to obtain preaccreditation in a school year may apply for and seek

to obtain preaccreditation from a preaccrediting entity in the following school year.

br. A private school to which subd. 7. (b.m.) applies shall apply for accreditation

by an accrediting entity by December 31 of the first school year that begins after the

effective date of this subd. 7. br. .... [LRB inserts date], in which the private school

begins participation in, or reenters, the program under this section, and shall

achieve accreditation by an accrediting entity by December 31 of the 3rd school year

following the school year in which the private school begins participation in, or

reenters, the program under this section. If the private school is accredited under

this subd. 7. br., the private school is not required to obtain preaccreditation as a

prerequisite to providing instruction under this section in additional grades or in an

additional or new school.

**SECTION 42.** 119.23 (2) (a) 7. c. of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read:

119.23 (2) (a) 7. c. On or after July 1, 2009, a private school participating or seeking to participate in the program under this section or in the program under s.

118.60 may not apply for accreditation by the Institute for the Transformation of Learning at Marquette University, except that a private school that has applied for

accreditation to the Institute for the Transformation of Learning at Marquette

University before July 1, 2009, and that is participating in the program under this

section on the effective date of this subd. 7. c. .... [LRB inserts date], may, subject to

1 subd. 7. e., complete the accreditation process with the Institute for the  
2 Transformation of Learning at Marquette University, and may, subject to subd. 7. e.,  
3 seek renewal of accreditation from the Institute for the Transformation of Learning  
4 at Marquette University.

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

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

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

21 119.23 (2) (a) 7. e. For a private school that is accredited by the Institute for  
22 the Transformation of Learning at Marquette University and that is participating  
23 in the program under this section on the effective date of this subd. 7. e. .... [LRB  
24 inserts date], the private school achieves accreditation by an accrediting entity under  
25 sub. (1) (ab) 1. by December 31, 2016. If the private school is accredited as provided

1 under this subd. 7. e., the private school is not required to obtain preaccreditation  
2 under subd. 7. <sup>or bgo</sup> (b. or bm.) as a prerequisite to providing instruction under this section ✓  
3 in additional grades or in an additional or new school.

4 **SECTION 45.** 119.23 (2) (ag) of the statutes is created to read:

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

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

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

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

24 c. The nonrefundable fee established by the department, as required under s.  
25 119.23 (2) (a) 3., for the school year in which the fee is paid by the new private school.

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

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

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

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

21 4. Notwithstanding the deadline to obtain preaccreditation under sub. (2) (a)  
22 7. (b<sup>a</sup>m), by December 15 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, obtain preaccreditation from a preaccrediting entity.

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

1           119.23 (2) (ar) By December 31 of the school year immediately preceding the  
2 school year in which a new private school intends to participate in the program under  
3 this section, the department shall notify the new private school in writing whether  
4 it has satisfied those requirements under par. (ag) that must be satisfied before  
5 December 31. If the department determines that the new private school has not  
6 satisfied those requirements, the new private school may not participate in the  
7 program under this section in the following school year, but may reinitiate the  
8 process under par. (ag) *for the next following school year* ✓

9           **SECTION 47.** 119.23 (7) (ad) of the statutes, as created by 2013 Wisconsin Act  
10 20, is renumbered 119.23 (7) (ad) 3. and amended to read:

11           119.23 (7) (ad) 3. The governing body of a private school participating in the  
12 program under this section and accredited as required under subds. 1. and 2. and  
13 sub. (2) (a) 7. shall ensure that the private school continuously maintains  
14 accreditation from ~~Wisconsin North Central Association, Wisconsin Religious and~~  
15 ~~Independent School Accreditation, Independent Schools Association of the Central~~  
16 ~~States, Wisconsin Evangelical Lutheran Synod School Accreditation, National~~  
17 ~~Lutheran School Accreditation, Wisconsin Association of Christian Schools, the~~  
18 ~~diocese or archdiocese within which the private school is located, by any other~~  
19 ~~organization recognized by the National Council for Private Schools Accreditation,~~  
20 ~~or, for a private school to which sub. (2) (a) 7. c. applies, the Institute for the~~  
21 ~~Transformation of Learning at Marquette University, an accrediting entity as long~~  
22 as the private school continues to participate in the program under this section.

23           **SECTION 48.** 119.23 (7) (ad) 1. and 2. of the statutes, are created to read:

24           119.23 (7) (ad) 1. If a private school participating in the program under this  
25 section or s. 118.60 and accredited under sub. (2) (a) 7. to offer instruction in any

1 elementary grade, but not any high school grade, seeks to offer instruction in any  
2 high school grade, the private school shall apply for and achieve accreditation to offer  
3 instruction in the additional grades in the manner established under sub. (2) (a) 7.  
4 br.

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

10 **SECTION 49.** 119.23 (7) (ao) of the statutes is created to read:

11 119.23 (7) (ao) By November 1 of the first school term in which a private school  
12 participates in the program under this section, the governing body of the private  
13 school shall submit to the department on a form provided by the department a budget  
14 reflecting the enrollments in the private school on the immediately preceding 3rd  
15 Friday in September and any related changes in revenues, costs, and cash flow  
16 requirements.

