

2015 DRAFTING REQUEST

Bill

Received: **4/21/2015** Received By: **tkuczens**
For: **Sondy Pope (608) 266-3520** Same as LRB:
May Contact: By/Representing: **Rashmika**
Subject: **Education - choice programs** Drafter: **tkuczens**
Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Pope@legis.wisconsin.gov**
Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Require private school to be in operation for 2 years; allow only 49% of pupils to be choice pupils

Instructions:

Redraft 2013 AB 327; make 2-year operation requirement inapplicable to a private school participating in a PCP on effective date.

Drafting History:

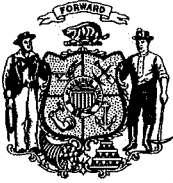
<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 4/24/2015	csicilia 4/29/2015	_____			
/1	tkuczens 5/14/2015	csicilia 5/14/2015	_____	sbasford 4/29/2015		
/2	tkuczens	csicilia	_____	srose		

<u>Vers.</u>	<u>Drafted</u> 5/19/2015	<u>Reviewed</u> 5/20/2015	<u>Proofed</u> _____	<u>Submitted</u> 5/14/2015	<u>Jacketed</u>	<u>Required</u>
/3			_____	lparisi 5/20/2015	lparisi 6/10/2015	

FE Sent For:

*None
Needed*

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2662/1

PG:cjs:ph

TKK

RMNR
insert
insert

[Handwritten scribbles]

2013 ASSEMBLY BILL 327

2015

August 23, 2013 - Introduced by Representatives POPE, SINICKI, BARNES, KOLSTE, ZAMARRIPA, JOHNSON, MASON, BERCEAU, WRIGHT, C. TAYLOR, WACHS, JORGENSEN, OHNSTAD, HEBL and MILROY. Referred to Joint Committee on Finance.

8A15 ✓
5A13 ✓
new CR

Go Lat

4/24/15

wanted 4/29/15

1 **AN ACT to create** 118.60 (2) (a) 9., 118.60 (2) (d), 119.23 (2) (a) 9. and 119.23 (2)
2 (d) of the statutes; **relating to:** the requirements for participation in a parental
3 choice program and the percentage of pupils who may attend a private school
4 under such a program.

Analysis by the Legislative Reference Bureau

This bill provides that a private school may participate in a parental choice program only if it has been in operation for the attendance of pupils for at least two school years. The bill also provides that no more than 49 percent of a private school's enrollment may consist of pupils attending the private school under a parental choice program. These provisions are effective July 1, 2015. 2016

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

Insert 1-5A

Insert 1-5B

X

Insert 1-8

5 **SECTION 1.** 118.60 (2) (a) 9. of the statutes is created to read:
6 118.60 (2) (a) 9. The private school has been in operation for the attendance of
7 pupils for at least 2 school years.
8 **SECTION 2.** 118.60 (2) (d) of the statutes is created to read:

ASSEMBLY BILL 327

Insert
2-3A

Insert
2-3B

Insert
2-3C

Insert
2-9

1 118.60 (2) (d) No more than 49 percent of a private school's enrollment may
2 consist of pupils attending the private school under this section or s. 119.23.

3 **SECTION 3.** 119.23 (2) (a) 9. of the statutes is created to read:

4 119.23 (2) (a) 9. The private school has been in operation for the attendance of
5 pupils for at least 2 school years.

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

7 119.23 (2) (d) No more than 49 percent of a private school's enrollment may
8 consist of pupils attending the private school under this section or s. 118.60.

9 **SECTION 5. Effective date.**

10 (1) This act takes effect on July 1, 2015 ^{e 2016}.

11 (END)

N A

A ✓

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-22777/?ins
TKK:.....

SAE

INSERT 1-5 *A*

1 **SECTION 1.** 118.60 (1) (bn) 1. a. of the statutes is amended to read:
2 118.60 (1) (bn) 1. a. The school has been in continuous operation in this state
3 for less than ~~12~~ 24 consecutive months.

History: 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.

INSERT 2-3 *B*

4 **SECTION 2.** 119.23 (1) (ai) 1. a. of the statutes is amended to read:
5 119.23 (1) (ai) 1. a. The school has been in continuous operation in this state
6 for less than ~~12~~ 24 consecutive months.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8, 20, 165; 2013 a. 166 s. 77; 2013 a. 237, 256.

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2277/?ins
TKK:.....

SN ✓

INSERT 1-5B

SECTION 1. 118.60 (2) (a) (intro.) of the statutes is amended to read:

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

History: 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.

INSERT 1-8

SECTION 2. 118.60 (2) (bs) of the statutes is repealed.

