

1 ***-0971/P5.614***SECTION 3214. 115.43 (2) (b) of the statutes is amended to read:

2 115.43 (2) (b) From the appropriation under s. 20.255 (3) (fz), award precollege
3 scholarships, on a competitive basis, to economically disadvantaged pupils who
4 enroll in a technical college or in college or university classes or programs designed
5 to improve academic skills that are essential for success in postsecondary school
6 education. The state superintendent shall give preference to economically
7 disadvantaged pupils who are inadequately represented in the technical college
8 colleges and the University of Wisconsin Systems System Authority.

9 ***-0638/P2.5***SECTION 3215. 115.436 (2) (b) of the statutes is repealed.

 ****NOTE: This is reconciled s. 115.436 (2) (b). This SECTION has been affected by
 drafts with the following LRB numbers: -0626/1 and -0638/P1.

10 ***-1361/P3.2***SECTION 3216. 115.437 (2) of the statutes is renumbered 115.437
11 (2) (intro.) and amended to read:

12 115.437 (2) (intro.) ~~Annually Beginning in the 2015–16 school year, annually~~
13 on the 4th Monday of March, the department shall pay to each school district an
14 amount equal to the average of the number of pupils enrolled in the school district
15 in the current and 2 preceding school years multiplied by \$75 in the 2013–14 school
16 year and by \$150 in each school year thereafter. determined as follows:

17 (3) The department shall make the payments under this section from the
18 appropriation under s. 20.255 (2) (aq).

19 ***-1361/P3.3***SECTION 3217. 115.437 (2) (a) of the statutes is created to read:

20 115.437 (2) (a) Divide the amount appropriated under s. 20.255 (2) (aq) for the
21 current fiscal year by the total number of pupils enrolled in all school districts in the
22 current school year.

23 ***-1361/P3.4***SECTION 3218. 115.437 (2) (b) of the statutes is created to read:

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1 115.437 (2) (b) Multiply the quotient under par. (a) by the number of pupils
2 enrolled in the school district in the current school year.

3 *~~0971/P5.615~~***SECTION 3219.** 115.53 (4) of the statutes is amended to read:

4 115.53 (4) Apply to the board of directors of the University of Wisconsin
5 Hospitals and Clinics Authority or the University of Wisconsin System Authority for
6 admission to the University of Wisconsin Hospitals and Clinics or the University of
7 Wisconsin System Authority of any pupil at the school operated by the Wisconsin
8 Educational Services Program for the Deaf and Hard of Hearing or the school
9 operated by the Wisconsin Center for the Blind and Visually Impaired. The
10 application shall be accompanied by the report of a physician appointed by the
11 director of the Wisconsin Educational Services Program for the Deaf and Hard of
12 Hearing or the director of the Wisconsin Center for the Blind and Visually Impaired
13 and shall be in the same form as reports of other physicians for admission of patients
14 to such hospital.

15 *~~0541/P3.4~~***SECTION 3220.** 115.77 (1) of the statutes is amended to read:

16 115.77 (1) In sub. (1m) (a) to (d), except as provided in s. 118.51 (12) (a) and (b)
17 2., if a child with a disability is attending a public school in a nonresident school
18 district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), “local educational agency”
19 means the school district that the child is attending.

20 *~~0541/P3.5~~***SECTION 3221.** 115.777 (1) of the statutes is amended to read:

21 115.777 (1) (a) A physician, nurse, psychologist, social worker or administrator
22 of a social agency who reasonably believes that a child brought to him or her for
23 services has a disability shall refer the child to the local educational agency. If the
24 local educational agency to whom the referral is made is the school district in which
25 the child resides but the child is attending a public school in a nonresident school

1 district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school
2 district in which the child resides shall provide the name of the child and related
3 information to the school board of the school district that the child is attending.

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

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

20 ***-0541/P3.6*SECTION 3222.** 115.78 (1) of the statutes is amended to read:

21 115.78 (1) DEFINITION. In this section, for a child who is attending a public
22 school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4),
23 "local educational agency" means the school board of the school district that the child
24 is attending.

25 ***-0541/P3.7*SECTION 3223.** 115.78 (1m) (h) of the statutes is amended to read:

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

5 ***-0541/P3.8*****SECTION 3224.** 115.79 (1) (b) of the statutes is amended to read:

6 115.79 (1) (b) An educational placement is provided to implement a child’s
7 individualized education program. 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), the school board of the school
10 district that the child is attending shall provide an educational placement for the
11 child and shall pay tuition charges instead of the school district in which the child
12 resides if required by the placement.

13 ***-0541/P3.9*****SECTION 3225.** 115.792 (1) (b) of the statutes is amended to read:

14 115.792 (1) (b) The local educational agency shall establish and maintain
15 procedures to ensure that a child’s parents are provided prior written notice
16 whenever the local educational agency proposes to initiate or change, or refuses to
17 initiate or change, the identification, evaluation or educational placement of the
18 child, or the provision of a free appropriate public education to the child. In this
19 paragraph, “local educational agency” includes the nonresident school district that
20 a child is attending under s. 118.50, 118.51, or 121.84 (1) (a) or (4).

21 ***-0541/P3.10*****SECTION 3226.** 115.792 (3) (a) of the statutes is amended to read:

22 115.792 (3) (a) In this subsection, “local educational agency” includes the
23 nonresident school district that a child is attending under s. 118.50, 118.51, or 121.84
24 (1) (a) or (4).

25 ***-0541/P3.11*****SECTION 3227.** 115.80 (8) of the statutes is amended to read:

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

9 *~~0541/P3.12~~***SECTION 3228.** 115.82 (2) (c) of the statutes is created to read:

10 115.82 (2) (c) If the child is attending a public school in a nonresident school
11 district under s. 118.50, the school district specified to do so in the whole grade
12 sharing agreement shall provide transportation.

13 *~~0541/P3.13~~***SECTION 3229.** 115.88 (8) of the statutes is amended to read:

14 115.88 (8) **ENROLLMENT OUT OF STATE.** If a child with a disability is enrolled in
15 a public special education program located in another state and the state
16 superintendent is satisfied that the program in which the child is enrolled complies
17 with this subchapter, the state superintendent shall certify to the department of
18 administration in favor of the school district in which the child resides or the school
19 district attended by the child under s. 118.50, 118.51, or 121.84 (1) (a) or (4) a sum
20 equal to the amount expended by the school district during the preceding year for the
21 additional costs associated with the child’s special education program as costs
22 eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

23 *~~0832/P3.2~~***SECTION 3230.** 116.01 of the statutes is amended to read:

24 **116.01 Purpose.** The organization of school districts in Wisconsin is such that
25 the legislature recognizes the need for benefit of a service unit between the school

1 district and the state superintendent. The cooperative educational service agencies
2 are designed to serve educational needs in all areas of Wisconsin by serving as a link
3 both between school districts and between school districts and the state. Cooperative
4 educational service agencies may provide leadership, coordination, and education
5 services to school districts, University of Wisconsin System institutions, and
6 technical colleges. Cooperative educational service agencies may facilitate
7 communication and cooperation among all public, private, and tribal schools, and all
8 public and private agencies and organizations, that provide services to pupils.

9 *~~0832/P3.3~~*SECTION 3231. 116.03 (2) of the statutes is repealed.

10 *~~0832/P3.4~~*SECTION 3232. 116.03 (5) of the statutes is created to read:

11 116.03 (5) Determine each school district's proportional share of the cost of the
12 maintenance and operation of the office of the board of control and agency
13 administrator and to match any federal funds received by the agency for vocational
14 education administration less any amount received under s. 116.08 (1). No cost may
15 be assessed against a school district that has withdrawn under s. 116.065 for
16 expenses incurred while the school district is not in the agency.

17 *~~0832/P3.5~~*SECTION 3233. 116.03 (11) of the statutes is amended to read:

18 116.03 (11) Establish the salaries of the agency administrator and other
19 professional and nonprofessional employees. ~~State reimbursement for the cost of the~~
20 ~~salary of the agency administrator shall be equal to the actual salary paid or the~~
21 ~~maximum of the salary range for public instruction supervisors under the state~~
22 ~~superintendent, whichever is less.~~

23 *~~0832/P3.6~~*SECTION 3234. 116.065 (1) of the statutes is amended to read:

24 116.065 (1) The school board of a school district ~~in cooperative educational~~
25 ~~service agency no. 1, as designated on April 1, 1985,~~ may adopt a resolution to

1 withdraw from the an agency. The school board shall immediately notify the board
2 of control and the state superintendent of ~~its intention~~ that the school board has
3 adopted a resolution under this subsection.

4 *~~0832/P3.7~~*SECTION 3235. 116.065 (2) of the statutes is amended to read:

5 116.065 (2) A resolution adopted under sub. (1) or (3) prior to January 15 in any
6 school year shall be effective the next succeeding July 1. A resolution adopted under
7 sub. (1) or (3) on or after January 15 in any school year shall be effective on the 2nd
8 succeeding July 1.

9 *~~0832/P3.8~~*SECTION 3236. 116.065 (3) of the statutes is amended to read:

10 116.065 (3) A school district that has withdrawn from the an agency described
11 under sub. (1) may rejoin the agency. ~~The procedures under subs. (1) and (2) apply~~
12 ~~to readmissions by adopting a resolution and immediately notifying the board of~~
13 control and state superintendent of the resolution to rejoin.

14 *~~0832/P3.9~~*SECTION 3237. 116.07 (4) of the statutes is amended to read:

15 116.07 (4) No such plan is valid if it permits any territory of this state to be
16 outside an agency area, unless the territory is part of a school district that has
17 withdrawn from an agency under s. 116.065.