17 **SECTION 50.** 119.23 (7) (em) 1. of the statutes, as created by 2013 Wisconsin Act  
18 20, is amended to read:

19 119.23 (7) (em) 1. Beginning in the 2013-14 school year, the governing body of  
20 each private school participating in the program under this section shall, subject to  
21 subd. 2., annually, by January 15, provide the department with evidence  
22 demonstrating that the private school remains accredited for the current school year  
23 as required under par. (ad). The governing body shall include as evidence of  
24 accreditation a letter prepared by ~~Wisconsin North Central Association, Wisconsin~~  
25 ~~Religious and Independent School Accreditation, Independent Schools Association~~

Intent  
28-10

1 of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,  
2 National Lutheran School Accreditation, Wisconsin Association of Christian  
3 Schools, the diocese or archdiocese within which the private school is located, by any  
4 other organization recognized by the National Council for Private Schools  
5 Accreditation, or, for a private school to which sub. (2) (a) 7. c. applies, the Institute  
6 for the Transformation of Learning at Marquette University, which an accrediting  
7 entity that confirms that the private school is accredited by that entity as of the date  
8 of the letter.

9 **SECTION 51.** 119.23 (7) (f) of the statutes is repealed.

10 **SECTION 52.** 119.23 (9) of the statutes is amended to read:

11 119.23 (9) If any accrediting agency specified under sub. (2) (a) 7. a., b., or d.  
12 or preaccrediting entity determines during the accrediting or preaccrediting process  
13 that a private school does not meet all of the requirements under s. 118.165 (1), it  
14 shall report that failure to the department.

15 **SECTION 53.** 119.23 (10) (am) 2. of the statutes is amended to read:

16 119.23 (10) (am) 2. The private school's application for accreditation has been  
17 denied by the accrediting ~~organization~~ entity.

18 **SECTION 54.** 119.23 (10) (ar) of the statutes, as created by 2013 Wisconsin Act  
19 20, is amended to read:

20 119.23 (10) (ar) 1. If the state superintendent determines that a private school  
21 has failed to continuously maintain accreditation as required under sub. (7) (ad),  
22 that the governing body of the private school has withdrawn the private school from  
23 the accreditation process, or that the private school's accreditation has been revoked,  
24 denied, or terminated by Wisconsin North Central Association, Wisconsin Religious  
25 and Independent School Accreditation, Independent Schools Association of the



1 ~~Central States, Wisconsin Evangelical Lutheran Synod School Accreditation,~~  
2 ~~National Lutheran School Accreditation, Wisconsin Association of Christian~~  
3 ~~Schools, the diocese or archdiocese within which the private school is located, by any~~  
4 ~~other organization recognized by the National Council for Private Schools~~  
5 ~~Accreditation, or, for a private school to which sub. (2) (a) 7. c. applies, the Institute~~  
6 ~~for the Transformation of Learning at Marquette University~~ an accrediting agency,  
7 the state superintendent shall issue an order barring the private school's  
8 participation in the program under this section at the end of the current school year.

9       2. A private school whose participation in the program under this section is  
10 barred under subd. 1. may not participate in the program under this section or under  
11 s. 118.60 until the governing body of the private school demonstrates to the  
12 satisfaction of the department that it has obtained accreditation from ~~Wisconsin~~  
13 ~~North Central Association, Wisconsin Religious and Independent School~~  
14 ~~Accreditation, Independent Schools Association of the Central States, Wisconsin~~  
15 ~~Evangelical Lutheran Synod School Accreditation, National Lutheran School~~  
16 ~~Accreditation, Wisconsin Association of Christian Schools, the diocese or archdiocese~~  
17 ~~within which the private school is located, or by any other organization recognized~~  
18 ~~by the National Council for Private Schools Accreditation~~ an accrediting entity,  
19 provided the accreditation is from an entity other than the entity with which the  
20 private school failed to continuously maintain accreditation or, if the private school's  
21 accreditation was revoked, denied, or terminated, other than the entity that revoked,  
22 denied, or terminated the private school's accreditation.

23       **SECTION 55.** 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 56.** 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 57.** 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 58.** 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 59.** 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

(END)

Insert 32-4

d-note

2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1358/P4ins  
TKK:cjs:jm

GA

INSERT 7-5

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

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

INSERT 7-8

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

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

2. "New private school" does not include a private school that is operated or managed by a governing body of which operates or manages a private school that is participating in the program under this section or under s. 119.23 and if all of the following apply:

a. No payment has been withheld from any private school operated or managed by the governing body under sub. (10) (d) or s. 119.23 (10) (d).

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

INSERT 9-16

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

118.60 (2) (a) 7. a. For a private school that was a first-time participant in the program under this section before the effective date of this subd. 7. a. .... [LRB inserts



1 date], and that is not accredited by an accrediting agency, the private school obtains  
 2 accreditation from an accrediting agency by December 31 of the 3rd school year  
 3 following the first school year in which the private school began participating in the  
 4 program under this section. If the private school is accredited under this subd. 7. a.,  
 5 the private school <sup>is</sup> not required to obtain preaccreditation under subd. 7. b. as a  
 6 prerequisite to providing instruction under this section in additional grades or in an  
 7 additional or new school.

✓ INSERT 15-15 ^

8 SECTION 3. 118.60 (7) (ag) of the statutes is created to read:

9 118.60 (7) (ag) If a participating private school learns that an accrediting  
 10 organization with which the private school is maintaining accreditation, as required  
 11 under par. (ad), is a disqualified organization, the private school shall immediately ✓  
 12 notify the department in writing of this fact and shall obtain accreditation from an  
 13 accrediting entity as follows: it would have expired

14 1. For a private school whose accreditation from the disqualified organization  
 15 expires within 3 years from the date on which the private school learned that the  
 16 accrediting organization is a disqualified organization, no later than the date on  
 17 which the accreditation from the disqualified organization would have expired.