INSERT 2-3A

SECTION 3. 118.60 (3) (b) of the statutes is amended to read:

118.60 (3) (b) If a participating private school rejects an applicant who resides within an eligible school district because the private school has too few available spaces, the applicant may, subject to sub. (2) (d), transfer his or her application to a participating private school that has space available. An applicant rejected under this paragraph may, subject to sub. (2) (d), be admitted to a private school participating in the program under this section for the following school year, provided that the applicant continues to reside within an eligible school district. The department may not require, in that following school year, the private school to submit financial information regarding the applicant or to verify the eligibility of the applicant to participate in the program under this section on the basis of family income.

History: 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.

X

~~INSERT 2-3~~ *A continued*

1 **SECTION 4.** 118.60 (3) (c) of the statutes is amended to read:

2 118.60 (3) (c) If a participating private school rejects an applicant who resides
3 in a school district, other than an eligible school district or a 1st class city school
4 district, because the private school has too few available spaces, the applicant may,
5 subject to sub. (2) (d), transfer his or her application to a participating private school
6 that has space available. An applicant rejected under this paragraph may, subject
7 to sub. (2) (be) ~~and~~, (bm), and (d), be admitted to a private school participating in the
8 program under this section for the following school year.

History: 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.

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

*INSERT
2-C
C*

10 119.23 (2) (a) (intro.) Subject to pars. (ag) ~~and~~, (ar), and (d), any pupil in grades
11 kindergarten to 12 who resides within the city may attend any private school if all
12 of the following apply:

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8, 20, 165; 2013 a. 166 s. 77; 2013 a. 237, 256.

INSERT 2-9

13 **SECTION 6.** 119.23 (3) (b) of the statutes is amended to read:

14 119.23 (3) (b) If the private school rejects an applicant because it has too few
15 available spaces, the applicant may, subject to sub. (2) (d), transfer his or her
16 application to a participating private school that has space available. An applicant
17 rejected under this paragraph may, subject to sub. (2) (d), be admitted to a private
18 school participating in the program under this section for the following school year,
19 provided that the applicant continues to reside within the city. The department may
20 not require, in that following school year, the private school to submit financial

- 1 information regarding the applicant or to verify the eligibility of the applicant to
- 2 participate in the program under this section on the basis of family income.

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96; 2011 a. 32, 47; 2013 a. 8, 20, 165; 2013 a. 166 s. 77; 2013 a. 237, 256.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-22771-2
TKK:cjs:cs

RMR
insert

2015 BILL

5/14/15

Today

SA✓

1 AN ACT to repeal 118.60 (2) (bs); to amend 118.60 (1) (bn) 1. a., 118.60 (2) (a)
2 (intro.), 118.60 (3) (b), 118.60 (3) (c), 119.23 (1) (ai) 1. a., 119.23 (2) (a) (intro.)
3 and 119.23 (3) (b); and to create 118.60 (2) (a) 9., 118.60 (2) (d), 119.23 (2) (a)
4 9. and 119.23 (2) (d) of the statutes; relating to: the requirements for
5 participation in a parental choice program and the percentage of pupils who
6 may attend a private school under such a program.

(PCP)

Analysis by the Legislative Reference Bureau

This bill provides that a private school may participate in a parental choice program only if it has been in operation for the attendance of pupils for at least two school years. The bill also provides that no more than 49 percent of a private school's enrollment may consist of pupils attending the private school under a parental choice program. These provisions are effective July 1, 2016.

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

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

or otherwise eligible to participate

This requirement does not apply to any private school participating in a PCP on the effective date of the bill.

BILL

1 118.60 (1) (bn) 1. a. The school has been in continuous operation in this state
2 for less than ~~12~~ 24 consecutive months.

3 **SECTION 2.** 118.60 (2) (a) (intro.) of the statutes is amended to read:

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

10 **SECTION 3.** 118.60 (2) (a) 9. of the statutes is created to read:

11 118.60 (2) (a) 9. The private school has been in operation for the attendance of
12 pupils for at least 2 school years.

Insert 2-12

13 **SECTION 4.** 118.60 (2) (bs) of the statutes is repealed.

14 **SECTION 5.** 118.60 (2) (d) of the statutes is created to read:

15 118.60 (2) (d) No more than 49 percent of a private school's enrollment may
16 consist of pupils attending the private school under this section or s. 119.23.

