

**2015 DRAFTING REQUEST**

**Bill**

Received: 1/7/2015 Received By: fknepp  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 6-7329 By/Representing: Stritchko  
May Contact: Drafter: fknepp  
Subject: Education - choice programs Addl. Drafters:  
Extra Copies:

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

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**Pre Topic:**

DOA:.....Stritchko, BB0406 -

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**Topic:**

School choice funding from equalization aids and elimination of statewide program caps

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**Instructions:**

See attached

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**Drafting History:**

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/?	fknepp 1/12/2015	csicilia 1/14/2015	jmurphy 1/14/2015	_____	_____		
/P1	fknepp 1/20/2015			_____	mbarman 1/14/2015		State S&L
/P2	fknepp	csicilia	jmurphy	_____	lparisi		State

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/P4	fknepp 1/28/2015			_____	mbarman 1/26/2015		State S&L
/P5	fknepp 1/29/2015	wjackson 1/29/2015	rschluet 1/29/2015	_____	sbasford 1/29/2015		State S&L
/P6	fknepp 1/30/2015	jdyer 1/29/2015	jfrantze 1/29/2015	_____	sbasford 1/29/2015		State S&L
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1/30  
[Signature]

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*Handwritten signature and "ACT" stamp*

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*Handwritten signatures and dates:*  
jm 1/26  
jm 1/26  
lparisi 1/26

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*P4 cjs 1/25/15*

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Vers. Drafted

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1/21/2015

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/?	fknepp	<i>Pljs 1/14</i>	<i>Jim 1/14</i>	<i>Jim 1/14</i>			

FE Sent For:

<END>



Sept

made like  
current

**Knepp, Fern**

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, January 07, 2015 11:17 AM  
**To:** Knepp, Fern; Kuczenski, Tracy  
**Subject:** FW: Statutory Language Drafting Request - BB0406

(4m)  
same 1/2  
of new  
payments

**From:** MeganE.Stritchko@wisconsin.gov [mailto:MeganE.Stritchko@wisconsin.gov]  
**Sent:** Wednesday, January 07, 2015 11:10 AM  
**To:** Hanaman, Cathlene  
**Cc:** Hynek, Sara - DOA; Stritchko, Megan E - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0406

Biennial Budget: 2015-17

DOA Tracking Code: BB0406

Topic: School Choice Funding from Equalization Aids

SBO Team: EWD

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

Agency Acronym: DPI

Agency Number: 255

Priority: High

Intent:

add note  
minor  
changes

3(a)2. (archived)  
payments according to 118.60(4) 12.15-7  
subject to par (4)  
summer school?

Summer school?  
Exempt 118.60(2)(a)2  
to statewide?

what  
about  
nonresident?

Change the funding mechanism for new students participating in the parental choice program for eligible school districts and other school districts under s. 118.60 and require all new participants in the program to have previously attended public school.

For new students to the choice program, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian from the appropriation under s. 20.255(2)(ac). The payment shall be equal to the pupil's resident district average equalization aid per pupil, determined by dividing the district's equalization aid payment for the school year in which the student is attending private school under the program by the district membership in the equalization aid formula. Students currently enrolled in the parental choice program will not be included - those students will continue to be funded according to the process outlined under s. 118.60(4). The funding mechanism under s. 118.60(4) shall be closed to new students.

New students participating in the choice program must have been previously enrolled in public school. New choice students must be included in the resident district's membership count for equalization aids as defined under 121.004(5). Parents of new students attending a private school under the choice

Out 15

all

Jan 15

program must report each student attending a private school under the choice program to their resident district and DPI by the third Friday in September and the 2nd Friday of January. New students participating in the choice program must only be counted in membership for equalization aid purposes.

A school district's equalization aid payment shall be reduced under 121.08 by the district's average equalization aid payment per member multiplied by the number of students residing in the district that are newly attending the choice program.

New students participating in the choice program may not be counted among the number of pupils enrolled for revenue limit purposes under s. 121.90.

Attachments: False

Please send completed drafts to [SBOSatlanguage@webapps.wi.gov](mailto:SBOSatlanguage@webapps.wi.gov)

Telephone 1-9

Per Megan

remove pupil cap beginning  
in 2015-16 school year



(TODAY)  
State of Wisconsin  
2015 - 2016 LEGISLATURE

In 1-12-15



LRB-1137?

FFK/.....

gs

AP1  
RMA

DOA:.....Stritchko, BB0406 – School choice funding from equalization aids  
**FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION**

SAW

do NOT gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

This bill makes various changes to the (the) Racine Parental Choice Program (RPCP) and the statewide parental choice program (statewide choice program). ←

***Payments to participating private schools.***

Under current law, for each pupil attending a private school under the RPCP or the statewide choice program, DPI pays the private school an amount equal to the lesser of (a) the participating private school's operating and debt service cost per pupil and (b) a maximum amount provided by law. For the 2014-15 school year, the maximum per pupil amount provided by law is \$7,210 or \$7,856, depending on the pupil's grade. For each school year after the 2014-15 school year, the maximum per pupil payment is the maximum amount in the previous year plus any increase in the per pupil revenue limit and any increase in the total categorical aid funding per pupil. Under current law, for certain pupils attending summer or interim classes at a private school under the RPCP or the statewide choice program, DPI must also pay the participating private school an additional amount equal to equal to five percent of the maximum per pupil choice payment that could have been paid for the pupil in the preceding school term. Currently, payments DPI makes to private schools participating in the RPCP or the statewide choice program are paid from a sum sufficient appropriation.

RPCP

This bill changes the payments DPI makes to participating private schools for pupils who begin attending the private school under the RUSD or the statewide choice program in the 2015-16 school year or in any school year <sup>there</sup> after (new choice pupil). Under the bill, for a new choice pupil, DPI pays a participating private school an amount equal to the per pupil amount of equalization aid that the new choice pupil's resident school district is eligible to receive in that school year. The bill also requires DPI to make an additional payment for certain new choice pupils attending summer or interim classes at a participating private school in an amount equal to five percent of the new choice pupil's resident district's per pupil equalization aid in the immediately preceding school term. The payments DPI makes to private schools participating in the RPCP or the statewide choice program for new choice pupils are paid from the sum certain appropriation for general equalization aids.