18 2. For a private school whose accreditation from the disqualified organization  
 19 expires later than 3 years from the date on which the private school learned that the  
 20 accrediting organization is a disqualified organization, no later than 3 years from the  
 21 date on which the private school learned that the accrediting organization is a  
 22 disqualified organization.

^ ✓ INSERT 18-9

23 SECTION 4. 119.23 (1) (af) of the statutes is created to read:

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

INSERT 18-12

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

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

7 2. "New private school" does not include a private school that is operated or  
8 managed by <sup>the</sup> a governing body <sup>of which</sup> if the governing body operates or manages a private  
9 school that is participating in the program under this section or under s. 119.23 and  
10 if all of the following apply: 118.60

11 a. No payment has been withheld from any private school operated or managed  
12 by the governing body under sub. (10) (d) or s. 118.60 (10) (d).

13 b. No order barring any private school operated or managed by the governing  
14 body from participating in the program under this section or s. 118.60 has been  
15 issued under sub. (10) (a), (am), <sup>(ar)</sup> or (b) or under s. 118.60 (10) (a), (am), <sup>(ar)</sup> or (b) in the  
16 3 immediately preceding school years.

✓ INSERT 21-8

17 SECTION 5. 119.23 (2) (a) 7. b. of the statutes, as affected by 2013 Wisconsin Act  
18 20, is repealed and recreated to read:

19 119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that was a  
20 first-time participant in the program under this section before the effective date of  
21 this subd. 7. b. .... [LRB inserts date], and that is not accredited by an accrediting  
22 agency, the private school obtains accreditation from an accrediting agency by  
23 December 31 of the 3rd school year following the first school year in which the private

1 school began participating in the program under this section. If the private school  
2 is accredited under this subd. 7. b., the private school <sup>is</sup> not required to obtain  
3 preaccreditation under subd. 7. b. as a prerequisite to providing instruction under  
4 this section in additional grades or in an additional or new school.

INSERT 28-10

5 SECTION 6. 119.23 (7) (ag) of the statutes is created to read:

6 119.23 (7) (ag) If a participating private school learns that an accrediting  
7 organization with which the private school is maintaining accreditation, as required  
8 under par. (ad), is a disqualified organization, the private school shall immediately  
9 notify the department in writing of this fact and shall obtain accreditation from an  
10 accrediting entity as follows:

would have expired

11 1. For a private school whose accreditation from the disqualified organization  
12 expires within 3 years from the date on which the private school learned that the  
13 accrediting organization is a disqualified organization, no later than the date on  
14 which the accreditation from the disqualified organization would have expired.

15 2. For a private school whose accreditation from the disqualified organization  
16 expires later than 3 years from the date on which the private school learned that the  
17 accrediting organization is a disqualified organization, no later than 3 years from the  
18 date on which the private school learned that the accrediting organization is a  
19 disqualified organization.

INSERT 32-4

20 SECTION 7. Initial applicability.

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

in the first school year that begins on or after

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

LRB-1358/P4dm

PSdn

TKK:cjs:jm

Stamp

→ date →

Senator Olsen:

I have just two questions on this iteration of the draft:

1. Do you want to impose sanctions for the violation of proposed s. 118.60 (7) (ag) and 119.23 (7) (ag), which require a school accredited by a “disqualified [accrediting] organization” to obtain accreditation by an accrediting entity within 3 years of learning that the accrediting organization is disqualified?

2. Are you comfortable with the modified definition for “new private school?”

Let me know if you have any questions about this draft; if the draft satisfies all parties, I will write an analysis and prepare the draft for introduction.

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



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

LRB-1358/P5dn  
TKK:cjs:jm

October 16, 2013

Senator Olsen:

I have just two questions on this iteration of the draft:

1. Do you want to impose sanctions for the violation of proposed s. 118.60 (7) (ag) and 119.23 (7) (ag), which require a school accredited by a “disqualified [accrediting] organization” to obtain accreditation by an accrediting entity within 3 years of learning that the accrediting organization is disqualified?

2. Are you comfortable with the modified definition for “new private school?”

Let me know if you have any questions about this draft; if the draft satisfies all parties, I will write an analysis and prepare the draft for introduction.

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

## Kuczenski, Tracy

---

**From:** Kuczenski, Tracy  
**Sent:** Tuesday, November 05, 2013 2:01 PM  
**To:** Archibald, Sarah  
**Cc:** Kulow, Chris; [stawinoga@parentchoice.org](mailto:stawinoga@parentchoice.org); [shires@parentchoice.org](mailto:shires@parentchoice.org); [Tricia.Collins@dpi.wi.gov](mailto:Tricia.Collins@dpi.wi.gov); Justman, Jessica C - DPI; [Brian.Pahnke@dpi.wi.gov](mailto:Brian.Pahnke@dpi.wi.gov); Kammerud, Jennifer A - DPI  
**Subject:** RE: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Sarah --

I submitted the draft to editing this afternoon. I have asked that it be completed by the end of the week.

I wanted to address item 3. raised by Nycole in her October 24 e-mail. In essence, she asks why par. (cm) appears on page 4, line 25. This is a quirk of the renumbering process. Section 118.30 (1s) (b) is repealed; under LRB drafting conventions, I must renumber s. 118.30 (1s) (a) (intro.) to s. 118.30 (1s) (intro.). As a result, current law s. 118.30 (1s) (a) 1., 2., 2m., 3., 3m., and 4. become 118.30 (1s) (a), (b), (bm), (c), (cm), and (d), respectively. This renumbering is automatic. Hence, she is correct that (cm) does not yet appear in the statutes, but once this bill is passed, s. 118.30 (1s) (cm) will appear in the electronic and printed statutes where s. 118.30 (1s) (a) 3m. currently appears.