17 **SECTION 6.** 118.60 (3) (b) of the statutes is amended to read:

18 118.60 (3) (b) If a participating private school rejects an applicant who resides
19 within an eligible school district because the private school has too few available
20 spaces, the applicant may, subject to sub. (2) (d), transfer his or her application to a
21 participating private school that has space available. An applicant rejected under
22 this paragraph may, subject to sub. (2) (d), be admitted to a private school
23 participating in the program under this section for the following school year,
24 provided that the applicant continues to reside within an eligible school district. The
25 department may not require, in that following school year, the private school to

This requirement does not apply to a private school participating in the program under this section as the effective date of this bill is... LRB insert date to or under 50119.023

BILL

1 submit financial information regarding the applicant or to verify the eligibility of the
2 applicant to participate in the program under this section on the basis of family
3 income.

4 **SECTION 7.** 118.60 (3) (c) of the statutes is amended to read:

5 118.60 (3) (c) If a participating private school rejects an applicant who resides
6 in a school district, other than an eligible school district or a 1st class city school
7 district, because the private school has too few available spaces, the applicant may,
8 subject to sub. (2) (d), transfer his or her application to a participating private school
9 that has space available. An applicant rejected under this paragraph may, subject
10 to sub. (2) (be) ~~and~~, (bm), and (d), be admitted to a private school participating in the
11 program under this section for the following school year.

12 **SECTION 8.** 119.23 (1) (ai) 1. a. of the statutes is amended to read:

13 119.23 (1) (ai) 1. a. The school has been in continuous operation in this state
14 for less than ~~12~~ 24 consecutive months.

15 **SECTION 9.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

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

19 **SECTION 10.** 119.23 (2) (a) 9. of the statutes is created to read:

20 119.23 (2) (a) 9. The private school has been in operation for the attendance of
21 pupils for at least 2 school years.

22 **SECTION 11.** 119.23 (2) (d) of the statutes is created to read:

23 119.23 (2) (d) No more than 49 percent of a private school's enrollment may
24 consist of pupils attending the private school under this section or s. 118.60.

25 **SECTION 12.** 119.23 (3) (b) of the statutes is amended to read:

This requirement does not apply to a private school participating in the program under this section or under s. 118.60 on the effective date of this subdivision. [LRB insert date]

Insert 3-21

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2277/lins
TKK:cjs:cs

INSERT 2-12

1 This requirement does not apply to a private school ^{that is} participating in the
2 program under this section or under s. 119.23 on the effective date of this subdivision
3 [LRB inserts date], or that, subject to sub. (2) (ar), has complied with sub. (2) (ag)
4 ~~on~~ the effective date ~~or~~ this subdivision [LRB inserts date].

prior to *of*

INSERT 3-21

5 This requirement does not apply to a private school ^{that is} participating in the
6 program under this section or under s. 118.60 on the effective date of this subdivision
7 [LRB inserts date], or that, subject to sub. (2) (ar), has complied with sub. (2) (ag)
8 ~~on~~ the effective date ~~or~~ this subdivision [LRB inserts date].

prior to *of*



State of Wisconsin
2015 - 2016 LEGISLATURE

3
LRB-2277/2
TKK:cjs:cs
RMKR
insert

2015 BILL

SA

5/19/15

wanted

5/20

✓
Go Cat

1 AN ACT *to repeal* 118.60 (2) (bs); *to amend* 118.60 (1) (bn) 1. a., 118.60 (2) (a)
2 (intro.), 118.60 (3) (b), 118.60 (3) (c), 119.23 (1) (ai) 1. a., 119.23 (2) (a) (intro.)
3 and 119.23 (3) (b); and *to create* 118.60 (2) (a) 9., 118.60 (2) (d), 119.23 (2) (a)
4 9. and 119.23 (2) (d) of the statutes; **relating to:** the requirements for
5 participation in a parental choice program and the percentage of pupils who
6 may attend a private school under such a program.

Analysis by the Legislative Reference Bureau

This bill provides that a private school may participate in a parental choice program (PCP) only if it has been in operation for the attendance of pupils for at least two school years. This requirement does not apply to any private school participating in or otherwise eligible to participate in a PCP on the effective date of the bill. The bill also provides that no more than 49 percent of a private school's enrollment may consist of pupils attending the private school under a parental choice program. These provisions are effective July 1, 2016.

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

7 SECTION 1. 118.60 (1) (bn) 1. a. of the statutes is amended to read:

Insert analysis

BILL

1 118.60 (1) (bn) 1. a. The school has been in continuous operation in this state
2 for less than ~~12~~ 24 consecutive months.

3 **SECTION 2.** 118.60 (2) (a) (intro.) of the statutes is amended to read:

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

10 **SECTION 3.** 118.60 (2) (a) 9. of the statutes is created to read:

11 118.60 (2) (a) 9. The private school has been in operation for the attendance of
12 pupils for at least 2 school years. This requirement does not apply to a private school
13 that is participating in the program under this section or under s. 119.23 on the
14 effective date of this subdivision ... [LRB inserts date], or that, subject to sub. (2) (ar),
15 has complied with sub. (2) (ag) prior to the effective date of this subdivision ... [LRB
16 inserts date].