This bill does not change payments made to a private schools participating in the RPCP or the statewide choice program for pupils who began attending a participating private school before the 2015-16 school year.

**Equalization aid formula**

Under current law, pupils attending a private school under the RPCP or the statewide choice program are not included in a school district's membership for the purpose of calculating the equalization aid that the school district is eligible to receive. Under the bill, for the purpose of calculating the amount of equalization aid that a school district is eligible to receive, a school district's membership includes new choice pupils residing in the school district that are reported as attending a private school under the RPCP or the statewide choice program. The bill also requires that the amount of equalization aid that each school district receives is reduced by the total amount DPI paid to participating private schools for new choice pupils who reside in that school district.

**Caps in the statewide choice program**

Current law limits the number of pupils who may participate in the statewide choice program to 1,000 pupils. Additionally, no more than one percent of any school district's total enrollment may attend private schools under the statewide choice program. Current law also limits the number of private schools that may participate in the statewide choice program. This bill eliminates the limitations on the number of pupils and private schools that may participate in the statewide choice program.



**Requirements for new choice pupils in the statewide program.**

Under current law, a pupil who resides in the Racine Unified School District must satisfy one of the following to attend a private school under the RPCP:

1. He or she was enrolled in a public school in the school district in the previous school year.
2. He or she was not enrolled in school in the previous school year.
3. He or she attended a private school under the RPCP in the previous school year.
4. He or she is applying to kindergarten, 1st grade, or 9th grade.

This bill creates the same requirement for new choice pupils in the statewide choice program.



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

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

2           20.255 (2) (ac) *General equalization aids and eligible and other school district*  
3           *parental choice program payments.* The amounts in the schedule for the payment of  
4           educational aids under ss. 121.08, 121.09, 121.095, 121.105, 121.137 and subch. VI  
5           of ch. 121 and to make payments to private schools under s. 118.60 (4) (bk), (4m) (am),  
6           and (4r) (bm).

\*\*\*\*NOTE: Please confirm that the payments under s. 118.60 (4r) (bm) should come out of this appropriation.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**History:** 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33; 2005 a. 25, 43; 2007 a. 20; 2009 a. 11, 28, 58, 329; 2011 a. 32, 76, 157, 158, 166; 2013 a. 20, 59; 2013 a. 165 s. 114; 2013 a. 256.

7           **SECTION 2.** 20.255 (2) (fr) of the statutes is amended to read:

8           20.255 (2) (fr) *Parental choice program for eligible school districts and other*  
9           *school districts; pupils participating before the 2015-16 school year.* A sum sufficient  
10          to make the payments to private schools under s. 118.60 (4) (bg) and (4m) (a).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**History:** 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33; 2005 a. 25, 43; 2007 a. 20; 2009 a. 11, 28, 58, 329; 2011 a. 32, 76, 157, 158, 166; 2013 a. 20, 59; 2013 a. 165 s. 114; 2013 a. 256.

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

12          20.255 (2) (fv) *Milwaukee Parental Choice Program and the parental choice*  
13          *program for eligible school districts and other school districts; transfer pupils.* A sum  
14          sufficient to make the payments under ss. 118.60 (4r) (am) and 119.23 (4r).

**History:** 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43)

(a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33; 2005 a. 25, 43; 2007 a. 20; 2009 a. 11, 28, 58, 329; 2011 a. 32, 76, 157, 158, 166; 2013 a. 20, 59; 2013 a. 165 s. 114; 2013 a. 256.

X 1 SECTION 4. 118.60 (1) (b) of the statutes is repealed.

A 2 SECTION 5. 118.60 (1) (dm) of the statutes is created to read:

3 118.60 (1) (dm) "Resident school district" means the school district in which a  
4 pupil resides.

5 SECTION 6. 118.60 (2) (a) (intro.) of the statutes is amended to read:

6 118.60 (2) (a) (intro.) Subject to pars. (ag) and (ar), any pupil in grades  
7 kindergarten to 12 who resides within an eligible school district may attend any  
8 private school under this section and, subject to pars. (ag), (ar), (~~be~~), (bm), and (bs),  
9 any pupil in grades kindergarten to 12 who resides in a school district, other than  
10 an eligible school district or a 1st class city school district, may attend any private  
11 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.  
History: When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

X 12 SECTION 7. 118.60 (2) (a) 2m. of the statutes is created to read:

13 118.60 (2) (a) 2m. For a pupil who resides in a school district, other than an  
14 eligible school district or a 1st class <sup>city</sup> school district, that begins participating in the  
15 the program under this section in the 2015-16 school year or any school year  
16 thereafter, the pupil satisfies one or more of the following:

17 a. The pupil was enrolled in a public school in the school district in which the  
18 pupil resides during the previous school year.

19 b. The pupil was not enrolled in school in the previous school year.

20 c. The pupil attended a private school under this section in the previous school  
21 year.

22 d. The pupil is applying to kindergarten, first grade, or 9th grade in a private  
23 school participating in the program under this section.

\*\*\*\*NOTE: This is based on the existing requirements for pupils participating in the Racine parental choice program. Please note that this criteria would permit a pupil who previously participated in the Racine parental choice program (the pupil attended a private school under s. 118.60) to enter the statewide choice program if the pupil moves outside of the Racine school district. Okay?

X 1           **SECTION 8.** 118.60 (2) (be) of the statutes is repealed.

X 2           **SECTION 9.** 118.60 (3) (a) (intro.) and 1. (intro.) of the statutes are consolidated,  
3           renumbered 118.60 (3) (a) (intro.) and amended to read:

4           118.60 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit  
5           an application, on a form provided by the state superintendent, to the participating  
6           private school that the pupil wishes to attend. If more than one pupil from the same  
7           family applies to attend the same private school, the pupils may use a single  
8           application. Within 60 days after receiving the application, the private school shall  
9           notify each applicant, in writing, whether his or her application has been accepted.  
10          If the private school rejects an application, the notice shall include the reason.  
11          ~~Subject to pars. (ag) and (ar), a~~ A private school may reject an applicant only if it has  
12          reached its maximum general capacity or seating capacity. ~~Except as provided in~~  
13          ~~pars. (ag) and (ar), the~~ The state superintendent shall ensure that the private school  
14          determines which pupils to accept on a random basis, except that: 1. (intro.) The ~~the~~  
15          private school may give preference in accepting applications to any of the following:

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

**History:** When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

X 16           **SECTION 10.** 118.60 (3) (a) 1. a. to c. of the statutes are renumbered 118.60 (3)

17           (a) 1. to 3.