Tracy

Tracy K. Kuczenski  
*Senior Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867

**From:** Archibald, Sarah  
**Sent:** Thursday, October 31, 2013 1:39 PM  
**To:** Kuczenski, Tracy  
**Cc:** Kulow, Chris; [stawinoga@parentchoice.org](mailto:stawinoga@parentchoice.org); [shires@parentchoice.org](mailto:shires@parentchoice.org); [Tricia.Collins@dpi.wi.gov](mailto:Tricia.Collins@dpi.wi.gov); Justman, Jessica C - DPI; [Brian.Pahnke@dpi.wi.gov](mailto:Brian.Pahnke@dpi.wi.gov); Kammerud, Jennifer A - DPI  
**Subject:** FW: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Tracy,

Please see below for notes related to LRB 1358/P5 from DPI and SCW. Where needed, I wrote a clarifying note in ALL CAPS next to their notes below.

Really hoping that this next one will be the last P draft and we'll be ready for introduction in the next week or so.

Thanks!  
Sarah

**From:** Kammerud, Jennifer DPI [<mailto:Jennifer.Kammerud@dpi.wi.gov>]  
**Sent:** Thursday, October 31, 2013 2:32 AM  
**To:** Archibald, Sarah  
**Cc:** Collins, Tricia DPI; Justman, Jessica C - DPI; Pahnke, Brian D. DPI  
**Subject:** Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Sarah,

Someone should probably check with ITL as to whether they requested to be removed as an accrediting organization. I don't know that they did. PLEASE ADD BACK IN

Below are our comments related to items not listed below by Nycole:

1. Sections 14 and 33: Suggested change: "Disqualified organization" means an accrediting organization that no longer meets the definition under 118.60(1)(ab). This is to address the situation in which the organizations under (1)(ab) change. For example, Wisconsin North Central Association is removed from the list. Would section 14 cover that situation because WNCA is a stand-alone organization, not a member or otherwise sanctioned? OK WITH THIS CHANGE.
2. Sections 22 and 46: Need to add back as part of first sentence "showing that the private school will have a positive cash flow in each month of the fiscal period and no operating deficit." This is a requirement of the budget due August 1. OK
3. Section 45: Unsure why the date is December 31, 2016? These schools have been informed by ITL and DPI to work with another organization and ensure the school is accredited prior to the expiration of the ITL accreditation in 2014. LET'S CHANGE THE DATE TO DECEMBER 31 2014.

If you have questions about our additional notes above, please let Tricia and I know.

Jennifer

---

**From:** Nycole Stawinoga [<mailto:stawinoga@parentchoice.org>]

**Sent:** Thursday, October 24, 2013 9:04 AM

**To:** Archibald, Sarah

**Cc:** Carol Shires; Collins, Tricia DPI; Kammerud, Jennifer DPI

**Subject:** Re: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Sarah,

Here are SCW's comments and questions regarding LRB 1358/P5.

1. Tracy's first note on cover: We think the current sanctions for not maintaining accreditation would be imposed.
2. Tracy's second note: We are comfortable with the definition for "new private school."
3. Page 4, line 25: (cm) ???- We think the (cm) may need to be changed because it doesn't seem to be referenced in statute? OK
4. Page 7, line 5 & 9 (same for page 17, line 18)— If we all agree, we would suggest both a & b be subject to the 3 year limitation, so line 9 would apply to line 5 too. YES, WE ALL AGREE.
5. Page 13-14 Section 26 line 22 (and page 26 section 50 line 14)--we would suggest that all schools have three years from when they find out that their accreditation organization is disqualified to become accredited by another organization. Our concern with how it is currently written is for the potential that a school may find out its accreditation organization is going to be disqualified when they only have a few months before their accreditation expires. It wouldn't be feasible for a school to be accredited by another organization in a few months. OK
6. We noticed the payroll service requirement is still not included for new private schools. We are still supportive of including this requirement if we are all in agreement. It could potentially be included at the end of section 22 page 12 (and the same section for 119.23) as a requirement to have by August 1 before school begins? THIS IS FINE.
7. Page 21-22, Just to clarify, did ITL ask to be removed? PLEASE ADD BACK IN.

## Kuczenski, Tracy

---

**From:** Nycole Stawinoga <stawinoga@parentchoice.org>  
**Sent:** Friday, November 01, 2013 3:57 PM  
**To:** Kuczenski, Tracy; Archibald, Sarah  
**Cc:** Kulow, Chris; Carol Shires; Tricia.Collins@dpi.wi.gov; Justman, Jessica C - DPI; Brian.Pahnke@dpi.wi.gov; Kammerud, Jennifer A - DPI  
**Subject:** RE: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Tracy,

Looking back at our notes, we realized we overlooked the language from 2009 Act 28 and didn't realize that ITL could only renew accreditation for a subset of schools. Therefore, I think the language as written is fine. We are ok with changing the date to December 31 2014, assuming this means that ITL may continue to accredit the schools its currently accrediting until December 31, 2014?

Nycole

---

**From:** Archibald, Sarah <Sarah.Archibald@legis.wisconsin.gov>  
**Sent:** Friday, November 01, 2013 3:22 PM  
**To:** Kuczenski, Tracy  
**Cc:** Kulow, Chris; Nycole Stawinoga; Carol Shires; Tricia.Collins@dpi.wi.gov; Justman, Jessica C - DPI; Brian.Pahnke@dpi.wi.gov; Kammerud, Jennifer A - DPI  
**Subject:** RE: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Thanks for getting on this Tracy!

