

2015 DRAFTING REQUEST

Bill

Received: 10/31/2014 Received By: fknepp
Wanted: As time permits Same as LRB:
For: Administration-Budget 266-7329 By/Representing: Stritchko
May Contact: Drafter: fknepp
Subject: Education - sch. dist. reorg. Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email:
Carbon copy (CC) to: fern.knepp@legis.wisconsin.gov
tracy.kuczenski@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Stritchko, BB0184 -

Topic:

Allow whole grade sharing

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------------|-----------------------|------------------------|----------------|------------------------|-----------------|-----------------|
| /? | fknepp 11/10/2014 | scalvin 11/11/2014 | | _____ | | | |
| /P1 | fknepp 1/16/2015 | wjackson 1/22/2015 | rschluet 11/11/2014 | _____ | sbasford 11/11/2014 | | State S&L |
| /P2 | tkuczens | jdyer | jmurphy | _____ | sbasford | | State |

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
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| | 1/28/2015 | 1/28/2015 | 1/28/2015 | _____ | 1/22/2015 | | S&L |
| /P3 | | | | _____ | lparisi | | State |
| | | | | _____ | 1/28/2015 | | S&L |

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P3 1/28 self

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| /P1 | | <i>1/2WJ/1/19</i> rschluet 11/11/2014 | <i>AEI</i> | _____ | sbasford 11/11/2014 | | State S&L |

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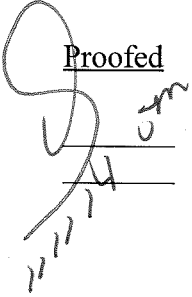
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|--------------|----------------|-----------------------|-----------------------|---|------------------|-----------------|-----------------|
| 1/? | fknepp | /PI sac 11/11/2014 | /PI sac 11/11/2014 |  | | | |

FE Sent For:

<END>

Knepp, Fern

From: Hanaman, Cathlene
Sent: Thursday, October 30, 2014 2:13 PM
To: Knepp, Fern; Kuczenski, Tracy
Subject: FW: Statutory Language Drafting Request - BB0184

From: MeganE.Stritchko@wisconsin.gov [mailto:MeganE.Stritchko@wisconsin.gov]
Sent: Thursday, October 30, 2014 2:05 PM
To: Hanaman, Cathlene
Cc: Hynek, Sara - DOA; Stritchko, Megan E - DOA; Connor, Christopher B - DOA
Subject: Statutory Language Drafting Request - BB0184

Biennial Budget: 2015-17

DOA Tracking Code: BB0184

Topic: School District Whole Grade Sharing

SBO Team: EWD

SBO Analyst: Stritchko, Megan - DOA
Phone: (608) 266-7329
E-mail: MeganE.Stritchko@wisconsin.gov

Agency Acronym: DPI

Agency Number: 255

Priority: High

Intent:

Allow school districts to share certain grade levels without having to wholly consolidate school districts. Provide special adjustment aid similar to s. 121.105(2)(am)2. and 121.105(3) for school districts engaged in whole grade sharing.

Attachments: False

Please send completed drafts to SBOSTatlanguage@webapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE

2015-2016



LRB- [redacted] - 054/P1
PG:sac:rs
FFK stays

11-10-14

2013 BILL

note

-do not gen

1 AN ACT to renumber 67.03 (7) and 118.51 (2); to amend 115.77 (1), 115.777 (1),
2 115.78 (1), 115.78 (1m) (h), 115.79 (1) (b), 115.792 (1) (b), 115.792 (3) (a), 115.80
3 (8), 115.88 (8), 117.05 (5) (a), 117.30 (1) (a), 118.134 (3m), 119.04 (1), 121.02 (1)
4 (L) 3., 121.05 (1) (a) 11., 121.58 (2) (a) (intro.), 121.58 (4) and 121.77 (3); and to
5 create 67.03 (7) (b), 115.82 (2) (c), 117.30 (1) (d), 118.50 and 118.51 (2) (b) of the
6 statutes; relating to: authorizing school districts to enter into whole grade
7 sharing agreements.