X 18           **SECTION 11.** 118.60 (3) (a) 2. of the statutes is repealed.

X 19           **SECTION 12.** 118.60 (3) (ag) of the statutes is repealed.

X 20           **SECTION 13.** 118.60 (3) (ar) of the statutes is repealed.

21           **SECTION 14.** 118.60 (3) (c) of the statutes is amended to read:

SECTION 14

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

History: When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

8 SECTION 15. 118.60 (3) (d) of the statutes is created to read:

9 118.60 (3) (d) By the 3rd Friday in September and by the 2nd Friday in January,  
 10 a pupil or a pupil's parent or guardian shall notify, using a form provided by the  
 11 department, the pupil's resident school district and the department that the pupil is  
 12 currently participating in the program under this section during the current school year. The  
 13 form provided by the department under this paragraph shall require a pupil or a  
 14 pupil's parent or guardian to indicate the school year during which the pupil first  
 15 began participating in the program under this section.

\*\*\*\*NOTE: For administrative purposes, do you want each private school to report the number of pupils attending the school under the PCP who began participating before the 2015-16 school year separately from the pupils who began participating in the 2015-16 school year or after under s. 118.60 (6m) (b)? Also is this language accurate or

do you want parents to report children participating in a PCP on the 3rd Friday in September and the 2nd Friday in January which is more similar to school district membership counts.

16 SECTION 16. 118.60 (4) (bg) 3. (intro.) of the statutes is amended to read:  
 17 118.60 (4) (bg) 3. (intro.) ~~In~~ Subject to subd. 6., in the 2015-16 school year and  
 18 in each school year thereafter, upon receipt from the pupil's parent or guardian of  
 19 proof of the pupil's enrollment in the private school during a school term, the state  
 20 superintendent shall pay to the private school in which the pupil is enrolled on behalf



1 of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), the  
2 lesser of the following:

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

**History:** When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

3 **SECTION 17.** 118.60 (4) (bg) 6. of the statutes is created to read:

4 118.60 (4) (bg) 6. This paragraph applies only to pupils who participated in the  
5 program under this section before the 2015-16 school year. ✓

6 **SECTION 18.** 118.60 (4) (bk) of the statutes is created to read:

7 118.60 (4) (bk) 1. In this paragraph, "equalization aid per pupil" means an  
8 amount determined by dividing the amount of aid a school district is eligible to  
9 receive under s. 121.08 before making any reduction under s. 121.08 (4) (c) by the  
10 school district's membership, as determined under s. 121.07 (2), used to calculate  
11 that aid.

12 2. For a pupil who begins participating in the program under this section in the  
13 2015-16 school year or any school year thereafter, upon receipt from the pupil's  
14 parent or guardian of proof of the pupil's enrollment in the private school during a  
15 school term, the state superintendent shall pay to the private school in which the  
16 pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation  
17 under s. 20.255 (2) (ac), an amount equal to the equalization aid per pupil for the  
18 pupil's resident school district.

\*\*\*\*NOTE: The new payments are included in sub. (4), which means the payments will be made on the same schedule as existing payments and may be made in one single check for all pupils attending the private school under a PCP. Please confirm that this schedule works for the new payment method. ✓

X 19 **SECTION 19.** 118.60 (4m) (a) (intro.) of the statutes is renumbered 118.60 (4m)

20 (a) 1m. (intro.) and amended to read:

21 118.60 (4m) (a) 1m. (intro.) In addition to the payment under sub. (4), the state  
22 superintendent shall, subject to par. (b), pay to each private school participating in

SECTION 19

1 the program under this section, on behalf of the parent or guardian of each pupil  
 2 attending summer school in the private school under this section during a summer  
 3 and in the manner described in sub. (4) (c), from the appropriation under s. 20.255  
 4 (2) (fr), an amount determined as follows:

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

*History:* When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

5 **SECTION 20.** 118.60 (4m) (a) 1. of the statutes is renumbered 118.60 (4m) (a) 1m.

6 a.

7 **SECTION 21.** 118.60 (4m) (a) 2. of the statutes is renumbered 118.60 (4m) (a) 1m.

8 b. and amended to read:

INS X

9 **SECTION 22.** 118.60 (4m) (a) 2m. of the statutes is created to read:

10 118.60 (4m) (a) 2m. This paragraph applies only to pupils who participated in  
 11 the program under this section before the 2015-16 school year.

fix component

12 **SECTION 23.** 118.60 (4m) (am) of the statutes is created to read:

13 118.60 (4m) (am) For a pupil who begins participating in the program under  
 14 this section in the 2015-16 school year or any school year thereafter, in addition to  
 15 the payment under sub. (4) and subject to par. (b), the state superintendent shall pay  
 16 to the private school participating in the program under this section that the pupil  
 17 attends during a summer in the manner described in sub. (4) (c), on behalf of the  
 18 pupil's parent or guardian, from the appropriation under s. 20.255 (2) (ac), an amount  
 19 determined as follows:

have been

20 1. Determine the amount that would be paid for the pupil under sub. (4) (bk)  
 21 in the immediately preceding school term.

22 2. Multiply the amount under subd. 1. by 0.05.

\*\*\*\*NOTE: Please confirm this is consistent with your intent.

23 **SECTION 24.** 118.60 (4m) (b) (intro.) of the statutes is amended to read:

1 118.60 (4m) (b) (intro.) A participating private school may receive a per pupil  
2 payment under par. (a) or (am) if all of the following are satisfied:

*History:* 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.  
*History:* When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

3 **SECTION 25.** 118.60 (4m) (b) 3. of the statutes is amended to read:

4 118.60 (4m) (b) 3. Each pupil for whom the private school seeks a payment  
5 under par. (a) or (am) attends no fewer than 15 days of summer instruction at the  
6 private school during that summer.