18 *~~0832/P3.10~~*SECTION 3238. 116.08 (title) of the statutes is amended to read:

19 **116.08 (title) State Loans and local aid.**

20 *~~0832/P3.11~~*SECTION 3239. 116.08 (1) of the statutes is amended to read:

21 116.08 (1) An amount not to exceed \$25,000 annually shall be paid to each
22 agency ~~for the maintenance and operation of the office of the board of control and~~
23 ~~agency administrator and to match any federal funds received by the agency for~~
24 ~~vocational education administration. No state aid may be paid unless the agency~~
25 ~~submits by August 1 an annual report which includes a detailed certified statement~~

1 of its expenses for the prior year to the state superintendent, and such statement
2 reveals that the state aid was expended as provided by this section. In no case may
3 the state aid exceed the actual expenditures for the prior year as certified in such
4 statement.

5 ***-0832/P3.12*SECTION 3240.** 116.08 (3m) of the statutes is renumbered
6 116.065 (4) and amended to read:

7 116.065 (4) The school board of a school district that has withdrawn from
8 cooperative educational service an agency no. 1 under s. 116.065 under this section
9 and is not in any other agency may contract with the department for other programs
10 and services the school district would be receiving if it were in an agency.

11 ***-0832/P3.13*SECTION 3241.** 116.08 (4m) of the statutes is created to read:

12 116.08 (4m) Beginning in the 2015–16 school year, each school board of a school
13 district in an agency shall pay to the board of control the school district's proportional
14 share of the cost of the maintenance and operation of the office of the board of control
15 and agency administrator and to match any federal funds received by the agency for
16 vocational education administration, as determined by the board of control under s.
17 116.03 (5).

18 ***-0832/P3.14*SECTION 3242.** 116.08 (5) of the statutes is repealed.

19 ***-0541/P3.14*SECTION 3243.** 117.05 (5) (a) of the statutes is amended to read:

20 117.05 (5) (a) *Territory in district.* All territory within this state shall be
21 included in a school district operating elementary school grades and a school district
22 operating high school grades or in a school district operating both elementary and
23 high school grades, except for territory located in a school district that is not
24 operating certain grades as a result of entering into a whole grade sharing agreement
25 under s. 118.50. No territory may be detached from a school district unless by the

1 same order it is attached to another school district or included in a new school district
2 created by the order. No territory may be detached from a school district that
3 operates high school grades unless by the same order it is attached to or included in
4 another school district that operates high school grades.

5 ***-0541/P3.15*SECTION 3244.** 117.30 (1) (a) of the statutes is amended to read:

6 117.30 (1) (a) Except as provided under pars. (b) ~~and (e)~~ to (d), if a school district
7 for 2 or more successive years has failed to operate sufficient classes at each grade
8 level to provide all pupils who reside in the school district an opportunity to attend
9 class at the appropriate grade level, the board shall attach the territory of the school
10 district to one or more school districts that do so. Within 60 days of the date on which
11 a school district becomes subject to this section, the state superintendent shall so
12 notify the school district clerk and the clerk of each municipality in which part of the
13 school district lies. Prior to August 30 of the year in which the school district becomes
14 subject to this section, the board shall issue an order of school district reorganization
15 attaching the school district to one or more operating school districts. Orders issued
16 under this section take effect upon being filed as provided in s. 117.17 (2). The school
17 board of each district to which any territory is attached under this section shall levy
18 and collect a special tax against the property in the territory so attached for such
19 amount as is payable for tuition and transportation, at the time of the attachment,
20 by the school district in which the attached territory was located prior thereto, in the
21 proportion that the equalized valuation of the attached territory bears to the total
22 equalized valuation of the school district in which such territory was located prior
23 to such attachment.

24 ***-0541/P3.16*SECTION 3245.** 117.30 (1) (d) of the statutes is created to read:

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

4 ***-0541/P3.17***SECTION 3246. 118.134 (3m) of the statutes is amended to read:

5 118.134 (3m) A pupil attending a public school in a nonresident school district
6 under s. 118.50 or 118.51 may not file a complaint under sub. (1) in which the pupil
7 objects to the use of a race-based nickname, logo, mascot, or team name by the school
8 board of the nonresident school district.

9 ***-1509/P2.22***SECTION 3247. 118.153 (1) (a) 5. of the statutes is amended to
10 read:

11 118.153 (1) (a) 5. Eighth grade pupils whose score in each subject area on the
12 examination administered under s. 118.30 (1m) (am) 1. or 118.301 (3) was below the
13 basic level, 8th grade pupils who failed the examination administered under s.
14 118.30 (1m) (am) 2. or 118.301 (3), and 8th grade pupils who failed to be promoted
15 to the 9th grade.

16 ***-1509/P2.23***SECTION 3248. 118.30 (1) of the statutes is amended to read:

17 118.30 (1) The state superintendent shall adopt or approve examinations
18 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
19 10th, and 11th grades. Beginning in the 2015–16 school year, the state
20 superintendent may not adopt or approve assessments developed by the Smarter
21 Balanced Assessment Consortium.

22 ***-0632/2.1***SECTION 3249. 118.30 (1m) (ar) of the statutes is amended to read:

23 118.30 (1m) (ar) Except as provided in sub. (7), beginning in the 2014–15 school
24 year, administer the 9th grade examination adopted or approved by the state
25 superintendent under sub. (1) to all pupils enrolled in the school district, including

1 pupils enrolled in charter schools located in the school district, in the spring session
2 of 9th grade. The school board shall administer the examination once in the fall
3 session and once in the spring session.

4 *~~1509/P3.24~~*SECTION 3250. 118.30 (1m) (d) of the statutes is created to read:

5 118.30 (1m) (d) If the school board maintains an Internet site for the school
6 district, annually publish information on that Internet site about the examinations
7 administered under this subsection to pupils in the school district.

8 *~~0632/2.2~~*SECTION 3251. 118.30 (1r) (ar) of the statutes is amended to read:

9 118.30 (1r) (ar) Beginning in the 2014–15 school year, administer the 9th grade
10 examination adopted or approved by the state superintendent under sub. (1) to all
11 pupils enrolled in the charter school in spring session of the 9th grade. The charter
12 school shall administer the examination once in the fall session and once in the
13 spring session.

14 *~~1509/P3.25~~*SECTION 3252. 118.30 (1r) (d) of the statutes is created to read:

15 118.30 (1r) (d) If the operator of the charter school maintains an Internet site
16 for the school, annually publish information on that Internet site about the
17 examinations administered under this subsection to pupils in the school.

18 *~~1509/P2.24~~*SECTION 3253. 118.30 (1s) (intro.) of the statutes is amended to
19 read:

20 118.30 (1s) (intro.) Annually, the governing body of each private school
21 participating in the program under s. 119.23, other than a private school at which
22 fewer than 20 pupils are attending the school under the program under s. 119.23,
23 shall do all of the following:

24 *~~0632/2.3~~*SECTION 3254. 118.30 (1s) (bm) of the statutes is amended to read:

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1 118.30 (1s) (bm) Beginning in the 2014-15 school year, in the spring session
2 administer the 9th grade examination adopted or approved by the state
3 superintendent under sub. (1) to all pupils attending the 9th grade in the private
4 school under s. 119.23. ~~The private school shall administer the examination once in~~
5 ~~the fall session and once in the spring session.~~

6 *~~1509/P3.27~~**SECTION 3255.** 118.30 (1s) (e) of the statutes is created to read:

7 118.30 (1s) (e) If the governing body of the private school maintains an Internet
8 site for the school, annually publish information on that Internet site about the
9 examinations administered under this subsection to pupils in the school.

10 *~~1509/P2.25~~**SECTION 3256.** 118.30 (1t) (intro.) of the statutes is amended to
11 read:

12 118.30 (1t) (intro.) Annually, the governing body of each private school
13 participating in the program under s. 118.60, other than a private school at which
14 fewer than 20 pupils are attending the school under the program under s. 118.60,
15 shall do all of the following:

16 *~~0632/2.4~~**SECTION 3257.** 118.30 (1t) (bm) of the statutes is amended to read:

17 118.30 (1t) (bm) Beginning in the 2014-15 school year, in the spring session
18 administer the 9th grade examination adopted or approved by the state
19 superintendent under sub. (1) to all pupils attending the 9th grade in the private
20 school under s. 118.60. ~~The private school shall administer the examination once in~~
21 ~~the fall session and once in the spring session.~~

22 *~~1509/P3.29~~**SECTION 3258.** 118.30 (1t) (e) of the statutes is created to read:

23 118.30 (1t) (e) If the governing body of the private school maintains an Internet
24 site for the school, annually publish information on that Internet site about the
25 examinations administered under this subsection to pupils in the school.

1 ***-1509/P2.26*SECTION 3259.** 118.30 (2) (b) 3. of the statutes is amended to
2 read:

3 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
4 board shall excuse the pupil from taking an examination administered under sub.
5 (1m) or s. 118.301 (3).

6 ***-1509/P2.27*SECTION 3260.** 118.30 (2) (b) 4. of the statutes is amended to
7 read:

8 118.30 (2) (b) 4. Upon the request of a pupil's parent or guardian, the operator
9 of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an
10 examination administered under sub. (1r) or s. 118.301 (3).