the budget

Analysis
Insert 1

Analysis by the Legislative Reference Bureau

This bill authorizes the school boards of two or more school districts to enter into a whole grade sharing agreement that provides for all or a substantial portion of the pupils in one or more grades in any of the school districts to attend school in one or more of the other school districts for all or a substantial portion of a school day. The agreement must be signed by the participating school boards by February 1 in order to be effective for the ensuing school year.

no later than

At least 90 days before entering into a whole grade sharing agreement, an interested school board must adopt a resolution stating its intent. If a petition signed by at least 20 percent of the electors residing in the school district is submitted, the school board must contract with an organization approved by the Department of Public Instruction for a feasibility study. The school board may not enter into an agreement until it receives the results of the study.

DPI
==

If a study is required

BILL

At least 30 days before entering into a whole grade sharing agreement, an interested school district must hold a public hearing at which the proposed agreement is described and school district electors may offer comments.

The agreement must specify the amount to be paid to the school district or districts that the pupils will attend. It must also specify which school district or districts is responsible for transporting pupils to and from the school they are attending under the agreement. The responsible school districts receive state transportation aid for transportation costs.

In general, the bill provides that pupils attending a public school in a nonresident school district under a whole grade sharing agreement have all the rights and privileges of resident pupils and are subject to the same rules that govern resident pupils. The bill also provides that the school district of attendance is the local educational agency for purposes of providing special education and related services to children with a disability who are attending a nonresident school district under a whole grade sharing agreement.

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

A whole grade sharing

A whole grade sharing agreement

Analysis Insert 2

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

1 SECTION 1. 67.03 (7) of the statutes is renumbered 67.03 (7) (a).

2 SECTION 2. 67.03 (7) (b) of the statutes is created to read:

3 67.03 (7) (b) For the purposes of indebtedness, a school district that does not
4 operate one or more grades as a result of entering into a whole grade sharing
5 agreement under s. 118.50 shall be considered to be operating those grades.

6 SECTION 3. 115.77 (1) of the statutes is amended to read:

7 115.77 (1) In sub. (1m) (a) to (d), except as provided in s. 118.51 (12) (a) and (b)
8 2., if a child with a disability is attending a public school in a nonresident school
9 district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), "local educational agency"
10 means the school district that the child is attending.

Ins 2-5

11 SECTION 4. 115.777 (1) of the statutes is amended to read:

12 115.777 (1) (a) A physician, nurse, psychologist, social worker or administrator
13 of a social agency who reasonably believes that a child brought to him or her for

BILL

1 services has a disability shall refer the child to the local educational agency. If the
2 local educational agency to whom the referral is made is the school district in which
3 the child resides but the child is attending a public school in a nonresident school
4 district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school
5 district in which the child resides shall provide the name of the child and related
6 information to the school board of the school district that the child is attending.

7 (b) A person who is required to be licensed under s. 115.28 (7), who is employed
8 by a local educational agency and who reasonably believes a child has a disability,
9 shall refer the child to the local educational agency. If the local educational agency
10 to whom the referral is made is the school district that the child is attending but the
11 child is a nonresident attending a public school in that school district under s. 118.50,
12 118.51, or 121.84 (1) (a) or (4), the school board of the school district that the child
13 is attending shall provide the name of the child and related information to the school
14 board of the child's school district of residence.

15 (c) Any person other than those specified under par. (a) or (b) who reasonably
16 believes that a child is a child with a disability may refer the child to a local
17 educational agency. If the local educational agency to whom the referral is made is
18 the school district in which the child resides but the child is attending a public school
19 in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the
20 school board of the school district in which the child resides shall provide the name
21 of the child and related information to the school board of the school district that the
22 child is attending.

23 **SECTION 5.** 115.78 (1) of the statutes is amended to read:

24 115.78 (1) DEFINITION. In this section, for a child who is attending a public
25 school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4),

BILL

1 “local educational agency” means the school board of the school district that the child
2 is attending.

3 **SECTION 6.** 115.78 (1m) (h) of the statutes is amended to read:

4 115.78 (1m) (h) If the child is attending a public school in a nonresident school
5 district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), at least one person designated
6 by the school board of the child’s school district of residence who has knowledge or
7 special expertise about the child.