*History:* 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.  
*History:* When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

7 **SECTION 26.** 118.60 (4r) (intro.) of the statutes is renumbered 118.60 (4r) (am)  
8 (intro.) and amended to read:

9 118.60 (4r) (am) (intro.) If, after the 3rd Friday in September in any school year,  
10 a private school participating in the program under this section closes, for each  
11 installment under sub. (4) (c) that was not paid to the private school in that school  
12 year, the state superintendent shall pay to the board of the school district within  
13 which the pupil resides, from the appropriation under s. 20.255 (2) (fv), the amount  
14 determined, for each pupil who participated in the program under this section before  
15 the 2015-16 school year who had been attending the private school under this section  
16 in that school year and who enrolls in the school district within which the pupil  
17 resides in that school year, as follows:

and amended to read:

*History:* 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.  
*History:* When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

18 **SECTION 27.** 118.60 (4r) (a) of the statutes is renumbered 118.60 (4r) (am) 1.

19 **SECTION 28.** 118.60 (4r) (b) of the statutes is renumbered 118.60 (4r) (am) 2.

20 **SECTION 29.** 118.60 (4r) (bm) of the statutes is created to read:

21 118.60 (4r) (bm) If, after the 3rd Friday in September in any school year, a  
22 private school participating in the program under this section closes, for each

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Fix component

**SECTION 29**

1 installment under sub. (4) (c) that was not paid to the private school in that school  
2 year, the state superintendent shall pay to the board of the school district within  
3 which the pupil resides, from the appropriation under s. 20.255 (2) (ac), the amount  
4 determined, for each pupil who participated in the program under this section  
5 beginning in the 2015–16 school year or any school year thereafter who had been  
6 attending the private school under this section in that school year and who enrolls  
7 in the school district within which the pupil resides in that school year, as follows:

8 1. Multiply the amount determined under sub. (4) (bk) by 0.616.

9 2. Multiply the product under par. (a) by 0.25.

\*\*\*NOTE: Please confirm that this is consistent with your intent.

10 **SECTION 30.** 118.60 (10) (a) 3. of the statutes is amended to read:

11 118.60 (10) (a) 3. Failed to refund to the state any overpayment made under  
12 s. 118.60 (4) (b), ~~2011 stats., or s. 118.60 (4) (bg), 2011 stats., or under sub. (4) (bg) or~~  
13 (4m) by the date specified by department rule.

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

**History:** When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

14 **SECTION 31.** 121.004 (5) of the statutes is amended to read:

15 121.004 (5) MEMBERSHIP. “Membership” Except as provided in s. 121.07,  
16 “membership” for any school district is the sum of pupils enrolled as reported under  
17 s. 121.05 (1) or (2), as appropriate, and the summer average daily membership  
18 equivalent for those academic summer classes, interim session classes, and  
19 laboratory periods approved for necessary academic purposes under s. 121.14 (1) (a)  
20 1. and 2. and those online classes described in s. 121.14 (1) (a) 3.

**History:** 1977 c. 29 ss. 1081, 1085e, 1085m; 1977 c. 418, 429; 1979 c. 34, 221; 1979 c. 346 s. 15; 1981 c. 20, 317; 1983 a. 27, 189; 1985 a. 29; 1987 a. 27; 1991 a. 39, 48; 1993 a. 16; 1997 a. 27, 164, 240; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16; 2007 a. 226; 2009 a. 28; 2013 a. 20, 257.

21 **SECTION 32.** 121.07 (1) (a) of the statutes is amended to read:

1           ~~121.07 (1) (a) The membership of the school district in the previous school year~~  
 2           ~~and the shared cost for the previous school year shall be used in computing general~~  
 3           ~~aid. If a school district has a state trust fund loan as a result of s. 24.61 (3) (c) 2., 2009~~  
 4           ~~stats., the school district's debt service costs shall be based upon current school year~~  
 5           ~~costs for the term of the loan and for one additional school year.~~

History: 1971 c. 125; 1973 c. 61, 90, 190, 333; 1975 c. 39; 1977 c. 29, 178, 418; 1979 c. 34, 221; 1981 c. 20, 317, 385; 1983 a. 27, 212; 1985 a. 29; 1987 a. 27; 1989 a. 31, 114, 309, 336, 359; 1991 a. 39, 269, 315; 1993 a. 16, 437; 1995 a. 27 ss. 4046m to 4064, 9145 (1); 1997 a. 27, 113, 286; 1999 a. 9, 17; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25; 2009 a. 28; 2011 a. 71; 2013 a. 20, 336.

6           **SECTION 33.** 121.07 (2) of the statutes is created to read:

7           121.07 (2) MEMBERSHIP. For purposes of computing <sup>the amount of</sup> state aid under s. 121.08,  
 8           "membership" means the membership, as defined in s. 121.004 (5), of the school  
 9           district in the previous school year plus the number of pupils residing in the school  
 10          district who are attending a private school under s. 118.60 in the current school year  
 11          and who did not participate in the program under s. 118.60 before the 2015-16 school  
 12          year, as reported under s. 118.60 (3) (d). <sup>paid</sup>

13          **SECTION 34.** 121.08 (4) (c) of the statutes is created to read:

14          121.08 (4) (c) The amount of state aid that a school district is eligible to be paid  
 15          from the appropriation under s. 20.255 (2) (ac) shall be reduced by the total amount  
 16          paid under s. 118.60 (4) (bk) and (4m) (am) for pupils residing in the school district  
 17          who are attending a private school participating in the program under s. 118.60.

(END)

INS X

Section #. 118.60 (4m) (a) 2 of the statutes is amended to read:

118.60 (4m) (a) <sup>1m. b.</sup> 2. Multiply the amount under subd. ~~1.~~ <sup>1m. a.</sup> by 0.05.

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

History: When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

INS Y

Section #. 118.60 (4r) (b) of the statutes is amended to read:

(am) 2.  
118.60 (4r) (b) Multiply the product under ~~par. (a)~~ by 0.25.

subd. 1.