11 ***-1509/P2.28*SECTION 3261.** 118.30 (2) (b) 5. of the statutes is amended to
12 read:

13 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
14 body of a private school participating in the program under s. 119.23 shall excuse the
15 pupil from taking an examination administered under sub. (1s) (a) to (cm) or s.
16 118.301 (3).

17 ***-1509/P2.29*SECTION 3262.** 118.30 (2) (b) 6. of the statutes is amended to
18 read:

19 118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing
20 body of a private school participating in the program under s. 118.60 shall excuse the
21 pupil from taking an examination administered under sub. (1t) (a) to (cm) or s.
22 118.301 (3).

23 ***-1509/P2.30*SECTION 3263.** 118.30 (5m) of the statutes is amended to read:

24 118.30 (5m) When determining the percentage of pupils participating in the
25 program under s. 119.23 who performed at designated proficiency levels on the

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1 examinations administered as required under sub. (1s) or s. 118.301 (3), the
2 department shall consider only the pupils participating in the program under s.
3 119.23 to whom the examinations were administered at each grade level, and shall
4 exclude from consideration those pupils participating in the program under s. 119.23
5 who were excused from taking the examinations under sub. (2) (b) 5.

6 ***-1509/P2.35*SECTION 3264.** 118.30 (6) of the statutes is amended to read:

7 118.30 (6) A school board and an operator of a charter school under s. 118.40
8 (2r) is not required to administer the 4th and 8th grade examinations adopted or
9 approved by the state superintendent under sub. (1) or authorized under s. 118.301
10 (3) if the school board or the operator of the charter school administers its own 4th
11 and 8th grade examinations, the school board or operator of the charter school
12 ~~provides the state superintendent with~~ submits the examination results to the
13 University of Wisconsin-Madison Value-Added Research Center to conduct
14 statistical correlations of those examinations with the examinations adopted or
15 approved by the state superintendent under sub. (1), the University of
16 Wisconsin-Madison Value-Added Research Center provides the statistical
17 correlations to the state superintendent, and the federal department of education
18 approves.

19 ***-1509/P2.32*SECTION 3265.** 118.30 (7) of the statutes is amended to read:

20 118.30 (7) If a school board enters into an agreement with a federally
21 recognized American Indian tribe or band in this state to establish a charter school,
22 that school board shall administer the examinations under sub. (1m) or s. 118.301
23 (3) regardless of the location of the charter school.

24 ***-1509/P2.33*SECTION 3266.** 118.301 of the statutes is created to read:

1 **118.301 Alternative pupil assessments.** (1) In this section, “research
2 center” means the University of Wisconsin–Madison Value–Added Research Center.

3 (2) (a) Within 30 days after the effective date of this paragraph [LRB inserts
4 date], the department shall request from the research center a list of nationally
5 recognized, norm–referenced alternative examinations determined by the research
6 center to be acceptable for statistical comparison with examinations adopted or
7 approved under s. 118.30 (1). Within 90 days after the effective date of this
8 paragraph [LRB inserts date], the research center shall evaluate and approve at
9 least 3 and no more than 5 of the examinations and shall submit the list of approved
10 examinations to the department. The research center shall submit under this
11 paragraph only those examinations that are consistent with the following
12 parameters:

13 1. The examination aligns sufficiently with content standards established for
14 examinations adopted or approved under s. 118.30 (1).

15 2. The examination is comprised of a variety of testing methodologies,
16 including multiple choice and short answer, to assess a range of student skills.

17 3. The examination includes accommodations or alternative assessments for
18 students enrolled in a special education program under subch. V of ch. 115.

19 4. The examination provider makes available translations for limited–English
20 proficient pupils, as defined in s. 115.955 (7).

21 5. The examination may be administered in a variety of modes, including with
22 paper and pencil, in an online format, in a fixed form format, and in an adaptive
23 format.

24 6. The examination has internal consistency reliability coefficients of at least
25 0.8.

1 (b) An examination approved under this subsection may be administered only
2 by a school that notifies the department of its intent to administer the examination.

3 (3) (a) Notwithstanding s. 118.30 (1m), beginning in the 2015-16 school year,
4 a school board is not required to administer an examination adopted or approved by
5 the state superintendent under s. 118.30 (1) in any grade for which an examination
6 is required to be administered under s. 118.30 if the school board administers in that
7 grade an alternative examination approved by the research center under sub. (2).
8 If the school board elects to administer an alternative examination under this
9 paragraph, the school board shall notify the department of its intent to administer
10 the examination and shall publish that fact and information about the examination
11 on the school's Internet site.

12 (b) Notwithstanding s. 118.30 (1r), beginning in the 2015-16 school year, an
13 operator of a charter school under s. 118.40 (2r) is not required to administer an
14 examination adopted or approved by the state superintendent under s. 118.30 (1) in
15 any grade for which an examination is required to be administered under s. 118.30
16 if the operator administers in that grade an alternative examination approved by the
17 research center under sub. (2). If the operator of the charter school elects to
18 administer an alternative examination under this paragraph, the operator shall
19 notify the department of its intent to administer the examination and shall publish
20 that fact and information about the examination on the school's Internet site.

21 (c) Notwithstanding s. 118.30 (1s), beginning in the 2015-16 school year, the
22 governing body of each private school participating in the program under s. 119.23
23 that is required to administer an examination under s. 118.30 (1s) is not required to
24 administer an examination adopted or approved by the state superintendent under
25 s. 118.30 (1) in any grade for which an examination is required to be administered

1 under s. 118.30 if the governing body administers in that grade an alternative
2 examination approved by the research center under sub. (2). If the governing body
3 of the private school elects to administer an alternative examination under this
4 paragraph, the governing body shall notify the department of its intent to administer
5 the examination and shall publish that fact and information about the examination
6 on the school's Internet site.

7 (d) Notwithstanding s. 118.30 (1t), beginning in the 2015-16 school year, the
8 governing body of a private school participating in a program under s. 118.60 that
9 is required to administer an examination under s. 118.30 (1t) is not required to
10 administer an examination adopted or approved by the state superintendent under
11 s. 118.30 (1) in any grade for which an examination is required to be administered
12 under s. 118.30 if the governing body administers in that grade an alternative
13 examination approved by the research center under sub. (2). If the governing body
14 of the private school elects to administer an alternative examination under this
15 paragraph, the governing body shall notify the department of its intent to administer
16 the examination and shall publish that fact and information about the examination
17 on the school's Internet site.

18 (e) If a school administers an alternative examination in any grade under this
19 subsection, and if the cost of the alternative examination exceeds the cost of the
20 examination adopted or approved by the state superintendent for that grade, the
21 school board, operator, or governing body of the school is responsible for the
22 difference between the cost of the examination adopted or approved by the state
23 superintendent for that grade and the cost of the alternative examination for that
24 grade.

1 (4) (a) If a school board, an operator of a charter school under s. 118.40 (2r), or
2 the governing body of a private school participating in a program under s. 118.60 or
3 119.23 administers an alternative examination under sub. (3), the school board,
4 operator, or governing body shall submit the examination results to the research
5 center.

6 (b) The research center shall review all examination results received under par.
7 (a) and statistically equate them to the pupil examinations required under s. 118.30.
8 The research center shall provide the examination data, as statistically equated, to
9 the school board, operator, or governing body and to the department. The
10 department shall use data received under this subsection to determine a school's
11 performance or school district's improvement under s. 115.385.

12 ***-1509/P2.34*****SECTION 3267.** 118.33 (6) (a) 1. of the statutes is amended to
13 read:

14 118.33 (6) (a) 1. Each school board shall adopt a written policy specifying the
15 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
16 grade to the 9th grade. The criteria shall include the pupil's score on the examination
17 administered under s. 118.30 (1m) (a) or (am) or s. 118.301 (3), unless the pupil has
18 been excused from taking the examination under s. 118.30 (2) (b); the pupil's
19 academic performance; the recommendations of teachers, which shall be based solely
20 on the pupil's academic performance; and any other academic criteria specified by
21 the school board. Except as provided in par. (b) 1. and 3., the criteria apply to pupils
22 enrolled in charter schools located in the school district.

23 ***-1509/P2.35*****SECTION 3268.** 118.33 (6) (b) 1. of the statutes is amended to
24 read:

1 118.33 (6) (b) 1. Each operator of a charter school under s. 118.40 (2r) shall
2 adopt a written policy specifying the criteria for promoting a pupil from the 4th grade
3 to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include
4 the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am) or
5 s. 118.301 (3), unless the pupil has been excused from taking the examination under
6 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
7 which shall be based solely on the pupil's academic performance; and any other
8 academic criteria specified by the operator of the charter school.

9 ***-1509/P2.36*****SECTION 3269.** 118.33 (6) (c) 1. of the statutes is amended to
10 read:

11 118.33 (6) (c) 1. The governing body of each private school participating in the
12 program under s. 119.23 shall adopt a written policy specifying criteria for promoting
13 a pupil who is attending the private school under s. 119.23 from the 4th grade to the
14 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
15 pupil's score on the examination administered under s. 118.30 (1s) (a) or (b) or s.
16 118.301 (3), unless the pupil has been excused from taking the examination under
17 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
18 which shall be based solely on the pupil's academic performance; and any other
19 academic criteria specified by the governing body of the private school.

20 ***-1509/P2.37*****SECTION 3270.** 118.33 (6) (cr) 1. of the statutes is amended to
21 read:

22 118.33 (6) (cr) 1. The governing body of each private school participating in the
23 program under s. 118.60 shall adopt a written policy specifying criteria for promoting
24 a pupil who is attending the private school under s. 118.60 from the 4th grade to the
25 5th grade and from the 8th grade to the 9th grade. The criteria shall include the

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1 pupil's score on the examination administered under s. 118.30 (1t) (a) or (b) or s.
2 118.301 (3), unless the pupil has been excused from taking the examination under
3 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
4 which shall be based solely on the pupil's academic performance; and any other
5 academic criteria specified by the governing body of the private school.