All, please help resolve ASAP. I don't want this draft to stall again.

Thanks!

Sent from my U.S. Cellular® Smartphone

----- Original message -----

**From:** "Kuczenski, Tracy" <Tracy.Kuczenski@legis.wisconsin.gov>  
**Date:** 11/01/2013 3:07 PM (GMT-06:00)  
**To:** "Archibald, Sarah" <Sarah.Archibald@legis.wisconsin.gov>  
**Cc:** "Kulow, Chris" <Chris.Kulow@legis.wisconsin.gov>,stawinoga@parentchoice.org,shires@parentchoice.org,Tricia.Collins@dpi.wi.gov,"Justman, Jessica C - DPI" <Jessica.Justman@dpi.wi.gov>,Brian.Pahnke@dpi.wi.gov,"Kammerud, Jennifer A - DPI" <Jennifer.Kammerud@dpi.state.wi.us>  
**Subject:** RE: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Sarah --

There appears to be some confusion about the treatment of ITL in this draft, and perhaps a request to change the draft back, but I am not clear from the comments whether the confusion relates to the treatment in this draft or to the treatment that was applied to s. 119.23 (2) (a) 7. a., b., and c. by 2009 Wisconsin Act 28 (the 2009-10 biennial budget bill).

In 2009 Act 28, the legislature prohibited schools from applying for accreditation from ITL after the effective date of that act (July 1, 2009), but permitted those schools that had initiated the process with ITL to complete that process and to seek renewal of accreditation from ITL. Act 28 also instituted the preaccreditation requirement and included ITL as an eligible preaccrediting entity. As a result of Act 28, ITL is an accrediting entity for only a subset of participating private schools.

This bill does require any school that is accredited by ITL to obtain accreditation from an other entity by December 31, 2016. It appears from Jennifer's comment in item 3 dealing with Section 45 of the bill that there is no question that schools that are accredited with ITL have been in communication with DPI about a shift away from ITL for some time.

Is the question about ITL's "removal" asked by Nycole (and repeated by Jennifer) whether there was a misunderstanding about the reason that ITL is being removed and a suggestion that if ITL had a choice it would continue to renew accreditation for the subset of schools it accredits?

And if so, is your request to me, the drafter, to give ITL the choice and eliminate the treatment of s. 119.23 (2) (a) 7. c. and the creation of 119.23 (2) (a) 7. e.? Or is this a policy decision

And if so, I assume that I disregard Jennifer's instructions to change the date from December 31, 2016 to December 31, 2014, as that language would no longer appear in the draft...

Or does the question about removal date back to the removal of ITL as an accrediting entity dating back to 2009 Act 28?

Thanks for any clarification you can provide,

Tracy

Tracy K. Kuczenski  
Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau

tracy.kuczenski@legis.wisconsin.gov  
(608) 266-9867

---

**From:** Archibald, Sarah  
**Sent:** Thursday, October 31, 2013 1:39 PM  
**To:** Kuczenski, Tracy  
**Cc:** Kulow, Chris; stawinoga@parentchoice.org; shires@parentchoice.org; Tricia.Collins@dpi.wi.gov; Justman, Jessica C - DPI; Brian.Pahnke@dpi.wi.gov; Kammerud, Jennifer A - DPI  
**Subject:** FW: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Tracy,

Please see below for notes related to LRB 1358/P5 from DPI and SCW. Where needed, I wrote a clarifying note in ALL CAPS next to their notes below.

Really hoping that this next one will be the last P draft and we'll be ready for introduction in the next week or so.

Thanks!

Sarah

---

**From:** Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]  
**Sent:** Thursday, October 31, 2013 2:32 AM  
**To:** Archibald, Sarah  
**Cc:** Collins, Tricia DPI; Justman, Jessica C - DPI; Pahnke, Brian D. DPI  
**Subject:** Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Sarah,

Someone should probably check with ITL as to whether they requested to be removed as an accrediting organization. I don't know that they did. PLEASE ADD BACK IN

Below are our comments related to items not listed below by Nycole:

## Kuczenski, Tracy

---

**From:** Nycole Stawinoga <stawinoga@parentchoice.org>  
**Sent:** Friday, November 01, 2013 8:45 AM  
**To:** Kuczenski, Tracy; Archibald, Sarah  
**Subject:** Re: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Tracy,

Here is suggested language. It would just be for a new private school in its first full year of operation. This would not be a requirement for other schools.

'A "new private school" shall use a third party payroll service that remits federal and state payroll taxes during its first full year of operation.'

It could potentially be included at the end of section 22 page 12 (and the same section for 119.23) as a requirement to have in place by August 1 before school begins.

Nycole

**From:** <Kuczenski>, Tracy <[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)>  
**Date:** Friday, November 1, 2013 8:10 AM  
**To:** Nycole Stawinoga <stawinoga@parentchoice.org>, "Archibald, Sarah" <[Sarah.Archibald@legis.wisconsin.gov](mailto:Sarah.Archibald@legis.wisconsin.gov)>  
**Subject:** RE: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Sarah and Nycole –

At the bottom of Nycole's message, she makes a reference to a "payroll service requirement". I know this has been a subject of discussion over the life of this draft, but I have never received instructions on what this means, where this should go, and what it should say. Who or what entity is responsible for the payroll? What must that person or entity do? Is this an ongoing requirement or just for new schools? If the latter, for how long? I am not an administrator, so I don't know what including a payroll service requirement should look like.