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

History: When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

## Knepp, Fern

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**From:** Stritchko, Megan E - DOA <MeganE.Stritchko@wisconsin.gov>  
**Sent:** Saturday, January 17, 2015 10:22 AM  
**To:** Knepp, Fern  
**Subject:** LRB 1137/P1 - Choice from Equalization Aids

Hi Fern,

Some initial thoughts on draft LRB 1137/P1 (I don't have answers for all of your notes yet):

- Your note on page 3: yes, payments for the new section (4r)(bm) should come from 20.255(2)(ac). ✓
- On page 5: Since we're removing the cap and getting rid of the lottery for the statewide program, I think we should outline application selection preferences similar to Milwaukee and Racine under Section 10 – could we use the language that we're creating under LRB 0633 (see: Section 7 of 0633 for the repeal and recreation of s. 118.60(3)(a)1.)? OK  
05/15
- Your note on page 6: Yes, I think that each private school should report the number of students attending school under PCP who began participating before 2015-16 separately from the students that began participating after. ✓
- Your note on page 7: I think the schedule works for payments, but I think we should add language similar to school district aid payments under s. 121.15. For example, the September payment for choice schools under s. 118.60(4)(bk) will need to be based on the prior year similar to s. 121.15(1)(b) and the subsequent payments based on the October 15 certified aid (s. 121.15(1)(c)). Similarly, DPI will need to be able to make adjustments to the choice payments based on any adjustments to state equalized aid (see: s. 121.15(4)(b). Make sense?
- One question regarding Section 32 on Page 10 – membership is defined as it is under s. 121.004(5) of the school district “in the previous school year” – is the previous school year used elsewhere in the statutes? I'm asking because it's my understanding that DPI uses membership counts for January and September of the current year and uses those two figures for computing state aid and I want to make sure that this doesn't change that process. ✓ 121.07(1)(a)

Thanks, Fern. I know these edits are probably a little confusing via email, so please feel free to give me a call if anything is unclear - I'll be in the office on Monday.

Thanks!!!

Megan

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





(TODAY)  
State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-1137/P1  
FFK:cjs:jm

zh 1-20  
ow 1-21

1P2  
RMR  
stays

DOA:.....Stritchko, BB0406 – School choice funding from equalization aids

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

4/1

do NOT gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

This bill makes various changes to the Racine Parental Choice Program (RPCP) and the statewide parental choice program (statewide choice program).

***Payments to participating private schools.***

Under current law, for each pupil attending a private school under the RPCP or the statewide choice program, DPI pays the private school an amount equal to the lesser of (a) the participating private school's operating and debt service cost per pupil and (b) a maximum amount provided by law. For the 2014-15 school year, the maximum per pupil amount provided by law is \$7,210 or \$7,856, depending on the pupil's grade. For each school year after the 2014-15 school year, the maximum per pupil payment is the maximum amount in the previous year plus any increase in the per pupil revenue limit and any increase in the total categorical aid funding per pupil. Under current law, for certain pupils attending summer or interim classes at a private school under the RPCP or the statewide choice program, DPI must also pay the participating private school an additional amount equal to equal to five percent of the maximum per pupil choice payment that could have been paid for the pupil in the preceding school term. Currently, payments DPI makes to private schools participating in the RPCP or the statewide choice program are paid from a sum sufficient appropriation.

This bill changes the payments DPI makes to participating private schools for pupils who begin attending the private school under the RPCP or the statewide choice program in the 2015–16 school year or in any school year thereafter (new choice pupil). Under the bill, for a new choice pupil, DPI pays a participating private school an amount equal to the per pupil amount of equalization aid that the new choice pupil's resident school district is eligible to receive in that school year. The bill also requires DPI to make an additional payment for certain new choice pupils attending summer or interim classes at a participating private school in an amount equal to five percent of the new choice pupil's resident district's per pupil equalization aid in the immediately preceding school term. The payments DPI makes to private schools participating in the RPCP or the statewide choice program for new choice pupils are paid from the sum certain appropriation for general equalization aids.

This bill does not change payments made to a private schools participating in the RPCP or the statewide choice program for pupils who began attending a participating private school before the 2015–16 school year.

***Equalization aid formula***

Under current law, pupils attending a private school under the RPCP or the statewide choice program are not included in a school district's membership for the purpose of calculating the equalization aid that the school district is eligible to receive. Under the bill, for the purpose of calculating the amount of equalization aid that a school district is eligible to receive, a school district's membership includes new choice pupils residing in the school district that are reported as attending a private school under the RPCP or the statewide choice program. The bill also requires that the amount of equalization aid that each school district receives is reduced by the total amount DPI paid to participating private schools for new choice pupils who reside in that school district.

***Caps in the statewide choice program***

Current law limits the number of pupils who may participate in the statewide choice program to 1,000 pupils. Additionally, no more than one percent of any school district's total enrollment may attend private schools under the statewide choice program. Current law also limits the number of private schools that may participate in the statewide choice program. This bill eliminates the limitations on the number of pupils and private schools that may participate in the statewide choice program.

***Requirements for new choice pupils in the statewide program.***

Under current law, a pupil who resides in the Racine Unified School District must satisfy one of the following to attend a private school under the RPCP:

1. He or she was enrolled in a public school in the school district in the previous school year.
2. He or she was not enrolled in school in the previous school year.
3. He or she attended a private school under the RPCP in the previous school year.
4. He or she is applying to kindergarten, 1st grade, or 9th grade.

This bill creates the same requirement for new choice pupils in the statewide choice program.

*beginning with the aid calculation for the 2016-17 school year*

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

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

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

2           20.255 (2) (ac) *General equalization aids and eligible and other school district*  
3 *parental choice program payments.* The amounts in the schedule for the payment of  
4 educational aids under ss. 121.08, 121.09, 121.095, 121.105, 121.137 and subch. VI  
5 of ch. 121 and to make payments to private schools under s. 118.60 (4) (bk), (4m) (am),  
6 and (4r) (bm).