6 ~~*-0333/P3.7~~**SECTION 3271.** 118.40 (2r) (b) 1. (intro.) of the statutes is
7 amended to read:

8 118.40 (2r) (b) 1. (intro.) ~~All~~ Except as provided in subd. 3., any of the following
9 entities ~~may establish by charter and operate a charter school or, on behalf of their~~
10 ~~respective entities, may initiate a contract with an individual or group~~ a person to
11 operate a ~~school as a~~ charter school:

12 ~~*-0333/P3.8~~**SECTION 3272.** 118.40 (2r) (b) 1. e. of the statutes is created to
13 read:

14 118.40 (2r) (b) 1. e. Any nonprofit, nonsectarian organization or consortium of
15 such organizations approved by the charter school oversight board under par. (bm).

16 ~~*-0333/P3.9~~**SECTION 3273.** 118.40 (2r) (b) 2. of the statutes is renumbered
17 118.40 (2r) (b) 2. (intro.) and amended to read:

18 118.40 (2r) (b) 2. (intro.) A charter shall include all of the provisions specified
19 under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified
20 under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the
21 charter school on the liability of the contracting entity under this paragraph. The
22 contract shall also include all of the following provisions and may include other
23 provisions agreed to by the parties. ~~The chancellor of the University of~~
24 ~~Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may not establish~~
25 ~~or enter into a contract for the establishment of a charter school under this~~

1 ~~paragraph without the approval of the board of regents of the University of~~
2 ~~Wisconsin System.~~

***NOTE: This is reconciled s. 118.40 (2r) (b) 2. This SECTION has been affected by drafts with the following LRB numbers: -0333/P2 and -0971/P4.

3 ***-0333/P3.10*SECTION 3274.** 118.40 (2r) (b) 2. a. to k. of the statutes are
4 created to read:

5 118.40 (2r) (b) 2. a. A requirement that the charter school governing board
6 adhere to specified annual academic and operational performance standards
7 developed in accordance with the performance framework of the entity with which
8 it is contracting.

9 b. Provisions detailing the corrective measures the charter school governing
10 board will take if the charter school fails to meet performance standards.

11 c. A provision allowing the governing board of a charter school that is assigned
12 one of the top 2 grade levels in the most recent school report published by the
13 department under s. 115.385 to open one or more additional charter schools. If the
14 charter school governing board opens one or more additional charter schools, the
15 existing contract applies to the new school or schools unless the parties agree to
16 amend the existing contract or enter into a new contract.

***NOTE: This is reconciled s. 118.40 (2r) (b) 2. c. This SECTION has been affected by drafts with the following LRB numbers: -0333/P3 and -1509/P2.

17 d. The methodology that will be used by the charter school governing board to
18 monitor and verify pupil enrollment, credit accrual, and course completion.

19 e. A requirement that the entity under subd. 1. have direct access to pupil data.

20 f. A description of the administrative relationship between the parties to the
21 contract.

1 g. A requirement that the charter school governing board hold parent–teacher
2 conferences at least annually.

3 h. A requirement that if more than one charter school is operated under the
4 contract, the charter school governing board reports to the entity under subd. 1. on
5 each charter school separately.

6 i. A requirement that the charter school governing board provide the data
7 needed by the entity under subd. 1. for purposes of making the report required under
8 sub. (3m) (a) 6.

9 j. A requirement that the charter school governing board participate in any
10 training provided by the entity under subd. 1.

11 k. A description of all fees that the entity under subd. 1. will charge the charter
12 school governing board.

13 ***-0333/P3.11*SECTION 3275.** 118.40 (2r) (b) 3. of the statutes is repealed and
14 recreated to read:

15 118.40 (2r) (b) 3. If an entity specified in subd. 1. a. to d. was operating a charter
16 school itself immediately prior to the effective date of this subdivision [LRB
17 inserts date], it may continue to do so.

****NOTE: This is reconciled s. 118.40 (2r) (b) 3. This SECTION has been affected by
drafts with the following LRB numbers: -0333/P2 and -0971/P4.

18 ***-0333/P3.12*SECTION 3276.** 118.40 (2r) (bm) of the statutes is repealed and
19 recreated to read:

20 118.40 (2r) (bm) 1. A nonprofit, nonsectarian organization or a consortium of
21 such organizations that wishes to contract with a charter school governing board to
22 operate a charter school shall submit an application to the charter school oversight

1 board. The application shall include all of the following and any other information
2 requested by the board:

3 a. A strategic plan for contracting with charter school governing boards that
4 submit high-quality proposals for charter schools that meet identified educational
5 needs and promote a diversity of educational choices.

6 b. A performance framework for use in supervising and evaluating charter
7 schools that addresses pupil academic proficiency, growth in pupil academic
8 achievement, gaps in achievement between groups of pupils, pupil attendance, the
9 readiness of pupils for postsecondary education, the financial proficiency and
10 sustainability of charter schools, and charter school management.

11 c. An assurance that the organization or consortium will ensure accountability
12 and transparency on the part of those charter school governing boards with which
13 it contracts.

14 d. A plan, including corrective action strategies, designed to improve a charter
15 school under contract with the organization or consortium, or to close such a charter
16 school, based on contractual performance standards.

17 e. A description of the types of charter schools the organization or consortium
18 is seeking to establish, and their potential attendance areas.

19 f. Information on the organization's or consortium's finances and other
20 resources necessary for the charter school oversight board to determine the
21 applicant's ability to perform its functions under this section.

22 g. A plan for entering into additional contracts in order to replicate successful
23 charter schools.

24 2. The charter school oversight board shall approve or deny an application
25 within 90 days of receiving the application.

1 ***-0333/P3.13***SECTION 3277. 118.40 (2r) (c) of the statutes is repealed and
2 recreated to read:

3 118.40 (2r) (c) 1. An entity under par. (b) 1. may contract for the operation of
4 a charter school located anywhere in this state.

5 5. a. A school board may prohibit a pupil who resides in the school district from
6 attending a charter school established under this subsection unless the school
7 district's membership, as defined in s. 121.004 (5), is at least 4,000 and a total of at
8 least 2 public schools in the school district were assigned one of the bottom 2 grade
9 levels in the most recent school report published by the department under s. 115.385.

 ****NOTE: This is reconciled s. 118.40 (2r) (c) 5. a. This SECTION has been affected
by drafts with the following LRB numbers: -0333/P3 and -1509/P2.

10 b. A pupil who wishes to attend a charter school established under this
11 subsection and who resides in a school district in which the school board may prohibit
12 pupils from attending a charter school established under this subsection shall
13 submit an application to the school board. Within 30 days of receiving the
14 application, the school board shall issue a decision allowing or prohibiting the pupil
15 from attending the charter school.

16 ***-0333/P3.14***SECTION 3278. 118.40 (2r) (cm) of the statutes is repealed.

17 ***-1509/P2.38***SECTION 3279. 118.40 (2r) (d) 2. of the statutes is amended to
18 read:

19 118.40 (2r) (d) 2. Administer the examinations under ~~ss.~~ s. 118.30 (1r) or
20 118.301 (3) and s. 121.02 (1) (r) to pupils enrolled in charter schools under this
21 subsection.

22 ***-0627/P3.1***SECTION 3280. 118.40 (2r) (dm) of the statutes is created to read:

1 118.40 (2r) (dm) The operator of a charter school authorized under this
2 subsection may provide transportation to pupils attending the charter school and
3 may claim transportation aid under s. 121.58 for pupils so transported.

4 *~~1261/P2.1~~SECTION 3281. 118.40 (2r) (e) 2n. of the statutes is amended to
5 read:

6 118.40 (2r) (e) 2n. In the 2014–15, 2015–16, and 2016–17 school year years,
7 from the appropriation under s. 20.255 (2) (fm), the department shall pay to the
8 operator of the charter school an amount equal to \$8,075 multiplied by the number
9 of pupils attending the charter school.

10 *~~1261/P2.2~~SECTION 3282. 118.40 (2r) (e) 2p. (intro.) of the statutes is
11 amended to read:

12 118.40 (2r) (e) 2p. (intro.) In the 2015–16 2017–18 school year and in each
13 school year thereafter, from the appropriation under s. 20.255 (2) (fm), the
14 department shall pay to the operator of the charter school an amount equal to the
15 sum of the amount paid per pupil under this paragraph in the previous school year;
16 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the
17 current school year, if positive; and the change in the amount of statewide categorical
18 aid per pupil between the previous school year and the current school year, if positive.
19 The change in the statewide categorical aid per pupil shall be determined as follows:

20 *~~1078/P4.21~~SECTION 3283. 118.40 (2r) (e) 2p. a. of the statutes is amended
21 to read:

22 118.40 (2r) (e) 2p. a. Add the amounts appropriated in the current fiscal year
23 under s. 20.255 (2), except s. 20.255 (2) (ac), (bb), (fm), (fr), (fu), (k), and (m); s. 20.285
24 (1) (r) and (rc); and 20.505 (4) (es); and the amount, as determined by secretary of
25 administration, of the appropriation under s. 20.505 (4) (s) allocated for payments

1 to telecommunication providers under contracts with school districts and
2 cooperative educational service agencies under s. 16.971 (13) and for grants to school
3 district consortia under s. 16.997 (7).