8 **SECTION 7.** 115.79 (1) (b) of the statutes is amended to read:

9 115.79 (1) (b) An educational placement is provided to implement a child’s
10 individualized education program. Except as provided in s. 118.51 (12) (a) and (b)
11 2., if a child with a disability is attending a public school in a nonresident school
12 district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school
13 district that the child is attending shall provide an educational placement for the
14 child and shall pay tuition charges instead of the school district in which the child
15 resides if required by the placement.

16 **SECTION 8.** 115.792 (1) (b) of the statutes is amended to read:

17 115.792 (1) (b) The local educational agency shall establish and maintain
18 procedures to ensure that a child’s parents are provided prior written notice
19 whenever the local educational agency proposes to initiate or change, or refuses to
20 initiate or change, the identification, evaluation or educational placement of the
21 child, or the provision of a free appropriate public education to the child. In this
22 paragraph, “local educational agency” includes the nonresident school district that
23 a child is attending under s. 118.50, 118.51, or 121.84 (1) (a) or (4).

24 **SECTION 9.** 115.792 (3) (a) of the statutes is amended to read:

BILL

1 115.792 (3) (a) In this subsection, “local educational agency” includes the
2 nonresident school district that a child is attending under s. 118.50, 118.51, or 121.84
3 (1) (a) or (4).

4 **SECTION 10.** 115.80 (8) of the statutes is amended to read:

5 115.80 (8) Except as provided in 20 USC 1415 (k), during the pendency of any
6 proceedings under this section, the local educational agency may not change the
7 educational placement of a child unless the child’s parents agree to the change. If
8 the child is applying for initial admission to a public school, the child shall, with the
9 consent of the child’s parents, be placed in the public school program until all
10 proceedings under this section have been completed. In this subsection, “local
11 educational agency” includes the nonresident school district that a child is attending
12 under s. 118.50, 118.51, or 121.84 (1) (a) or (4).

13 **SECTION 11.** 115.82 (2) (c) of the statutes is created to read:

14 115.82 (2) (c) If the child is attending a public school in a nonresident school
15 district under s. 118.50, the school district specified to do so in the whole grade
16 sharing agreement shall provide transportation.

17 **SECTION 12.** 115.88 (8) of the statutes is amended to read:

18 115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in
19 a public special education program located in another state and the state
20 superintendent is satisfied that the program in which the child is enrolled complies
21 with this subchapter, the state superintendent shall certify to the department of
22 administration in favor of the school district in which the child resides or the school
23 district attended by the child under s. 118.50, 118.51, or 121.84 (1) (a) or (4) a sum
24 equal to the amount expended by the school district during the preceding year for the

BILL

1 additional costs associated with the child's special education program as costs
2 eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

3 **SECTION 13.** 117.05 (5) (a) of the statutes is amended to read:

4 117.05 (5) (a) *Territory in district.* All territory within this state shall be
5 included in a school district operating elementary school grades and a school district
6 operating high school grades or in a school district operating both elementary and
7 high school grades, except for territory located in a school district that is not
8 operating certain grades as a result of entering into a whole grade sharing agreement
9 under s. 118.50. No territory may be detached from a school district unless by the
10 same order it is attached to another school district or included in a new school district
11 created by the order. No territory may be detached from a school district that
12 operates high school grades unless by the same order it is attached to or included in
13 another school district that operates high school grades.

14 **SECTION 14.** 117.30 (1) (a) of the statutes is amended to read:

15 117.30 (1) (a) Except as provided under pars. (b) and ~~(e)~~ to (d), if a school district
16 for 2 or more successive years has failed to operate sufficient classes at each grade
17 level to provide all pupils who reside in the school district an opportunity to attend
18 class at the appropriate grade level, the board shall attach the territory of the school
19 district to one or more school districts that do so. Within 60 days of the date on which
20 a school district becomes subject to this section, the state superintendent shall so
21 notify the school district clerk and the clerk of each municipality in which part of the
22 school district lies. Prior to August 30 of the year in which the school district becomes
23 subject to this section, the board shall issue an order of school district reorganization
24 attaching the school district to one or more operating school districts. Orders issued
25 under this section take effect upon being filed as provided in s. 117.17 (2). The school

BILL

1 board of each district to which any territory is attached under this section shall levy
2 and collect a special tax against the property in the territory so attached for such
3 amount as is payable for tuition and transportation, at the time of the attachment,
4 by the school district in which the attached territory was located prior thereto, in the
5 proportion that the equalized valuation of the attached territory bears to the total
6 equalized valuation of the school district in which such territory was located prior
7 to such attachment.