\*\*\*\*NOTE: Please confirm that the payments under s. 118.60 (4r) (bm) should come out of this appropriation.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 2.** 20.255 (2) (fr) of the statutes is amended to read:

8           20.255 (2) (fr) *Parental choice program for eligible school districts and other*  
9 *school districts; pupils participating before the 2015–16 school year.* A sum sufficient  
10 to make the payments to private schools under s. 118.60 (4) (bg) and (4m) (a).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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

12           20.255 (2) (fv) *Milwaukee Parental Choice Program and the parental choice*  
13 *program for eligible school districts and other school districts; transfer pupils.* A sum  
14 sufficient to make the payments under ss. 118.60 (4r) (am) and 119.23 (4r).

15           **SECTION 4.** 118.60 (1) (b) of the statutes is repealed.

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

17           118.60 (1) (dm) “Resident school district” means the school district in which a  
18 pupil resides.

1           **SECTION 6.** 118.60 (2) (a) (intro.) of the statutes is amended to read:

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

8           **SECTION 7.** 118.60 (2) (a) 2m. of the statutes is created to read:

9           118.60 (2) (a) 2m. For a pupil who resides in a school district, other than an  
10 eligible school district or a 1st class city school district, that begins participating in  
11 the the program under this section in the 2015–16 school year or any school year  
12 thereafter, the pupil satisfies one or more of the following:

13           a. The pupil was enrolled in a public school in the school district in which the  
14 pupil resides during the previous school year.

15           b. The pupil was not enrolled in school in the previous school year.

16           c. The pupil attended a private school under this section in the previous school  
17 year.

18           d. The pupil is applying to kindergarten, first grade, or 9th grade in a private  
19 school participating in the program under this section.

      \*\*\*\*NOTE: This is based on the existing requirements for pupils participating in the  
Racine parental choice program. Please note that this criteria would permit a pupil who  
previously participated in the Racine parental choice program (the pupil attended a  
private school under s. 118.60) to enter the statewide choice program if the pupil moves  
outside of the Racine school district. Okay?

20           **SECTION 8.** 118.60 (2) (be) of the statutes is repealed.

21           **SECTION 9.** 118.60 (3) (a) (intro.) and 1. (intro.) of the statutes are consolidated,  
22 renumbered 118.60 (3) (a) (intro.) and amended to read:

1           118.60 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit  
2           an application, on a form provided by the state superintendent, to the participating  
3           private school that the pupil wishes to attend. If more than one pupil from the same  
4           family applies to attend the same private school, the pupils may use a single  
5           application. Within 60 days after receiving the application, the private school shall  
6           notify each applicant, in writing, whether his or her application has been accepted.  
7           If the private school rejects an application, the notice shall include the reason.  
8           ~~Subject to pars. (ag) and (ar), a~~ A private school may reject an applicant only if it has  
9           reached its maximum general capacity or seating capacity. ~~Except as provided in~~  
10          ~~pars. (ag) and (ar), the~~ The state superintendent shall ensure that the private school  
11          determines which pupils to accept on a random basis, except that: ~~1. The~~ the private  
12          school may give preference in accepting applications to any of the following:

13           **SECTION 10.** 118.60 (3) (a) 1. a. to c. of the statutes are renumbered 118.60 (3)  
14          (a) 1. to 3.

15           **SECTION 11.** 118.60 (3) (a) 2. of the statutes is repealed.

16           **SECTION 12.** 118.60 (3) (ag) of the statutes is repealed.

17           **SECTION 13.** 118.60 (3) (ar) of the statutes is repealed.

18           **SECTION 14.** 118.60 (3) (c) of the statutes is amended to read:

19           118.60 (3) (c) If a participating private school rejects an applicant who resides  
20          in a school district, other than an eligible school district or a 1st class city school  
21          district, because the private school has too few available spaces, the applicant may  
22          transfer his or her application to a participating private school that has space  
23          available. An applicant rejected under this paragraph may, subject to sub. (2) ~~(be)~~  
24          and (bm), be admitted to a private school participating in the program under this  
25          section for the following school year.

1           **SECTION 15.** 118.60 (3) (d) of the statutes is created to read:

2           118.60 (3) (d) By the 3rd Friday in September and by the 2nd Friday in January,  
3 a pupil or a pupil's parent or guardian shall notify, using a form provided by the  
4 department, the pupil's resident school district and the department that the pupil is  
5 currently participating in the program under this section. The form provided by the  
6 department under this paragraph shall require a pupil or a pupil's parent or  
7 guardian to indicate the school year during which the pupil first began participating  
8 in the program under this section.

\*\*\*\*NOTE: For administrative purposes, do you want each private school to report the number of pupils attending the school under the PCP who began participating before the 2015-16 school year separately from the pupils who began participating in the 2015-16 school year or after under s. 118.60 (6m) (b)? (Also, is this language accurate or do you want parents to report children participating in a PCP on the 3rd Friday in September and the 2nd Friday in January, which is more similar to school district membership counts.)

9           **SECTION 16.** 118.60 (4) (bg) 3. (intro.) of the statutes is amended to read:

10           118.60 (4) (bg) 3. (intro.) ~~In~~ Subject to subd. 6., in the 2015-16 school year and  
11 in each school year thereafter, upon receipt from the pupil's parent or guardian of  
12 proof of the pupil's enrollment in the private school during a school term, the state  
13 superintendent shall pay to the private school in which the pupil is enrolled on behalf  
14 of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), the  
15 lesser of the following:

16           **SECTION 17.** 118.60 (4) (bg) 6. of the statutes is created to read:

17           118.60 (4) (bg) 6. This paragraph applies only to pupils who participated in the  
18 program under this section before the 2015-16 school year.

19           **SECTION 18.** 118.60 (4) (bk) of the statutes is created to read:

20           118.60 (4) (bk) 1. In this paragraph, "equalization aid per pupil" means an  
21 amount determined by dividing the amount of aid a school district is eligible to

*after making any reduction under s. 121.08(4)(a) but*

1  
2

receive under s. 121.08 (before making any reduction under s. 121.08 (4) (c) by the school district's membership, as determined under s. 121.07 (2), used to calculate that aid.