4 ***-0971/P5.616*SECTION 3284.** 118.40 (2r) (e) 2p. a. of the statutes, as affected
5 by 2015 Wisconsin Act (this act), is amended to read:

6 118.40 (2r) (e) 2p. a. Add the amounts appropriated in the current fiscal year
7 under s. 20.255 (2), except s. 20.255 (2) (ac), (bb), (fm), (fr), (fu), (k), and (m); s. 20.285
8 (1) (r) and (re); and 20.505 (4) (es); and the amount, as determined by secretary of
9 administration, of the appropriation under s. 20.505 (4) (s) allocated for payments
10 to telecommunication providers under contracts with school districts and
11 cooperative educational service agencies under s. 16.971 (13) and for grants to school
12 district consortia under s. 16.997 (7).

****NOTE: This is reconciled s. 118.40 (2r) (e) 2p. a. This SECTION has been affected
by drafts with the following LRB numbers: LRB-0971/P4 and LRB-1061/P2.

13 ***-0333/P3.15*SECTION 3285.** 118.40 (2r) (f) of the statutes is created to read:

14 118.40 (2r) (f) A charter school established under this subsection is a local
15 educational agency under 20 USC 6301 to 6578 and as such is eligible for funding as
16 a local educational agency, and shall comply with all requirements of local
17 educational agencies, under 20 USC 6301 to 6578.

18 ***-0333/P3.16*SECTION 3286.** 118.40 (2r) (g) of the statutes is created to read:

19 118.40 (2r) (g) If a charter school established by contract with an entity under
20 par. (b) 1. a. to d. is in operation on the effective date of this paragraph [LRB inserts
21 date], and the charter school is assigned one of the top 2 grade levels in the most
22 recent school report published by the department under s. 115.385, the person
23 operating the charter school may open one or more additional charter schools

1 notwithstanding the terms of the existing contract. All provisions of the existing
2 contract, other than any provision that conflicts with this paragraph, apply to the
3 new school or schools unless parties agree to amend the existing contract or enter
4 into a new contract.

****NOTE: This is reconciled s. 118.40 (2r) (g). This SECTION has been affected by
drafts with the following LRB numbers: -0333/P3 and -1509/P2.

5 ***-0333/P3.17*SECTION 3287.** 118.40 (3) (d) of the statutes is renumbered
6 118.40 (3m) (a) 3. and amended to read:

7 118.40 (3m) (a) 3. ~~A school board or an entity under sub. (2r) (b) shall give~~ Give
8 preference in awarding contracts for the operation of charter schools to those charter
9 schools that serve children at risk, as defined in s. 118.153 (1) (a).

10 ***-0333/P3.18*SECTION 3288.** 118.40 (3) (e) of the statutes is renumbered
11 118.40 (3m) (a) 2. and amended to read:

12 118.40 (3m) (a) 2. When ~~establishing or~~ contracting for the establishment of
13 a charter school under this section, ~~a school board or entity specified under sub. (2r)~~
14 ~~(b) shall consider~~ adhere to the principles and standards for quality charter schools
15 established by the National Association of Charter School Authorizers.

16 ***-0333/P3.19*SECTION 3289.** 118.40 (3) (f) of the statutes is created to read:
17 118.40 (3) (f) A contract with a school board or an entity under sub. (2r) (b) may
18 provide for the establishment of more than one charter school, and a charter school
19 governing board may enter into more than one contract with a school board or entity
20 under sub. (2r) (b).

21 ***-0333/P3.20*SECTION 3290.** 118.40 (3) (g) of the statutes is created to read:
22 118.40 (3) (g) 1. Except as provided in subds. 2. and 3. and sub. (4) (ar) 1., a
23 contract with a school board or an entity under sub. (2r) (b) shall require that if the

1 capacity of the charter school is insufficient to accept all pupils who apply, the charter
2 school shall accept pupils at random.

3 2. A charter school shall give preference in enrollment to pupils who were
4 enrolled in the charter school in the previous school year and to siblings of pupils who
5 are enrolled in the charter school.

6 3. A charter school may give preference in enrollment to the children of the
7 charter school's founders, governing board members, and full-time employees, but
8 the total number of such children given preference may constitute no more than 10
9 percent of the charter school's total enrollment.

10 *~~0333/P3.21~~ SECTION 3291. 118.40 (3m) (title) and (a) (intro.) of the statutes
11 are created to read:

12 118.40 (3m) (title) AUTHORIZING ENTITY DUTIES. (a) (intro.) A school board or
13 entity under sub. (2r) (b) shall do all of the following:

14 *~~0333/P3.22~~ SECTION 3292. 118.40 (3m) (a) 1. and 4. to 6. of the statutes are
15 created to read:

16 118.40 (3m) (a) 1. Solicit and evaluate charter school applications.

17 4. Approve only high-quality charter school applications that meet identified
18 educational needs and promote a diversity of educational choices.

19 5. In accordance with the terms of each charter school contract, monitor the
20 performance and compliance with this section of each charter school with which it
21 contracts.

22 6. Annually, submit to the state superintendent and to the legislature under
23 s. 13.172 (2) a report that includes all of the following:

24 a. An identification of each charter school operating under contract with it,
25 each charter school that operated under a contract with it but had its contract

1 nonrenewed or revoked or that closed, and each charter school under contract with
2 it that has not yet begun to operate.

3 b. The academic and financial performance of each charter school operated
4 under contract with it.

5 c. The operating costs of the school board or entity under sub. (2r) (b) incurred
6 under subds. 1. to 5., detailed in an audited financial statement prepared in
7 accordance with generally accepted accounting principles.

8 d. The services the school board or entity under sub. (2r) (b) has provided to the
9 charter schools under contract with it and an itemized accounting of the cost of the
10 services.

11 ***-0333/P3.23*SECTION 3293.** 118.40 (3m) (b) of the statutes is created to read:

12 118.40 (3m) (b) An organization or consortium approved by the charter school
13 oversight board under sub. (2r) (bm) annually shall submit a report to the charter
14 school oversight board that includes all the information specified in par. (a) 6.

15 ***-0333/P3.24*SECTION 3294.** 118.40 (4) (title) of the statutes is amended to
16 read:

17 118.40 (4) (title) CHARTER SCHOOL GOVERNING BOARD; DUTIES, POWERS, AND
18 RESTRICTIONS.

19 ***-0333/P3.25*SECTION 3295.** 118.40 (4) (a) of the statutes is renumbered
20 118.40 (4) (ar), and 118.40 (4) (ar) (intro.), as renumbered, is amended to read:

21 118.40 (4) (ar) *Duties.* (intro.) A charter school governing board shall do all of
22 the following:

23 ***-0333/P3.26*SECTION 3296.** 118.40 (4) (ag) of the statutes is created to read:

24 118.40 (4) (ag) *Governing board.* Each charter school shall be governed by a
25 governing board that is a party to the contract with the authorizing entity. No more

1 than a minority of the governing board's members may be employees of the charter
2 school or employees or officers of the school district in which the charter school is
3 located.

4 *~~0333/P3.27~~*SECTION 3297. 118.40 (4) (b) (intro.) of the statutes is amended
5 to read:

6 118.40 (4) (b) *Restrictions.* (intro.) A charter school governing board may not
7 do any of the following:

8 *~~0333/P3.28~~*SECTION 3298. 118.40 (4) (b) 2. of the statutes is amended to
9 read:

10 118.40 (4) (b) 2. Except as provided in ~~par. (e)~~ sub. (3) (h), discriminate in
11 admission or deny participation in any program or activity on the basis of a person's
12 sex, race, religion, national origin, ancestry, pregnancy, marital or parental status,
13 sexual orientation or physical, mental, emotional or learning disability.

14 *~~0333/P3.29~~*SECTION 3299. 118.40 (4) (c) of the statutes is renumbered
15 118.40 (3) (h) and amended to read:

16 118.40 (3) (h) ~~Single-sex schools and courses.~~ A school board ~~may enter into~~
17 ~~a contract for,~~ and an entity under sub. (2r) ~~may establish or enter into a contract for,~~
18 ~~the establishment of~~ establish a charter school that enrolls only one sex or that
19 provides one or more courses that enroll only one sex if the school board or entity
20 under sub. (2r) makes available to the opposite sex, under the same policies and
21 criteria of admission, schools or courses that are comparable to each such school or
22 course.

23 *~~0333/P3.30~~*SECTION 3300. 118.40 (4) (d) of the statutes is created to read:

1 118.40 (4) (d) *Powers*. Subject to the terms of its contract, a charter school
2 governing board has all the powers necessary to carry out the terms of its contract,
3 including all of the following:

4 1. To receive and disburse funds for school purposes.

5 2. To secure appropriate insurance.

6 3. To enter into contracts, including contracts with a University of Wisconsin
7 institution or college campus, technical college district board, or private college or
8 university, for technical or financial assistance, academic support, curriculum
9 review, or other services.

10 4. To incur debt in reasonable anticipation of the receipt of funds.

11 5. To pledge, assign, or encumber its assets to be used as collateral for loans or
12 extensions of credit.

13 6. To solicit and accept gifts or grants for school purposes.

14 7. To acquire real property for its use.

15 8. To sue and be sued in its own name.