8 **SECTION 15.** 117.30 (1) (d) of the statutes is created to read:

9 117.30 (1) (d) Paragraph (a) does not apply if the school district fails to operate
10 one or more grades but provides for their operation by another school district
11 pursuant to a whole grade sharing agreement under s. 118.50.

12 **SECTION 16.** 118.134 (3m) of the statutes is amended to read:

13 118.134 (3m) A pupil attending a public school in a nonresident school district
14 under s. 118.50 or 118.51 may not file a complaint under sub. (1) in which the pupil
15 objects to the use of a race-based nickname, logo, mascot, or team name by the school
16 board of the nonresident school district.

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7-14 →

17 **SECTION 17.** 118.50 of the statutes is created to read:

18 **118.50 Whole grade sharing. (1) AGREEMENT.** The school boards of 2 or more
19 school districts may enter into a whole grade sharing agreement that provides for all
20 or a substantial portion of the pupils ^{enrolled} in one or more grades in any of the school
21 districts to attend school in one or more of the other school districts for all or a
22 substantial portion of a school day.

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23 **(2) PROCEDURE. (a)** A ^{school board may not enter into, extend, or renew a} whole grade sharing agreement shall be signed by the
24 school boards entering into the agreement ^{after} by February 1 of the school year preceding
25 the school year in which the agreement takes effect.

extensions or renewal

BILL

1 (b) At least 90 days before entering into, extending, or renewing a whole grade
 2 sharing agreement, the school board shall adopt a resolution stating its intention to
 3 do so. Within 10 days after adoption of the resolution, the school district clerk shall
 4 publish notice of the adoption of the resolution as a class 1 notice under ch. 985 in
 5 a newspaper published in the school district or post a notice of the adoption of the
 6 resolution as provided in s. 10.05.

7 (c) Within 30 days after publication or posting, a petition signed by at least 20
 8 percent of the electors residing in the school district may be filed with the school
 9 board requesting a feasibility study of the agreement. Upon receiving the petition,
 10 the school board shall contract with an organization approved by the department to
 11 conduct the feasibility study. *If a feasibility study is required under this paragraph*
 12 a whole grade sharing agreement until it receives the results of the study. The school
 13 board shall post the results of the *feasibility* study on the school district's Internet site.

14 (d) At least 30 days before entering into, extending, or renewing a whole grade
 15 sharing agreement, the school board shall hold a public hearing in the school district
 16 at which the proposed agreement is described and at which any school district elector
 17 may comment on the proposed agreement. Two or more *of the* school boards that will
 18 be parties to the agreement may hold a joint public hearing in one of the school
 19 districts.

20 (3) TUITION. A whole grade sharing agreement shall specify the amount to be
 21 paid to the school district or districts that *the* pupils *will* attend under the agreement
 22 by the other school district or districts that are parties to the agreement during each
 23 school year of the agreement.

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1 (4) TRANSPORTATION. (a) A whole grade sharing agreement shall specify which
2 of the school boards that has entered into the agreement is responsible for
3 transporting pupils to and from the school they are attending under the agreement.

4 (b) A school board that has entered into a whole grade sharing agreement may
5 provide transportation for pupils attending summer classes under the agreement. *a whole grade sharing*

6 If a school board provides transportation for fewer than all pupils, there shall be
7 reasonable uniformity in the minimum and maximum distances pupils are
8 transported.

9 (5) ATTENDANCE AREAS. If a school board enters into a whole grade sharing
10 agreement that designates more than one school district for the attendance of its
11 pupils, the school board shall establish attendance areas within the school district
12 for determining the school districts of attendance of the pupils.