17 **SECTION 4.** 118.60 (2) (bs) of the statutes is repealed.

18 **SECTION 5.** 118.60 (2) (d) of the statutes is created to read:

19 118.60 (2) (d) No more than 49 percent of a private school's enrollment may
20 consist of pupils attending the private school under this section or s. 119.23. ^y

21 **SECTION 6.** 118.60 (3) (b) of the statutes is amended to read:

Insert 2-20

22 118.60 (3) (b) If a participating private school rejects an applicant who resides
23 within an eligible school district because the private school has too few available
24 spaces, the applicant may, subject to sub. (2) (d), transfer his or her application to a
25 participating private school that has space available. An applicant rejected under

BILL

1 this paragraph may, subject to sub. (2) (d), be admitted to a private school
2 participating in the program under this section for the following school year,
3 provided that the applicant continues to reside within an eligible school district. The
4 department may not require, in that following school year, the private school to
5 submit financial information regarding the applicant or to verify the eligibility of the
6 applicant to participate in the program under this section on the basis of family
7 income.

8 **SECTION 7.** 118.60 (3) (c) of the statutes is amended to read:

9 118.60 (3) (c) If a participating private school rejects an applicant who resides
10 in a school district, other than an eligible school district or a 1st class city school
11 district, because the private school has too few available spaces, the applicant may,
12 subject to sub. (2) (d), transfer his or her application to a participating private school
13 that has space available. An applicant rejected under this paragraph may, subject
14 to sub. (2) (be) ~~and~~, (bm), and (d), be admitted to a private school participating in the
15 program under this section for the following school year.

16 **SECTION 8.** 119.23 (1) (ai) 1. a. of the statutes is amended to read:

17 119.23 (1) (ai) 1. a. The school has been in continuous operation in this state
18 for less than ~~12~~ 24 consecutive months.

19 **SECTION 9.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

20 119.23 (2) (a) (intro.) Subject to pars. (ag) ~~and~~, (ar), and (d), any pupil in grades
21 kindergarten to 12 who resides within the city may attend any private school if all
22 of the following apply:

23 **SECTION 10.** 119.23 (2) (a) 9. of the statutes is created to read:

24 119.23 (2) (a) 9. The private school has been in operation for the attendance of
25 pupils for at least 2 school years. This requirement does not apply to a private school

BILL

1 that is participating in the program under this section or under s. 118.60 on the
2 effective date of this subdivision ... [LRB inserts date], or that, subject to sub. (2) (ar),
3 has complied with sub. (2) (ag) prior to the effective date of this subdivision ... [LRB
4 inserts date].

5 **SECTION 11.** 119.23 (2) (d) of the statutes is created to read:

6 119.23 (2) (d) No more than 49 percent of a private school's enrollment may
7 consist of pupils attending the private school under this section or s. 118.60. Y

8 **SECTION 12.** 119.23 (3) (b) of the statutes is amended to read:

Insert 4-7

9 119.23 (3) (b) If the private school rejects an applicant because it has too few
10 available spaces, the applicant may, subject to sub. (2) (d), transfer his or her
11 application to a participating private school that has space available. An applicant
12 rejected under this paragraph may, subject to sub. (2) (d), be admitted to a private
13 school participating in the program under this section for the following school year,
14 provided that the applicant continues to reside within the city. The department may
15 not require, in that following school year, the private school to submit financial
16 information regarding the applicant or to verify the eligibility of the applicant to
17 participate in the program under this section on the basis of family income.

18 **SECTION 13. Effective date.**

19 (1) This act takes effect on July 1, 2016.

20

(END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2277/lins
TKK:cjs

INSERT ANALYSIS

no H

This requirement does not apply to a private school participating in a PCP on the effective date of the bill.

INSERT 2-20

1 no H

2 This requirement does not apply to a private school that is participating in the
3 program under this section or under s. 119.23 on the effective date of this paragraph
4 [LRB inserts date].

INSERT 4-7

4 no H

5 This requirement does not apply to a private school that is participating in the
6 program under this section or under s. 118.60 on the effective date of this paragraph
7 [LRB inserts date].

5 so long as the private school continues to participate in one of those programs
2X

Parisi, Lori

From: Catacutan, Adrian
Sent: Wednesday, June 10, 2015 3:58 PM
To: LRB.Legal
Subject: Draft Review: LRB -2277/3 Topic: Require private school to be in operation for 2 years; allow only 49% of pupils to be choice pupils

Please Jacket LRB -2277/3 for the ASSEMBLY.