16 *~~0971/P5.617~~***SECTION 3301**. 118.40 (7) (am) 2. of the statutes is amended to
17 read:

18 118.40 (7) (am) 2. A charter school established under sub. (2r) or a private
19 school located in the school district operating under ch. 119 that is converted to a
20 charter school is not an instrumentality of any school district and no school board
21 may employ any personnel for the charter school. If the chancellor of the University
22 of Wisconsin-Parkside contracts for the establishment of a charter school under sub.
23 (2r), the board of regents of the University of Wisconsin System Authority may
24 employ instructional staff for the charter school.

25 *~~0638/P2.6~~***SECTION 3302**. 118.43 (1) (b) of the statutes is amended to read:

1 118.43 (1) (b) “Low income” means ~~the measure of low income that is used by~~
2 ~~the school district under 20 USC 2723~~ pupils who satisfy the income eligibility
3 criteria 42 USC 1758 (b) (1).

4 *~~0541/P3.18~~*SECTION 3303. 118.50 of the statutes is created to read:

5 **118.50 Whole grade sharing. (1) AGREEMENT.** The school boards of 2 or more
6 school districts may enter into a whole grade sharing agreement that provides for all
7 or a substantial portion of the pupils enrolled in one or more grades in any of the
8 school districts to attend school in one or more of the other school districts for all or
9 a substantial portion of a school day. School boards shall include in a whole grade
10 sharing agreement all of the following:

11 (a) The term of the agreement and the date by which each school board must
12 notify the other participating school boards of its intent to renew the agreement.

13 (b) The grade levels in each school district that are subject to the agreement.

14 (c) The annual amount that the school board of a pupil’s resident school district
15 pays to the school board of the school district that the pupil attends under the
16 agreement.

17 (d) Which school board grants diplomas to pupils who, under the agreement,
18 graduate from high school in a school district other than the pupil’s resident school
19 district.

20 (e) Which school board is responsible for pupil records, as defined in s. 118.125
21 (1) (d), for pupils, who under the agreement, attend school in a school district other
22 than the pupil’s resident school district.

23 **(2) PROCEDURE.** (a) A school board may not enter into, extend, or renew a whole
24 grade sharing agreement after February 1 of the school year preceding the school
25 year in which the agreement, extension, or renewal takes effect.

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 the school board may not enter into, extend, or renew a whole grade sharing
13 agreement until it receives the results of the study. The school board shall post the
14 results of the feasibility study on the school district's Internet site.

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

20 **(3) TRANSPORTATION.** (a) In addition to the requirements under sub. (1), a whole
21 grade sharing agreement shall specify which school board is responsible for
22 transporting pupils to and from the school they are attending under the agreement.

23 (b) A whole grade sharing agreement may also specify which school board may
24 provide transportation for pupils attending summer classes under the agreement.

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1 (c) If, under a whole grade sharing agreement, a school board provides
2 transportation for fewer than all pupils, there shall be reasonable uniformity in the
3 minimum and maximum distances pupils are transported.

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

8 (5) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS; PARTICIPATION IN PROGRAMS.

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

13 (b) A pupil attending a public school in a nonresident school district under this
14 section is considered a resident of the nonresident school district for the purposes of
15 participating in programs of a cooperative educational service agency or a county
16 children with disabilities education board.

17 (6) FULL-TIME ENROLLMENT IN NONRESIDENT DISTRICT. If a whole grade sharing
18 agreement provides for a pupil to attend a grade in a nonresident school district, the
19 pupil may not attend that grade in the nonresident school district under s. 118.51.

20 (7) SCHOOL DISTRICT REORGANIZATION. A whole grade sharing agreement entered
21 into under this section is not an order of school district reorganization under ch. 117.

22 *-0333/P3.31*SECTION 3304. 118.51 (1) (a) of the statutes is renumbered
23 118.51 (1) (ag).

24 *-0333/P3.32*SECTION 3305. 118.51 (1) (ad) of the statutes is created to read:

1 118.51 (1) (ad) “Charter school” excludes a school under contract with an entity
2 under s. 118.40 (2r) (b).

3 *~~0541/P3.19~~*SECTION 3306. 118.51 (2) of the statutes is amended to read:

4 118.51 (2) APPLICABILITY. ~~A- Except as provided in s. 118.50 (6),~~ a pupil may
5 attend a public school, including a charter school, prekindergarten, 4-year-old
6 kindergarten, or early childhood or school-operated child care program, in a
7 nonresident school district under this section, except that a pupil may attend a
8 prekindergarten, 4-year-old kindergarten, or early childhood or school-operated
9 child care program in a nonresident school district only if the pupil’s resident school
10 district offers the same type of program that the pupil wishes to attend and the pupil
11 is eligible to attend that program in his or her resident school district.

12 *~~0638/P2.7~~*SECTION 3307. 118.51 (14) (b) of the statutes is amended to read:

13 118.51 (14) (b) *Low-income assistance*. The parent of a pupil who is eligible
14 satisfies the income eligibility criteria for a free or reduced-price lunch under 42
15 USC 1758 (b) (1) and who will be attending public school in a nonresident school
16 district in the following school year under this section may apply to the department,
17 on the form prepared under sub. (15) (a), for the reimbursement of costs incurred by
18 the parent for the transportation of the pupil to and from the pupil’s residence and
19 the school that the pupil will be attending. The department shall determine the
20 reimbursement amount and shall pay the amount from the appropriation under s.
21 20.255 (2) (cy). The reimbursement amount may not exceed the actual
22 transportation costs incurred by the parent or 3 times the statewide average per
23 pupil transportation costs, whichever is less. If the appropriation under s. 20.255 (2)
24 (cy) in any one year is insufficient to pay the full amount of approved claims under
25 this paragraph, payments shall be prorated among the parents entitled thereto. By

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1 the 2nd Friday following the first Monday in May following receipt of the parent's
2 application under sub. (3) (a), the department shall provide to each parent
3 requesting reimbursement under this paragraph an estimate of the amount of
4 reimbursement that the parent will receive if the pupil attends public school in the
5 nonresident school district in the following school year.

6 ***-1287/P1.1*SECTION 3308.** 118.51 (16) (a) 1m. of the statutes is created to
7 read:

8 118.51 (16) (a) 1m. For the amount in the 2015–16 and 2016–17 school years,
9 the amount determined under subd. 3. a. for the 2014–15 school year.

10 ***-1287/P1.2*SECTION 3309.** 118.51 (16) (a) 3. b. of the statutes is amended to
11 read:

12 118.51 (16) (a) 3. b. Beginning with the amount in the ~~2015–16~~ 2017–18 school
13 year, the sum of the amount determined under this subdivision for the previous
14 school year; the amount of the per pupil revenue limit adjustment under s. 121.91
15 (2m) for the current school year, if positive; and the change in the amount of
16 statewide categorical aid per pupil between the previous school year and the current
17 school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

18 ***-0638/P2.8*SECTION 3310.** 118.52 (11) (b) of the statutes is amended to read:

19 118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending
20 a course at an educational institution under this section may apply to the
21 department for reimbursement of the costs incurred by the parent for the
22 transportation of the pupil to and from the pupil's residence or school in which the
23 pupil is enrolled and the educational institution that the pupil is attending for the
24 course if the pupil and parent are unable to pay the cost of such transportation. The
25 department shall determine the reimbursement amount and shall pay the amount

1 from the appropriation under s. 20.255 (2) (cy). The department shall give preference
2 under this paragraph to those pupils who ~~are eligible~~ satisfy the income eligibility
3 criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1).

4 *~~-0638/P2.9~~*SECTION 3311. 118.55 (7g) of the statutes is amended to read:

5 118.55 (7g) TRANSPORTATION. The parent or guardian of a pupil who is
6 attending an institution of higher education or technical college under this section
7 and is taking a course for high school credit may apply to the state superintendent
8 for reimbursement of the cost of transporting the pupil between the high school in
9 which the pupil is enrolled and the institution of higher education or technical college
10 that the pupil is attending if the pupil and the pupil's parent or guardian are unable
11 to pay the cost of such transportation. The state superintendent shall determine the
12 reimbursement amount and shall pay the amount from the appropriation under s.
13 20.255 (2) (cw). The state superintendent shall give preference under this subsection
14 to those pupils who ~~are eligible~~ satisfy the income eligibility criteria for a free or
15 reduced-price lunch under 42 USC 1758 (b) (1).

16 *~~-1509/P2.39~~*SECTION 3312. 118.57 of the statutes is created to read:

17 **118.57 Notice of educational options; review report grade; pupil**
18 **assessments.** (1) Annually, by January 31, each school board shall publish as a
19 class 1 notice, under ch. 985, and post on its Internet site a description of the
20 educational options available to the child, including public schools, private schools
21 participating in a parental choice program, charter schools, virtual schools, full-time
22 open enrollment, youth options, and course options.

23 (2) The school board shall include in the notice under sub. (1) and in the letter
24 sent under sub. (1) the most recent grade level assigned under s. 115.385 (2) to each
25 school within the school district boundaries, including charter schools established

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1 under s. 118.40 (2r) and private schools participating in a parental choice program
2 under s. 118.60 or 119.23. The letter sent by the school board shall inform parents
3 that the full school and school district accountability report is available on the school
4 board's Internet site.

5 ***-1137/P7.4*SECTION 3313.** 118.60 (1) (b) of the statutes is repealed.

****NOTE: This is reconciled s. 118.60 (1) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1137/P4 and LRB-0633/P3.

6 ***-0633/P4.1*SECTION 3314.** 118.60 (1) (e) of the statutes is repealed.

7 ***-0633/P4.2*SECTION 3315.** 118.60 (1) (f) of the statutes is repealed.