I would be happy to incorporate a requirement in the draft, but I need more detailed instructions.

Thanks,  
Tracy

Tracy K. Kuczenski  
*Senior Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867

**From:** Nycole Stawinoga [<mailto:stawinoga@parentchoice.org>]  
**Sent:** Thursday, October 31, 2013 3:24 PM  
**To:** Archibald, Sarah; Kuczenski, Tracy  
**Subject:** Re: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

I just wanted to clarify that our note regarding ITL is referring to pages 16-17 and 21-22.

Thanks,

Nycole

---

**From:** <Archibald>, Sarah <[Sarah.Archibald@legis.wisconsin.gov](mailto:Sarah.Archibald@legis.wisconsin.gov)>  
**Date:** Thursday, October 31, 2013 1:38 PM  
**To:** "[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)" <[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)>  
**Cc:** "[Chris.Kulow@legis.wisconsin.gov](mailto:Chris.Kulow@legis.wisconsin.gov)" <[Chris.Kulow@legis.wisconsin.gov](mailto:Chris.Kulow@legis.wisconsin.gov)>, Nycole Stawinoga <[stawinoga@parentchoice.org](mailto:stawinoga@parentchoice.org)>, Carol Shires <[shires@parentchoice.org](mailto:shires@parentchoice.org)>, "[Tricia.Collins@dpi.wi.gov](mailto:Tricia.Collins@dpi.wi.gov)" <[Tricia.Collins@dpi.wi.gov](mailto:Tricia.Collins@dpi.wi.gov)>, "[Jessica.Justman@dpi.wi.gov](mailto:Jessica.Justman@dpi.wi.gov)" <[Jessica.Justman@dpi.wi.gov](mailto:Jessica.Justman@dpi.wi.gov)>, Brian Pahnke <[brian.pahnke@dpi.wi.gov](mailto:brian.pahnke@dpi.wi.gov)>, "[Jennifer.Kammerud@dpi.state.wi.us](mailto:Jennifer.Kammerud@dpi.state.wi.us)" <[Jennifer.Kammerud@dpi.state.wi.us](mailto:Jennifer.Kammerud@dpi.state.wi.us)>  
**Subject:** FW: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Tracy,

Please see below for notes related to LRB 1358/P5 from DPI and SCW. Where needed, I wrote a clarifying note in ALL CAPS next to their notes below.

Really hoping that this next one will be the last P draft and we'll be ready for introduction in the next week or so.

Thanks!  
Sarah

---

**From:** Kammerud, Jennifer DPI [<mailto:Jennifer.Kammerud@dpi.wi.gov>]  
**Sent:** Thursday, October 31, 2013 2:32 AM  
**To:** Archibald, Sarah  
**Cc:** Collins, Tricia DPI; Justman, Jessica C - DPI; Pahnke, Brian D. DPI  
**Subject:** Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Sarah,

Someone should probably check with ITL as to whether they requested to be removed as an accrediting organization. I don't know that they did. PLEASE ADD BACK IN

Below are our comments related to items not listed below by Nycole:

- ✓1. Sections 14 and 33: Suggested change: "Disqualified organization" means an accrediting organization that no longer meets the definition under 118.60(1)(ab). This is to address the situation in which the organizations under (1)(ab) change. For example, Wisconsin North Central Association is removed from the list. Would section 14 cover that situation because WNCA is a stand-alone organization, not a member or otherwise sanctioned? OK WITH THIS CHANGE.
- ✓2. Sections 22 and 46: Need to add back as part of first sentence "showing that the private school will have a positive cash flow in each month of the fiscal period and no operating deficit." This is a requirement of the budget due August 1. OK
- ✓3. Section 45: Unsure why the date is December 31, 2016? These schools have been informed by ITL and DPI to work with another organization and ensure the school is accredited prior to the expiration of the ITL accreditation in 2014. LET'S CHANGE THE DATE TO DECEMBER 31 2014.

If you have questions about our additional notes above, please let Tricia and I know.



Jennifer

**From:** Nycole Stawinoga [<mailto:stawinoga@parentchoice.org>]  
**Sent:** Thursday, October 24, 2013 9:04 AM  
**To:** Archibald, Sarah  
**Cc:** Carol Shires; Collins, Tricia DPI; Kammerud, Jennifer DPI  
**Subject:** Re: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi Sarah,

Here are SCW's comments and questions regarding LRB 1358/P5.

- ✓ 1. Tracy's first note on cover: We think the current sanctions for not maintaining accreditation would be imposed.
- ✓ 2. Tracy's second note: We are comfortable with the definition for "new private school."
3. Page 4, line 25: (cm) ???- We think the (cm) may need to be changed because it doesn't seem to be referenced in statute? OK
- ✓ 4. Page 7, line 5 & 9 (same for page 17, line 18)— If we all agree, we would suggest both a & b be subject to the 3 year limitation, so line 9 would apply to line 5 too. YES, WE ALL AGREE.
- ✓ 5. Page 13-14 Section 26 line 22 (and page 26 section 50 line 14)--we would suggest that all schools have three years from when they find out that their accreditation organization is disqualified to become accredited by another organization. Our concern with how it is currently written is for the potential that a school may find out its accreditation organization is going to be disqualified when they only have a few months before their accreditation expires. It wouldn't be feasible for a school to be accredited by another organization in a few months. OK
6. We noticed the payroll service requirement is still not included for new private schools. We are still supportive of including this requirement if we are all in agreement. It could potentially be included at the end of section 22 page 12 (and the same section for 119.23) as a requirement to have by August 1 before school begins? THIS IS FINE.
- ✗ 7. Page 21-22, Just to clarify, did ITL ask to be removed? PLEASE ADD BACK IN.