13 (6) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS; PARTICIPATION IN PROGRAMS.

14 (a) Except as provided in s. 118.134 (3m), a pupil attending a public school in a
15 nonresident school district under this section has all of the rights and privileges of
16 pupils residing in that school district and is subject to the same rules and regulations
17 as pupils residing in that school district.

18 (b) A pupil attending a public school in a nonresident school district under this
19 section shall be ^{is} considered a resident of the nonresident school district for the
20 purposes of participating in programs of a cooperative educational service agency or
21 a county children with disabilities education board.

22 (7) DIPLOMA. If a pupil attending a nonresident school district under this
23 section graduates from high school in the nonresident school district, the school
24 board of that ^{the nonresidents} school district shall grant a high school diploma to the pupil.

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1 (8) SCHOOL DISTRICT REORGANIZATION. A whole grade sharing agreement entered
2 into under this section ~~does not constitute~~^{is} an order of school district reorganization
3 under ch. 117.

4 **SECTION 18.** 118.51 (2) of the statutes is renumbered 118.51 (2) (a).

5 **SECTION 19.** 118.51 (2) (b) of the statutes is created to read:

6 118.51 (2) (b) Paragraph (a) applies to a pupil who is attending a nonresident
7 school district, or who will be attending a nonresident school district in the
8 succeeding school year, under a whole grade sharing agreement pursuant to s.
9 118.50.

10 **SECTION 20.** 119.04 (1) of the statutes, as affected by 2013 Wisconsin Act 20,
11 is amended to read:

12 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
13 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
14 115.345, 115.363, 115.365 (3), 115.38 (2), 115.415, 115.445, 118.001 to 118.04,
15 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145
16 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20,
17 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258,
18 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53,
19 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to
20 (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and
21 120.25 are applicable to a 1st class city school district and board.

22 **SECTION 21.** 121.02 (1) (L) 3. of the statutes is amended to read:

23 121.02 (1) (L) 3. In grades 9 to 12, provide access to an educational program
24 that enables pupils each year to study English, social studies, mathematics, science,
25 vocational education, foreign language, physical education, art and music. In this

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↑
plain

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1 subdivision, "access" means an opportunity to study through school district course
2 offerings, independent study, cooperative educational service agencies, or
3 cooperative arrangements between school boards or between school boards and
4 postsecondary educational institutions.

5 **SECTION 22.** 121.05 (1) (a) 11. of the statutes is amended to read:

6 121.05 (1) (a) 11. Pupils residing in the school district but attending a public
7 school in another school district under s. 118.50, 118.51, 121.84 (4), or 121.85 (3) (a).

Insert
11-7

8 **SECTION 23.** 121.58 (2) (a) (intro.) of the statutes is amended to read:

9 121.58 (2) (a) (intro.) A school district ~~which~~ that provides transportation to
10 and from a school under ss. 118.50 (4) (a), 121.54 (1) to (3), (5), and (6), and 121.57,
11 and the nonresident school district that a pupil attends under s. 118.51 or 121.84 (4)
12 which elects to provide transportation under s. 121.54 (10), shall be paid state aid for
13 such transportation at the following rates:

14 **SECTION 24.** 121.58 (4) of the statutes is amended to read:

15 121.58 (4) STATE AID FOR SUMMER CLASS TRANSPORTATION. Annually on or before
16 October 1 of the year in which transportation is provided under s. 118.50 (4) (b) or
17 121.54 (4), or under s. 121.54 (10) if the transportation is provided by the nonresident
18 school district that a pupil attends under s. 118.51 or 121.84 (4), the school district
19 clerk shall file with the department a report, containing such information as the
20 department requires, on transportation provided by the school board to and from
21 summer classes. Upon receipt of such report and if the summer classes meet the
22 requirements of s. 121.14 (1), ^{(a) 1. or 2. explain} state aid shall be paid for such transportation. A school
23 district which provides such transportation shall be paid state aid for such
24 transportation at the rate of \$4 per pupil transported to and from public school whose
25 residence is at least 2 miles and not more than 5 miles by the nearest traveled route

BILL

1 from the public school attended, and \$6 per pupil transported to and from public
2 school whose residence is more than 5 miles by the nearest traveled route from the
3 public school attended, if the pupil is transported 30 days or more. The state aid shall
4 be reduced proportionately if the pupil is transported less than 30 days.