8 ***-1137/P7.5*SECTION 3316.** 118.60 (2) (a) (intro.) of the statutes is amended
9 to read:

10 118.60 (2) (a) (intro.) Subject to pars. (ag) and (ar), any pupil in grades
11 kindergarten to 12 who resides within an eligible school district may attend any
12 private school under this section and, subject to pars. (ag), (ar), ~~(be)~~, (bm), and (bs),
13 any pupil in grades kindergarten to 12 who resides in a school district, other than
14 an eligible school district or a 1st class city school district, may attend any private
15 school under this section if all of the following apply:

16 ***-1232/P2.1*SECTION 3317.** 118.60 (2) (a) 1. a. of the statutes is amended to
17 read:

18 118.60 (2) (a) 1. a. Except as provided in par. (bm), the pupil is a member of a
19 family that has a total family income that does not exceed an amount equal to 3.0
20 times the poverty level determined in accordance with criteria established by the
21 director of the federal office of management and budget. In this subdivision and sub.
22 (3m), family income includes income of the pupil's parents or legal guardians. The
23 Except as provided in subd. 1. c., the family income of the pupil shall be verified as

1 provided in subd. 1. b. A pupil attending a private school under this section whose
2 family income increases may continue to attend a private school under this section.

3 ***-1232/P2.2*SECTION 3318.** 118.60 (2) (a) 1. c. of the statutes is created to read:

4 118.60 (2) (a) 1. c. The family income of a pupil does not need to be verified
5 under subd. 1. b. for a pupil who resided in a school district other than an eligible
6 school district or a 1st class city school district in a school year, attended a
7 participating private school in a school district other than an eligible school district
8 or a 1st class city school district under the program under this section in that school
9 year, and applies to attend a participating private school in any other school district
10 in the school year immediately following that school year.

11 ***-1137/P7.6*SECTION 3319.** 118.60 (2) (a) 2m. of the statutes is created to read:

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

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

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

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

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

23 ***-0633/P4.3*SECTION 3320.** 118.60 (2) (a) 3. a. of the statutes is amended to
24 read:

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

8 *~~0633/P4.4~~*SECTION 3321. 118.60 (2) (a) 6. a. of the statutes is amended to
9 read:

10 118.60 (2) (a) 6. a. Except as provided in subd. 6. c. and d., all of the private
11 school's teachers have a teaching license issued by the department or a bachelor's
12 degree or a degree or educational credential higher than a bachelor's degree,
13 including a masters or doctorate, from an accredited institution of higher education.

14 *~~0633/P4.5~~*SECTION 3322. 118.60 (2) (a) 6. b. of the statutes is amended to
15 read:

16 118.60 (2) (a) 6. b. All of the private school's administrators have at least a
17 bachelor's degree from an accredited institution of higher education or a teaching
18 license or administrator's license issued by the department.

19 *~~1137/P7.7~~*SECTION 3323. 118.60 (2) (be) of the statutes is repealed.

20 *~~1137/P7.8~~*SECTION 3324. 118.60 (3) (a) (intro.) and 1. (intro.) of the statutes
21 are consolidated, renumbered 118.60 (3) (a) (intro.) and amended to read:

22 118.60 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit
23 an application, on a form provided by the state superintendent, to the participating
24 private school that the pupil wishes to attend. If more than one pupil from the same
25 family applies to attend the same private school, the pupils may use a single

1 application. Within 60 days after receiving the application, the private school shall
2 notify each applicant, in writing, whether his or her application has been accepted.
3 If the private school rejects an application, the notice shall include the reason.
4 Subject to pars. (ag) and (ar), a A private school may reject an applicant only if it has
5 reached its maximum general capacity or seating capacity. ~~Except as provided in~~
6 ~~pars. (ag) and (ar), the~~ The state superintendent shall ensure that the private school
7 determines which pupils to accept on a random basis, except that: ~~1. The~~ the private
8 school may give preference to the following in accepting applications ~~to any of the~~
9 following, in the order of preference listed:

****NOTE: This is reconciled s.118.60 (3) (a) (intro.). This SECTION has been affected
by drafts with the following LRB numbers: -1137 and -0633

10 ***-1137/P7.9*SECTION 3325.** 118.60 (3) (a) 1. a. to c. and 2. of the statutes are
11 repealed.

****NOTE: This is reconciled s.118.60 (3) (a) 1. a. to c. This SECTION has been affected
by drafts with the following LRB numbers: -1137 and -0633.

12 ***-1137/P7.10*SECTION 3326.** 118.60 (3) (a) 1m., 2m., 3., 4. and 5. of the statutes
13 are created to read:

14 118.60 (3) (a) 1m. Pupils who attended the private school under this section
15 during the previous school year.

16 2m. Siblings of pupils described in subd. 1m.

17 3. Pupils who attended a different private school under this section or s. 119.23
18 during the previous school year.

19 4. Siblings of pupils described under subd. 3.

20 5. Siblings of those pupils who have been randomly accepted to attend the
21 private school under this section and who did not attend a private school under this
22 section or s. 119.23 during the previous school year.

****NOTE: This is reconciled s.118.60 (3) (a) 1m. to 5. This SECTION has been affected by drafts with the following LRB numbers: -1137 and -0633.

1 *~~-1137/P7.11~~*SECTION 3327. 118.60 (3) (ag) of the statutes is repealed.

2 *~~-1137/P7.12~~*SECTION 3328. 118.60 (3) (ar) of the statutes is repealed.

3 *~~-1137/P7.13~~*SECTION 3329. 118.60 (3) (c) of the statutes is amended to read:

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

11 *~~-1137/P7.14~~*SECTION 3330. 118.60 (3) (d) of the statutes is created to read:

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

18 *~~-0633/P4.11~~*SECTION 3331. 118.60 (4) (a) of the statutes is amended to read:

19 118.60 (4) (a) Annually, on or before October ~~15~~ 1, a private school participating
20 in the program under this section shall file with the department a report stating its
21 summer average daily membership equivalent ~~and its summer choice average daily~~
22 ~~membership equivalent~~ attendance for each day of summer school for the purpose
23 of sub. (4m).

1 ***-0633/P4.12*SECTION 3332.** 118.60 (4) (bg) 2m. of the statutes is created to
2 read:

3 118.60 (4) (bg) 2m. Except as provided in subd. 4. and subject to subd. 6., in the
4 2015–16 and 2016–17 school years, upon receipt from the pupil’s parent or guardian
5 of proof of the pupil’s enrollment in the private school during a school term, the state
6 superintendent shall pay to the private school in which the pupil is enrolled on behalf
7 of the pupil’s parent or guardian, from the appropriation under s. 20.255 (2) (fr), an
8 amount either of \$7,210, if the pupil is enrolled in a grade from kindergarten to 8,
9 or of \$7,856, if the pupil is enrolled in a grade from 9 to 12.

 ****NOTE: This is reconciled s. 118.60 (4) (bg) 2m. This SECTION has been affected
by drafts with the following LRB numbers: -0663/P3, -1261/P1, and -1137/P4.

10 ***-0633/P4.13*SECTION 3333.** 118.60 (4) (bg) 3. (intro.) and 118.60 (4) (bg) 3. b.
11 of the statutes are consolidated, renumbered 118.60 (4) (bg) 3. and amended to read:

12 118.60 (4) (bg) 3. In Subject to subd. 6., in the 2015–16 2017–18 school year and
13 in each school year thereafter, upon receipt from the pupil’s parent or guardian of
14 proof of the pupil’s enrollment in the private school during a school term, except as
15 provided in subd. 5., the state superintendent shall pay to the private school in which
16 the pupil is enrolled on behalf of the pupil’s parent or guardian, from the
17 appropriation under s. 20.255 (2) (fr), the lesser of the following: b. ~~Except as~~
18 provided in subd. 5., an amount equal to the sum of the maximum amount per pupil
19 the state superintendent paid a private school under this section in the previous
20 school year for the grade in which the pupil is enrolled; the amount of the per pupil
21 revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and
22 the change in the amount of statewide categorical aid per pupil between the previous

1 school year and the current school year, as determined under s. 118.40 (2r) (e) 2p.,
2 if positive.

****NOTE: This is reconciled s. 118.60 (4) (bg) 3. This SECTION has been affected by
drafts with the following LRB numbers: -0663/P3, -1261/P1, and -1137/P4.

3 *-0633/P4.14*SECTION 3334. 118.60 (4) (bg) 3. a. of the statutes is repealed.

4 *-0633/P4.15*SECTION 3335. 118.60 (4) (bg) 5. (intro.) of the statutes is
5 amended to read:

6 118.60 (4) (bg) 5. (intro.) If the pupil described in subd. 3. is enrolled in a private
7 school that enrolls pupils under the program in any grade between kindergarten to
8 8 and also in any grade between 9 to 12, the state superintendent shall substitute
9 for the amount described in subd. 3. ~~b.~~ the amount determined under subd. 4. a. to
10 d., with the following modifications:

11 *-1137/P7.15*SECTION 3336. 118.60 (4) (bg) 6. of the statutes is created to
12 read:

13 118.60 (4) (bg) 6. This paragraph applies only to pupils who participated in the
14 program under this section before the 2015-16 school year.

15 *-1137/P7.16*SECTION 3337. 118.60 (4) (bk) of the statutes is created to read:

16 118.60 (4) (bk) 1. In this paragraph, “incoming choice pupil” means a pupil who
17 begins participating in the program under this section in the 2015-16 school year or
18 any school year thereafter who is enrolled in a private school under this section
19 during the school term.