2. For a pupil who begins participating in the program under this section in the 2015-16 school year or any school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (ac), an amount equal to the equalization aid per pupil for the pupil's resident school district.

*265  
7-10*

\*\*\*\*NOTE: The new payments are included in sub. (4), which means the payments will be made on the same schedule as existing payments and may be made in one single check for all pupils attending the private school under a PCP. Please confirm that this schedule works for the new payment method.

SECTION 19. 118.60 (4m) (a) (intro.) of the statutes is renumbered 118.60 (4m)

(a) 1m. (intro.) and amended to read:

118.60 (4m) (a) 1m. (intro.) In addition to the payment under sub. (4), the state superintendent shall, subject to par. (b), pay to each private school participating in the program under this section, on behalf of the parent or guardian of each pupil attending summer school in the private school under this section during a summer and in the manner described in sub. (4) (c), from the appropriation under s. 20.255 (2) (fr), an amount determined as follows:

SECTION 20. 118.60 (4m) (a) 1. of the statutes is renumbered 118.60 (4m) (a) 1m.

a.

SECTION 21. 118.60 (4m) (a) 2. of the statutes is renumbered 118.60 (4m) (a) 1m.

b. and amended to read:

118.60 (4m) (a) 1m. b. Multiply the amount under subd. -1. 1m. a. by 0.05.

1           **SECTION 22.** 118.60 (4m) (a) 2m. of the statutes is created to read:

2           118.60 (4m) (a) 2m. This paragraph applies only to pupils who participated in  
3 the program under this section before the 2015–16 school year.

4           **SECTION 23.** 118.60 (4m) (am) of the statutes is created to read:

5           118.60 (4m) (am) For a pupil who begins participating in the program under  
6 this section in the 2015–16 school year or any school year thereafter, in addition to  
7 the payment under sub. (4) and subject to par. (b), the state superintendent shall pay  
8 to the private school participating in the program under this section that the pupil  
9 attends during a summer in the manner described in sub. (4) (c), on behalf of the  
10 pupil's parent or guardian, from the appropriation under s. 20.255 (2) (ac), an amount  
11 determined as follows:

12           1. Determine the amount that would have been paid for the pupil under sub.  
13 (4) (bk) in the immediately preceding school term.

14           2. Multiply the amount under subd. 1. by 0.05.

      \*\*\*\*NOTE: Please confirm this is consistent with your intent.

15           **SECTION 24.** 118.60 (4m) (b) (intro.) of the statutes is amended to read:

16           118.60 (4m) (b) (intro.) A participating private school may receive a per pupil  
17 payment under par. (a) or (am) if all of the following are satisfied:

18           **SECTION 25.** 118.60 (4m) (b) 3. of the statutes is amended to read:

19           118.60 (4m) (b) 3. Each pupil for whom the private school seeks a payment  
20 under par. (a) or (am) attends no fewer than 15 days of summer instruction at the  
21 private school during that summer.

22           **SECTION 26.** 118.60 (4r) (intro.) of the statutes is renumbered 118.60 (4r) (am)  
23 (intro.) and amended to read:



1           118.60 (4r) (am) (intro.) If, after the 3rd Friday in September in any school year,  
2 a private school participating in the program under this section closes, for each  
3 installment under sub. (4) (c) that was not paid to the private school in that school  
4 year, the state superintendent shall pay to the board of the school district within  
5 which the pupil resides, from the appropriation under s. 20.255 (2) (fv), the amount  
6 determined, for each pupil who participated in the program under this section before  
7 the 2015–16 school year who had been attending the private school under this section  
8 in that school year and who enrolls in the school district within which the pupil  
9 resides in that school year, as follows:

10           **SECTION 27.** 118.60 (4r) (a) of the statutes is renumbered 118.60 (4r) (am) 1.

11           **SECTION 28.** 118.60 (4r) (b) of the statutes is renumbered 118.60 (4r) (am) 2. and  
12 amended to read:

13           118.60 (4r) (am) 2. Multiply the product under ~~par. (a) subd. 1.~~ by 0.25.

14           **SECTION 29.** 118.60 (4r) (bm) of the statutes is created to read:

15           118.60 (4r) (bm) If, after the 3rd Friday in September in any school year, a  
16 private school participating in the program under this section closes, for each  
17 installment under sub. (4) (c) that was not paid to the private school in that school  
18 year, the state superintendent shall pay to the board of the school district within  
19 which the pupil resides, from the appropriation under s. 20.255 (2) (ac), the amount  
20 determined, for each pupil who participated in the program under this section  
21 beginning in the 2015–16 school year or any school year thereafter who had been  
22 attending the private school under this section in that school year and who enrolls  
23 in the school district within which the pupil resides in that school year, as follows:

24           1. Multiply the amount determined under sub. (4) (bk) by 0.616.

25           2. Multiply the product under par. (a) by 0.25.

*Handwritten:* DAS 10-1

\*\*\*\*NOTE: Please confirm that this is consistent with your intent.

1 SECTION 30. 118.60 (10) (a) 3. of the statutes is amended to read:

2 118.60 (10) (a) 3. Failed to refund to the state any overpayment made under  
3 s. 118.60 (4) (b), ~~2011 stats., or s. 118.60 (4) (bg), 2011 stats., or under sub. (4) (bg) or~~  
4 (4m) by the date specified by department rule.

5 SECTION 31. 121.004 (5) of the statutes is amended to read:

6 121.004 (5) MEMBERSHIP. ~~“Membership”~~ Except as provided in s. 121.07,  
7 “membership” for any school district is the sum of pupils enrolled as reported under  
8 s. 121.05 (1) or (2), as appropriate, and the summer average daily membership  
9 equivalent for those academic summer classes, interim session classes, and  
10 laboratory periods approved for necessary academic purposes under s. 121.14 (1) (a)  
11 1. and 2. and those online classes described in s. 121.14 (1) (a) 3.

12 SECTION 32. 121.07 (2) of the statutes is created to read:

13 121.07 (2) MEMBERSHIP. <sup>STET</sup> For purposes of computing the amount of state aid paid  
14 under s. 121.08, “membership” means the membership, as defined in s. 121.004 (5),  
15 of the school district in the previous school year plus the number of pupils residing  
16 in the school district who are attending a private school under s. 118.60 in the current  
17 school year and who did not participate in the program under s. 118.60 before the  
18 2015-16 school year, as reported under s. 118.60 (3) (d).