From,

Nycole

Nycole Stawinoga  
Director of Research and Legislative Affairs  
School Choice Wisconsin  
[stawinoga@parentchoice.org](mailto:stawinoga@parentchoice.org)  
414-319-9160

**From:** <Archibald>, Sarah Archibald <[Sarah.Archibald@legis.wisconsin.gov](mailto:Sarah.Archibald@legis.wisconsin.gov)>  
**Date:** Wednesday, October 16, 2013 10:53 AM  
**To:** "[Tricia.Collins@dpi.wi.gov](mailto:Tricia.Collins@dpi.wi.gov)" <[Tricia.Collins@dpi.wi.gov](mailto:Tricia.Collins@dpi.wi.gov)>, "[Jennifer.Kammerud@dpi.state.wi.us](mailto:Jennifer.Kammerud@dpi.state.wi.us)" <[Jennifer.Kammerud@dpi.state.wi.us](mailto:Jennifer.Kammerud@dpi.state.wi.us)>, Carol Shires <[shires@parentchoice.org](mailto:shires@parentchoice.org)>  
**Subject:** FW: Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

Hi all,

Please look over and let me and/or Tracy know the answers to the questions in the drafter's note and if you think this is good to go as soon as you can.

Thanks,

Sarah

**From:** LRB.Legal

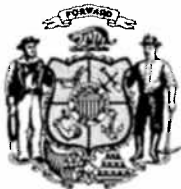
**Sent:** Wednesday, October 16, 2013 10:49 AM

**To:** Archibald, Sarah

**Subject:** Draft review: LRB -1358/P5 Topic: Choice programs -- requirements to maintain accreditation

**Draft Requester: Sen. Luther Olsen**

**Following is the PDF version of draft LRB -1358/P5 and drafter's note.**



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-1358/P5

TKK:cjs:jm

stays

RANK

insert

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

11/5/13

wanted 11/8/13 if pass

Gen Cat

SW

1 **AN ACT to repeal** 118.30 (1s) (b) and 119.23 (7) (f); **to renumber** 118.60 (1) (a);

2 **to renumber and amend** 118.30 (1s) (a), 118.60 (7) (ad), 119.23 (7) (ad) and

3 895.035 (1) (a); **to amend** 7.30 (2) (am), 48.355 (2) (c), 118.07 (3), 118.30 (2) (b)

4 5., 118.33 (1) (f) 3., 118.33 (6) (c) 1., 118.33 (6) (c) 2., 118.60 (1) (c), 118.60 (2) (a)

5 (intro.), 118.60 (2) (a) 3. a., 118.60 (7) (em) 1., 118.60 (9), 118.60 (10) (am) 2.,

6 118.60 (10) (ar), 119.23 (1) (am), 119.23 (2) (a) (intro.), 119.23 (2) (a) 3., 119.23

7 (2) (a) 7. a., 119.23 (2) (a) 7. c., 119.23 (2) (a) 7. d., 119.23 (7) (em) 1., 119.23 (9),

8 119.23 (10) (am) 2., 119.23 (10) (ar), 447.06 (2) (a) 2. and 950.08 (2w); **to repeal**

9 **and recreate** 118.60 (2) (a) 7. and 119.23 (2) (a) 7. b.; and **to create** 39.41 (1)

10 (aj), 115.001 (3d), 118.60 (1) (ab), 118.60 (1) (af), 118.60 (1) (bn), 118.60 (1) (cm),

11 118.60 (2) (a) 3g., 118.60 (2) (ag), 118.60 (2) (ar), 118.60 (7) (ad) 1. and 2., 118.60

12 (7) (ag), 118.60 (7) (ao), 119.23 (1) (ab), 119.23 (1) (af), 119.23 (1) (ai), 119.23 (1)

13 (ap), 119.23 (2) (a) 3g., 119.23 (2) (a) 7. bg. and br., 119.23 (2) (a) 7. e., 119.23 (2)

14 (ag), 119.23 (2) (ar), 119.23 (7) (ad) 1. and 2., 119.23 (7) (ag), 119.23 (7) (ao),

15 895.035 (1) (a) 2. and 938.02 (6m) of the statutes; **relating to:** requirements for

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

---

*Analysis by the Legislative Reference Bureau*

*Insert Analysis*  
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:*

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

9 39.41 (1) (aj) “Governing body of a private school” has the meaning given in s.  
10 115.001 (3d).

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

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

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

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

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

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

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

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

21           **SECTION 8.** 118.30 (2) (b) 5. of the statutes, as affected by 2013 Wisconsin Act  
22 20, is amended to read:

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

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

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

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

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

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

24           118.33 (6) (c) 2. ~~Beginning on September 1, 2010, the~~ The governing body of a  
25 private school participating in the program under s. 119.23 may not promote a 4th

1 grade pupil who is attending the private school under s. 119.23 to the 5th grade, and  
2 may not promote an 8th grade pupil who is attending the private school under s.  
3 119.23 to the 9th grade, unless the pupil satisfies the criteria for promotion specified  
4 in the governing body's policy under subd. 1.

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

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

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

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

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

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

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

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

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



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

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

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

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

11           118.60 (1) (c) “Preaccreditation” means the review and approval of an  
12 educational plan. Review of an education plan includes consideration of whether the  
13 school submitting the plan meets the requirements under s. 118.165 (1). The fact  
14 that a private school has obtained preaccreditation does not require an ~~accreditation~~  
15 ~~organization~~ accrediting entity to accredit the private school.