20 2. For an incoming choice pupil, upon receipt from the pupil’s parent or
21 guardian of proof of the pupil’s enrollment in the private school during a school term,
22 the state superintendent shall pay to the private school in which the pupil is enrolled

1 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255
2 (2) (ac), the amount determined by the state superintendent as follows:

3 a. Identify each school district in which an incoming choice pupil resides.

4 b. For each school district identified under subd. 2. a., calculate that school
5 district's per pupil equalization aid by dividing the total amount of state aid that the
6 school district is eligible to receive under s. 121.08 after making the reduction under
7 s. 121.08 (4) (a) but before making the reduction under s. 121.08 (4) (c) by the school
8 district's membership that was used to calculate the state aid under s. 121.08.

9 c. For each school district identified under subd. 2. a., multiply the school
10 district's per pupil equalization aid calculated under subd. 2. b. by the number of
11 incoming choice pupils residing in the school district.

12 d. Add together all of the amounts determined under subd. 2. c. for school
13 districts identified under subd. 2. a.

14 e. Divide the amount determined under subd. 2. d. by the total number of
15 incoming choice pupils.

16 3. By October 15, using the most accurate data available, the state
17 superintendent shall calculate the per pupil amount under subd. 2. for the current
18 school year. Any adjustments to that calculation shall be made by increasing or
19 decreasing the payment to a participating private school made in September of the
20 following school year. If the private school is not participating in the program under
21 this section in September of the following school year, the department shall make any
22 adjustments to the calculation by making a separate payment to the private school
23 or if the adjustment is a decrease, the private school shall refund the department for
24 any overpayment it received under this subsection or sub. (4m).

SECTION 3338

1 ***-1137/P7.17*SECTION 3338.** 118.60 (4) (c) of the statutes is renumbered
2 118.60 (4) (c) 1. and amended to read:

3 118.60 (4) (c) 1. The Subject to subd. 2., the state superintendent shall pay 25
4 percent of the total amount under this subsection in September, 25 percent in
5 November, 25 percent in February, and 25 percent in May. Each installment may
6 consist of a single check for all pupils attending the private school under this section.
7 The state superintendent shall include the entire amount under sub. (4m) in the
8 November installment, but the payment shall be made in a separate check from the
9 payment under this subsection.

10 ***-1137/P7.18*SECTION 3339.** 118.60 (4) (c) 2. of the statutes is created to read:
11 118.60 (4) (c) 2. Beginning with payments for the 2016–17 school year, the
12 portion of the September payment that is for a pupil under par. (bk) shall be based
13 on the per pupil payment under par. (bk) in the previous school year. Any adjustment
14 to ensure that a participating private school receives the total amount due under this
15 section for pupil payments under par. (bk) shall be made by increasing or decreasing
16 the amount paid in May of the current school year.

17 ***-0633/P4.16*SECTION 3340.** 118.60 (4) (d) of the statutes is repealed.

18 ***-1137/P7.19*SECTION 3341.** 118.60 (4m) (a) (intro.) of the statutes is
19 renumbered 118.60 (4m) (a) 1m. (intro.) and amended to read:

20 118.60 (4m) (a) 1m. (intro.) In addition to the payment under sub. (4), the state
21 superintendent shall, subject to par. (b), pay to each private school participating in
22 the program under this section, on behalf of the parent or guardian of each pupil
23 attending summer school in the private school under this section during a summer
24 and in the manner described in sub. (4) (c), from the appropriation under s. 20.255
25 (2) (fr), an amount determined as follows:

1 *~~1137/P7.20~~*SECTION 3342. 118.60 (4m) (a) 1. of the statutes is renumbered
2 118.60 (4m) (a) 1m. a.

3 *~~1137/P7.21~~*SECTION 3343. 118.60 (4m) (a) 2. of the statutes is renumbered
4 118.60 (4m) (a) 1m. b. and amended to read:

5 118.60 (4m) (a) 1m. b. Multiply the amount under subd. ~~1.~~ 1m. a. by 0.05.

6 *~~1137/P7.22~~*SECTION 3344. 118.60 (4m) (a) 2m. of the statutes is created to
7 read:

8 118.60 (4m) (a) 2m. This paragraph applies only to pupils who participated in
9 the program under this section before the 2015-16 school year.

10 *~~1137/P7.23~~*SECTION 3345. 118.60 (4m) (am) of the statutes is created to
11 read:

12 118.60 (4m) (am) For a pupil who begins participating in the program under
13 this section in the 2015-16 school year or any school year thereafter, in addition to
14 the payment under sub. (4) and subject to par. (b), the state superintendent shall pay
15 to the private school participating in the program under this section that the pupil
16 attends during a summer in the manner described in sub. (4) (c), on behalf of the
17 pupil's parent or guardian, from the appropriation under s. 20.255 (2) (ac), an amount
18 determined as follows:

19 1. Determine the amount that would have been paid under sub. (4) (bk) in the
20 immediately preceding school term.

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

22 *~~1137/P7.24~~*SECTION 3346. 118.60 (4m) (b) (intro.) of the statutes is amended
23 to read:

24 118.60 (4m) (b) (intro.) A participating private school may receive a per pupil
25 payment under par. (a) or (am) if all of the following are satisfied:

SECTION 3347

1 ***-1137/P7.25*SECTION 3347.** 118.60 (4m) (b) 3. of the statutes is amended to
2 read:

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

6 ***-1137/P7.26*SECTION 3348.** 118.60 (4r) (intro.) of the statutes is renumbered
7 118.60 (4r) (am) (intro.) and amended to read:

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

17 ***-1137/P7.27*SECTION 3349.** 118.60 (4r) (a) of the statutes is renumbered
18 118.60 (4r) (am) 1.

19 ***-1137/P7.28*SECTION 3350.** 118.60 (4r) (b) of the statutes is renumbered
20 118.60 (4r) (am) 2. and amended to read:

21 118.60 (4r) (am) 2. Multiply the product under ~~par. (a)~~ subd. 1. by 0.25.

22 ***-1137/P7.29*SECTION 3351.** 118.60 (4r) (bm) of the statutes is created to read:

23 118.60 (4r) (bm) If, after the 3rd Friday in September in any school year, a
24 private school participating in the program under this section closes, for each
25 installment under sub. (4) (c) that was not paid to the private school in that school

1 year, the state superintendent shall pay to the board of the school district within
2 which the pupil resides, from the appropriation under s. 20.255 (2) (ac), the amount
3 determined, for each pupil who participated in the program under this section
4 beginning in the 2015-16 school year or any school year thereafter who had been
5 attending the private school under this section in that school year and who enrolls
6 in the school district within which the pupil resides in that school year, as follows:

7 1. Multiply the amount determined under sub. (4) (bk) by 0.667.

8 2. Multiply the product under subd. 1. by 0.25.

9 ***-1137/P7.30*SECTION 3352.** 118.60 (6m) (b) 1. of the statutes is amended to
10 read:

11 118.60 (6m) (b) 1. The number of pupils attending the private school under this
12 section in the previous school year who began participating in the program under
13 this section in the 2015-16 school year or any school year thereafter and the number
14 of pupils attending the private school under this section in the previous school year
15 who began participating in the program under this section before the 2015-16 school
16 year.

17 ***-0633/P4.17*SECTION 3353.** 118.60 (6m) (b) 3. (intro.) and d. of the statutes
18 are consolidated, renumbered 118.60 (6m) (b) 3. and amended to read:

19 118.60 (6m) (b) 3. For each of the previous 5 school years in which the private
20 school has participated in the program under this section, ~~all of the following~~
21 ~~information: d. To~~ to the extent permitted under 20 USC 1232g and 43 CFR part 99,
22 pupil scores on all standardized tests administered under sub. (7) (e) s. 118.30 (1t).

23 ***-0633/P4.18*SECTION 3354.** 118.60 (6m) (b) 3. a. to c. of the statutes are
24 repealed.

SECTION 3355

1 *~~0633/P4.19~~**SECTION 3355.** 118.60 (7) (am) 1. of the statutes is amended to
2 read:

3 118.60 (7) (am) 1. An independent financial audit of the private school
4 conducted by an independent certified public accountant, accompanied by the
5 auditor's statement that the report is free of material misstatements and fairly
6 presents pupil costs ~~under sub. (4) (bg).~~ ~~The audit under this subdivision shall be~~
7 ~~limited in scope to those records that are necessary for the department to make~~
8 ~~payments under subs. (4) and (4m).~~ The audit shall be prepared in accordance with
9 generally accepted accounting principles, as modified by the department. The audit
10 shall include a calculation of the private school's net eligible educational
11 programming costs and a calculation of the balance of the private school's fund for
12 future educational programming costs. The auditor shall conduct his or her audit,
13 including determining sample sizes and evaluating financial viability, in accordance
14 with the auditing standards established by the American Institute of Certified
15 Public Accountants. The department may not require an auditor to comply with
16 standards that exceed the scope of the standards established by the American
17 Institute of Certified Public Accountants. If a private school participating in the
18 program under this section also accepts pupils under s. 119.23, the private school
19 may submit one comprehensive financial audit to satisfy the requirements of this
20 subdivision and s. 119.23 (7) (am) 1. The private school shall include in the
21 comprehensive financial audit the information specified under s. 119.23 (7) (am) 1.

22 *~~1509/P2.40~~**SECTION 3356.** 118.60 (7) (e) of the statutes is amended to read:

23 118.60 (7) (e) Each private school participating in the program under this
24 section shall administer the examinations required under s. 118.30 (1t) or
25 examinations permitted under s. 118.301 (3) to pupils attending the school under the