5 **SECTION 25.** 121.77 (3) of the statutes is amended to read:

6 121.77 (3) Subsections (1) (b) and (2) do not apply to a pupil attending a public
7 school in a nonresident school district under s. 118.50, 118.51, or 121.84 (4).

8 (END)



2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0541
FFK:.....

ANALYSIS INSERT 1

EDUCATION

PRIMARY AND SECONDARY EDUCATION

END ANALYSIS INSERT 1

ANALYSIS INSERT 2

209
During the first five school years after a whole grade sharing agreement takes effect, DPI must provide additional aid to a school district that enters into the agreement to ensure that the school district does not receive less state aid than it did before entering into the agreement. DPI also provides additional aid in the sixth and seventh years after the agreement takes effect but to a lesser extent.

END ANALYSIS INSERT 2

INS 2-5

- 1 SECTION 1. 115.28 (61) of the statutes is created to read:
2 115.28 (61) WHOLE GRADE SHARING FEASIBILITY STUDIES. Approve organizations
3 to conduct feasibility studies under s. 118.50 (2) (c).

INS 7-16

*
****NOTE: This is based on the assumption that pupils attending a nonresident district under a whole grade sharing agreement are treated similarly to pupils attending under open enrollment. Please let me know know is this is not consistent with your intent.

END INS 7-16

INS 7-22

*
****NOTE: Under open enrollment, a pupil may only attend prekindergarten, 4-year-old kindergarten, or early childhood or school-operated child care program in a nonresident school district if the pupil's resident school district offers the same type of program that the pupil wishes to attend and the pupil is eligible to attend that program in his or her resident school district. As drafted, a whole grade sharing agreement may apply to pupils in one or more grades in a school district. In this chapter, "grades" generally refers to kindergarten, including 4-year-old kindergarten unless otherwise specifically provided, and grades 1 to 12. Therefore, as drafted, prekindergarten and early childhood or school-operated child care programs would not be eligible to be included in a whole grade sharing agreement. Okay?
*

END INS 7-22

INS 8-13

****NOTE: Please note that there is not a deadline for the completion of a feasibility study and that school boards may not proceed with an agreement prior to the completion of the study. Presumably, the school board will be in a position to work with the organization completing the study to get the study done in a timely manner. However, if you would like to include specific language to require that a feasibility study be completed in a certain amount of time, please let me know.

END INS 8-13

118.50

INS (11-13) e 11-7

1 **SECTION 2.** 121.105 (4) of the statutes is created to read:

2 121.105 (4) (a) In the school year in which a whole grade sharing agreement

3 under s. 118.52 takes effect and in each of the subsequent 4 school years, the

4 department shall pay additional aid to each school district that entered into the

5 agreement to ensure that the school district receives no less state aid than the

6 amount of state aid to which the school district was eligible in the school year prior

7 to the school year in which the whole grade sharing agreement took effect. In the 5th

8 school year following the school year in which a whole grade sharing agreement takes

9 effect, the department shall pay additional aid to each school district that entered

10 into a whole grade sharing agreement in an amount that is equal to 66 percent of the

11 payment that the school district received under this subsection in the prior school

12 year. In the 6th school year following the school year in which the whole grade

13 sharing agreement takes effect, The department shall pay to each school district that

14 entered into the agreement an amount that is equal to 33 percent of the payment that

15 the school district received in the 4th school year following the school year in which

16 the whole sharing agreement took effect. The department shall pay additional aid

17 under this paragraph from the appropriation under s. 20.255 (2) (ac).

****NOTE: In addition to special adjustment aid, the primary and secondary ceiling cost per member for a consolidated district are inflated during the 7 years following the consolidation. Similarly, the primary, secondary, and tertiary guaranteed valuation per member amounts are inflated for a consolidated district during the same years. Please

let me know if you want similar inflators for these aspects of the aid formula for school districts that enter into a whole grade sharing agreement.