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

17           118.60 (1) (cm) “Preaccrediting entity” means the Institute for the  
18 Transformation of Learning at Marquette University, Wisconsin North Central  
19 Association, Wisconsin Religious and Independent Schools Accreditation,  
20 Independent Schools Association of the Central States, Wisconsin Evangelical  
21 Lutheran Synod School Accreditation, National Lutheran School Accreditation,  
22 Wisconsin Association of Christian Schools, and the diocese or archdiocese within  
23 which a private school is located.

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

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

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

9           118.60 (2) (a) 3. a. Except as provided in subd. 3. b. and c. and sub. (2) (ag) 1.,  
10 the private school notified the state superintendent of its intent to participate in the  
11 program under this section or in the program under s. 119.23, and paid the  
12 nonrefundable fee, set by the department as required under s. 119.23 (2) (a) 3., by  
13 February 1 of the previous school year. The notice shall specify the number of pupils  
14 participating in the program under this section and in the program under s. 119.23  
15 for which the school has space.

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

17           118.60 (2) (a) 3g. By May 1 before the first term of participation in the program  
18 under this section, the private school submits to the department, on a form provided  
19 by the department, a complete anticipated budget for the first fiscal period of  
20 participation in the program under this section. The governing body shall include  
21 on the completed form anticipated enrollments for all pupils enrolled in the private  
22 school and for pupils enrolled in the private school under this section; estimated  
23 revenues and costs; a schedule of anticipated beginning and ending net choice  
24 program assets; and a schedule of monthly cash flow requirements. The governing

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

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

5 118.60 (2) (a) 7. a. For a private school that was a first-time participant in the  
6 program under this section before the effective date of this subd. 7. a. .... [LRB inserts  
7 date], and that is not accredited by an accrediting entity, the private school obtains  
8 accreditation from an accrediting entity by December 31 of the 3rd school year  
9 following the first school year in which the private school began participating in the  
10 program under this section. If the private school is accredited under this subd. 7. a.,  
11 the private school is not required to obtain preaccreditation under subd. 7. b. as a  
12 prerequisite to providing instruction under this section in additional grades or in an  
13 additional or new school.

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

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

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

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

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

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

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

23 b. A complete anticipated budget for the first fiscal period of participation in  
24 the program under this section. <sup>showing that the private school will have a positive cash flow</sup> The governing body shall include on the completed  
25 form anticipated enrollments for all pupils enrolled in the new private school and for

in each month of the fiscal period and  
no operating deficit

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

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

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

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

24 3. By August 1 of the school year immediately preceding the school year in  
25 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. b., 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.

*Insert 6*  
*12-7* 7 **SECTION 23.** 118.60 (2) (ar) of the statutes is created to read:

8 118.60 (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 reinitiate the  
15 process under par. (ag) for the next following school year.

16 **SECTION 24.** 118.60 (7) (ad) of the statutes, as created by 2013 Wisconsin Act  
17 20, is renumbered 118.60 (7) (ad) 3. and amended to read:

18 118.60 (7) (ad) 3. The governing body of a private school participating in the  
19 program under this section and accredited as required under subds. 1. and 2. and  
20 sub. (2) (a) 7. shall ensure that the private school continuously maintains  
21 accreditation from ~~Wisconsin North Central Association, Wisconsin Religious and~~  
22 ~~Independent School Accreditation, Independent Schools Association of the Central~~  
23 ~~States, Wisconsin Evangelical Lutheran Synod School Accreditation, National~~  
24 ~~Lutheran School Accreditation, Wisconsin Association of Christian Schools, the~~  
25 ~~diocese or archdiocese within which the private school is located, or by any other~~

1 ~~organization recognized by the National Council for Private Schools Accreditation~~  
2 an accrediting entity as long as the private school continues to participate in the  
3 program under this section.

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

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

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

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

17 118.60 (7) (ag) If a participating private school learns that an accrediting  
18 organization with which the private school is maintaining accreditation, as required  
19 under par. (ad), is a disqualified organization, the private school shall immediately  
20 notify the department in writing of this fact and shall obtain accreditation from an  
21 accrediting entity as follows:

22 1. For a private school whose accreditation from the disqualified organization  
23 would have expired within 3 years from the date on which the private school learned  
24 that the accrediting organization is a disqualified organization, no later than the

no 70  
le

1 date on which the accreditation from the disqualified organization would have  
2 expired.

3 2. For a private school whose accreditation from the disqualified organization  
4 would have expired later than 3 years from the date on which the private school  
5 learned that the accrediting organization is a disqualified organization, no later than  
6 3 years from the date on which the private school learned that the accrediting  
7 organization is a disqualified organization.

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

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

14 **SECTION 28.** 118.60 (7) (em) 1. of the statutes, as created by 2013 Wisconsin Act  
15 20, is amended to read:

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



1 ~~any other organization recognized by the National Council for Private Schools~~  
2 ~~Accreditation~~ an accrediting entity that confirms that the private school is accredited  
3 by that entity as of the date of the letter.

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

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

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

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

12 **SECTION 31.** 118.60 (10) (ar) of the statutes, as created by 2013 Wisconsin Act  
13 20, is amended to read:

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

1       barring the private school's participation in the program under this section at the end  
2       of the current school year.

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

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

18             119.23 (1) (ab) "Accrediting entity" means all of the following:

19             1. Wisconsin North Central Association, Wisconsin Religious and Independent  
20       Schools 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  
23       archdiocese within which a private school is located, and any other organization  
24       recognized by the National Council for Private School Accreditation.