19 SECTION 33. 121.08 (4) (c) of the statutes is created to read:

20 121.08 (4) (c) The amount of state aid that a school district is eligible to be paid  
21 from the appropriation under s. 20.255 (2) (ac) shall be reduced by the total amount  
22 paid under s. 118.60 (4) (bk) and (4m) (am) for pupils residing in the school district  
23 who are attending a private school participating in the program under s. 118.60.

(END)

*Handwritten:* beginning with state aid paid for the 2016-17 school year ↑

2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1137/P2  
FFK:.....

INS 7-10

3. By October 15, using the most accurate data available, the state superintendent shall calculate the equalization aid per pupil amount in the current school year for pupils residing in each school district. Any adjustments to that calculation shall be made by increasing or decreasing the payment to a participating private school made in September of the following school year.

\*\*\*\*NOTE: This language is based on s. 121.15 (4) (b). If a private school does not participate in the PCP in the following year, how would any necessary adjustment be handled?

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

118.60 (4) (c) 1. ~~The Subject to subd. 2.,~~ *Plain space* the state superintendent shall pay 25 percent of the total amount under this subsection in September, 25 percent in November, 25 percent in February, and 25 percent in May. Each installment may consist of a single check for all pupils attending the private school under this section. The state superintendent shall include the entire amount under sub. (4m) in the November installment, but the payment shall be made in a separate check from the payment under this subsection.

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

**History:** When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

**SECTION 2.** 118.60 (4) (c) 2. of the statutes is created to read:

118.60 (4) (c) 2. Beginning with payments for the 2015-16 school year, the portion of the September payment that is for a pupil under par. (bk) shall be based upon <sup>ON</sup> the equalization aid per pupil, as defined in par. (bk), in the previous school year for the pupil's resident school district. Any adjustment to <sup>the</sup> ensure that a participating private school receives the total amount due under this section for

1 pupil payments under par. (bk) shall be made by increasing or decreasing the amount  
2 paid in May of the current school year.

\*\*\*\*NOTE: Does this achieve your intent? The part of the September payment to a participating schools for new choice pupils would be based on the previous year's equalization aid per pupil for the pupil's resident district (presumably the pupil's current resident district). Adjustment necessary to correct the September payment based on the current year's equalization aid per pupil will be made to the May payment in the current year.

*Amy*

END INS 7-10

INS 10-1

3 SECTION 3. 118.60 (6m) (b) 1. of the statutes is amended to read:

4 118.60 (6m) (b) 1. The number of pupils attending the private school under this  
5 section in the previous school year who began participating in the program under  
6 this section in the 2015-16 school year or any school year thereafter and the number  
7 of pupils attending the private school under this section in the previous year who  
8 began participating in the program under this section before the 2015-16 school  
9 year.

*School*

History: 2011 a. 32, 47, 215; 2013 a. 20, 2013 a. 166 s. 77; 2013 a. 173 s. 33; 2013 a. 237, 256.  
History: When the department publicly releases data related to enrollment of, standardized test results for, applications submitted by, waiting lists for pupils participating in or seeking to participate in the program under this section, release the data all at the same time, uniformly, and completely.

END INS 10-1

## Knepp, Fern

**From:** Stritchko, Megan E - DOA <MeganE.Stritchko@wisconsin.gov>  
**Sent:** Thursday, January 22, 2015 4:28 PM  
**To:** Knepp, Fern  
**Subject:** LRB 1137/P2 - Choice from Equalization Aids

Hi Fern,

I wanted to get you my edits/thoughts on draft 1137 asap, but let's hold off on the enrollment reporting piece (highlighted) for now until I receive further guidance:

- Can we add language that ensures that any school district that has a reduction in aid for a choice student cannot levy back for that loss in aid? *- look at 1137*
- Your note on page 4: I think it's ok for a student who previously attended a choice program in Racine to enter into the statewide program, but can we add language that a student moving from Racine to statewide has to re-verify income if/when that happens? My concern is because the income eligibility is less stringent for the Racine program than it is for the statewide program.
- Your note on page 6: I think we want to remove the requirement that a pupil/pupil's parent or guardian notify the pupil's resident district (they should just have to notify DPI). Also, can we remove the requirement that it be reported in January, and just have them report by the 3<sup>rd</sup> Friday in September? We want to keep the language as *by* the 3<sup>rd</sup> Friday, rather than *on*. *look in 1137*
- Your note on page 7: is it possible to add language that requires DPI to make arrangements with any school that doesn't participate in the program in the following year to take care of the adjustment? (ie the choice school has to pay DPI or DPI cuts a separate check to make up the difference?) I'd like to handle it similar to choice school adjustments under current law, but I'm having trouble finding language that addresses it.
- Your note on page 8: yes, the language under section 20 meets our intent.
- Your note on page 9: yes, the summer school language under section 25 meets our intent.
- Your note on page 10: Can you remove 118.60(4r)(bm)1. so that the per pupil payment under sub. (4)(bk) (which should equal the district's state aid per student) is not multiplied by 0.616, but is multiplied by 0.25? (ie District's State Aid per Pupil x 0.25 = payment under (4r)(bm)1.) *different than (4r)(am)*
- Is there a way that we can add non-stat language that ensures that any students that have applied to participate under current law for the 2015-16 school year and may have gone through the lottery or are on the DPI wait list do not have to re-apply to participate in the program after the expansion is enacted?

Please feel free to give me a call if anything is unclear!!

Thanks, Fern!!

Megan

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

Nonstab - ~~The~~ Any pupil accepted to enroll  
in public private school for the 2015-16  
year under s 118.60(2)(a) <sup>does</sup> ~~is~~  
is considered accepted

FKS Initial App

The changes to enrollment first-apply  
to applications received on the effect date.  
The ~~the~~ treatment of \_\_\_\_\_ do not effect  
the status of any pupil accepted to enroll  
in a par priv school in 218.60 before  
the effective date of the bill.