END INS 11-13

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

LRB-0541/P1dn

FFK:/:.....

SM

- date -

1

2 To Megan:

3 As we discussed, this draft is based on the Iowa statues that permit whole grade
4 sharing in that state. Please note that there are aspects of Iowa law that are not
5 included in this draft that you may wish to review as we proceed with this draft. The
6 whole grade sharing handbook, which can be found at
7 <https://www.educateiowa.gov/sites/files/ed/documents/2013-2014WGSHandbook.pdf>
8 , is a very comprehensive explanation of how Iowa law addresses a variety of issues
9 related to whole grade sharing agreements. Additionally, there are embedded notes
10 in this draft for your review and comment.

11
12
13
14

Fern Knepp
Legislative Attorney
(608) 261-6927
fern.knepp@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0541/P1dn
FFK:sac:rs

November 11, 2014

To Megan:

As we discussed, this draft is based on the Iowa statues that permit whole grade sharing in that state. Please note that there are aspects of Iowa law that are not included in this draft that you may wish to review as we proceed with this draft. The whole grade sharing handbook, which can be found at <https://www.educateiowa.gov/sites/files/ed/documents/2013-2014WGSHandbook.pdf>, is a very comprehensive explanation of how Iowa law addresses a variety of issues related to whole grade sharing agreements. Additionally, there are embedded notes in this draft for your review and comment.

Fern Knepp
Legislative Attorney
(608) 261-6927
fern.knepp@legis.wisconsin.gov

Knepp, Fern

From: Stritchko, Megan E - DOA <MeganE.Stritchko@wisconsin.gov>
Sent: Wednesday, January 14, 2015 5:31 PM
To: Knepp, Fern
Subject: LRB 0541/P1 Whole Grade Sharing

Hi Fern,

Following up on our phone conversation, here are my notes regarding LRB 0541/P1:

- Your note on page 7: I think the inclusion of whole grade sharing students in 118.134(3m) is fine.
- Your note on page 8: I think that whole grade sharing agreements should apply to the general definition of grades 4K-12 and not include pre-K, early childhood or school-operated child care programs. It's my understanding that a district is not required to offer pre-K, early childhood, school-operated child care program and can theoretically opt out of those offerings if they so choose – am I understanding that correctly? *same for 4K*
- On page 7, Section 18: can we specify certain items that districts must include as part of their whole grade sharing agreement? Off the top of my head, I'm thinking the following would be appropriate:
 - Term of agreement and date by which districts must notify each other of their intent to continue the agreement.
 - Grade levels included in the agreement.
 - School records and graduation records – identification of which district(s) will be responsible for student records and name on the diploma
 - Transportation and Payment, which you have included already.
- Your note on pages 8-9: I don't think specific language requiring a feasibility study to be completed within a specific amount of time is necessary. Presumably, the districts will work with an entity to conduct the study and can place their own deadline for the study completion based on their needs.
- On page 10, line 7: Rather than specify that the nonresident district shall grant the high school diploma, can we require districts to resolve the question of who grants the diploma and under what name in their whole grade sharing agreement?
- On page 11, Section 22, can we clarify that a district can only receive special adjustment aids if their whole grade sharing agreement remains in effect? (ie, if a district has an agreement that ends in year 3 and they're no longer under a whole grade sharing agreement, they are not eligible for special adjustment aid in year 4 and beyond).
- Your note on page 12: We do not want to include an inflator for the primary and secondary ceiling cost per member, just the hold harmless addressed in 121.05(4)(a).
- Generally, can we include language that stipulates a pupil cannot enroll in a nonresident district under open enrollment if that nonresident district has an active whole grade sharing agreement with the pupil's resident district. If there's a way to refine that further to students in grades that are subject to the whole grade sharing agreement, that would be ideal. *1502*
- Also, generally, can we include language that states that the district that is providing the educational program for the students must test and report the scores of the students in attendance? *X*

Please feel free to give me a call if any of these notes are unclear. Thanks so much for all of your work on this!!

Megan

Megan Stritchko
Executive Policy and Budget Analyst
Wisconsin Department of Administration
(608) 266-7329