

Knepp, Fern

From: Scott, Katie
Sent: Monday, November 25, 2019 3:12 PM
To: Knepp, Fern
Subject: Course Choice
Attachments: 19-4616_P2.pdf

Hi Fern!

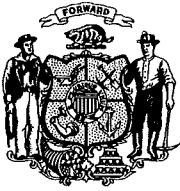
The attached bill looks great! Can we take out the fiscal component of the bill (the part about transportation revenue for rural students)? We want to ensure the bill has no fiscal to it. Can we get it as a /P3?

If there is any way that this could be done as soon as possible....we'd like to take one more look at it and would like to circulate it for co-sponsorship in the next week or two.

Thanks!
Katie

*Per Katie's - Notes can all
be taken
out*

Katie Scott
Policy Advisor
Office of Representative Jeremy Thiesfeldt
52nd Assembly District
(608) 266-3156



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4616/P2 1B
FFK:amn
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En 11-27
TODAY

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Regen

1 AN ACT *to repeal* 118.52 (3) (d); *to renumber and amend* 118.52 (3) (c) and
2 118.52 (4); *to amend* 20.255 (2) (cy), 115.28 (54m), 115.38 (1) (d), 115.385 (4),
3 118.52 (1) (e), 118.52 (2), 118.52 (3) (a), 118.52 (3) (b), 118.52 (3) (e), 118.52 (5),
4 118.52 (6), 118.52 (8), 118.52 (9), 118.52 (10), 118.52 (11), 118.52 (12) and 118.57
5 (1); *to repeal and recreate* 118.52 (title); and *to create* 118.52 (1) (ad), 118.52
6 (1) (af), 118.52 (1) (ah), 118.52 (2m), 118.52 (3) (c) 2. and 118.52 (13) of the
7 statutes; **relating to:** expanding the part-time open enrollment program
a course choice program for pupils in grades 1 to 12

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

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

8 SECTION 1. 20.255 (2) (cy) of the statutes is amended to read:

1 20.255 (2) (cy) *Aid for transportation; open enrollment and early college credit*
2 *program.* The amounts in the schedule to reimburse parents for the costs of
3 transportation of open enrollment pupils under ss. s. 118.51 (14) (b) and course choice
4 pupils under s. 118.52 (11) (b) and for the payment of state aid under s. 118.55 (7g)
5 for the transportation of pupils attending a course at an institution of higher
6 education and receiving credit for the course under s. 118.55 (3) (b).

7 **SECTION 2.** 115.28 (54m) of the statutes is amended to read:

8 115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
9 department's Internet site a link to information about all of the educational options
10 available to children in the state who are at least 3 years old but not yet 18 21 years
11 old and who have not graduated from high school, including public schools, private
12 schools participating in a parental choice program, charter schools, virtual schools,
13 full-time or ~~part-time~~ open enrollment in a nonresident school district, the course
14 choice program, the early college credit program, and options for pupils enrolled in
15 a home-based private educational program.

****NOTE: I modeled this on the definition of "child" in s. 115.76 (3). Okay?

16 **SECTION 3.** 115.38 (1) (d) of the statutes is amended to read:

17 115.38 (1) (d) The number and percentage of resident pupils enrolled in the
18 school district attending a course in a nonresident school district offered by an
19 educational institution under s. 118.52, the number of nonresident pupils who are
20 not enrolled in the school district but are attending a course in the school district
21 under s. 118.52, and the courses taken by those pupils.

22 **SECTION 4.** 115.385 (4) of the statutes is amended to read:

23 115.385 (4) Annually, each public school, including a charter school, and each
24 private school participating in a parental choice program under s. 118.60 or 119.23

1 shall provide a copy of the school's accountability report to the parent or guardian of
 2 each pupil enrolled in or attending the school. Each school shall simultaneously
 3 provide to the parent or guardian of each pupil enrolled in the school a list of the
 4 educational options available to children who reside in the pupil's resident school
 5 district, including public schools, private schools participating in a parental choice
 6 program, charter schools, virtual schools, full-time or part-time open enrollment in
 7 a nonresident school district, the course choice program, the early college credit
 8 program, and options for pupils enrolled in a home-based private educational
 9 program.

10 **SECTION 5.** 118.52 (title) of the statutes is repealed and recreated to read:

11 **118.52 (title) Course choice program.**

12 **SECTION 6.** 118.52 (1) (ad) of the statutes is created to read:

13 118.52 (1) (ad) "Educational institution" means all of the following:

14 1. A public school under the charge of a pupil's resident school board, including
 15 a ^{charter} school under contract with the school board under s. 118.40.

16 2. A public school under the charge of a pupil's nonresident school board,
 17 including a ^{charter} school under contract with the school board under s. 118.40.

18 3. A charter school established under s. 118.40 (2r) or (2x).

19 4. A private school, including a private virtual school, as defined in s. 118.076

20 (4) (a).

21 5. Any nonprofit organization approved by the department.

***NOTE: Please note that I made modifications to this definition in order to distinguish between virtual charter schools and private virtual charters. I also clarified that school district authorized charters are included in subd. 1. and 2. Okay?

22 **SECTION 7.** 118.52 (1) (af) of the statutes is created to read:

1 118.52 (1) (af) “Full-time educational institution” means the educational
2 institution at which the pupil is enrolled or attends school full time during the school
3 year for which an application is made under this section.

4 **SECTION 8.** 118.52 (1) (ah) of the statutes is created to read:

5 118.52 (1) (ah) “Governing body” means the board that is elected or appointed
6 to govern an educational institution. If a board is not elected or appointed to govern
7 the educational institution, “governing body” means the person having direct charge
8 of the educational institution.

9 **SECTION 9.** 118.52 (1) (e) of the statutes is amended to read:

10 118.52 (1) (e) “Resident school district” means the school district in which a
11 pupil resides. If a pupil attends school under a whole grade sharing agreement under
12 s. 118.50 in a school district other than the school district in which the pupil resides,
13 the school district in which the pupil attends school under the whole grade sharing
14 agreement is considered the pupil’s resident school district.

15 **SECTION 10.** 118.52 (2) of the statutes is amended to read:

16 118.52 (2) Beginning in the 2018-19 2020-21 school year, subject to sub. (2m)
17 (b), a pupil who is enrolled in a public school in the high school or attends an
18 educational institution in grades 1 to 12 may attend public school in a nonresident
19 school district another educational institution under this section for the purpose of
20 taking a course offered by the ~~nonresident school district~~ that educational
21 institution. A pupil may attend no more than 2 courses at any time in ~~nonresident~~
22 ~~school districts~~ under this section.

23 **SECTION 11.** 118.52 (2m) of the statutes is created to read:

24 118.52 (2m) PROGRAM PARTICIPATION; PRIVATE SCHOOLS AND NONPROFIT
25 ORGANIZATIONS. (a) In order for an educational institution under sub. (1) (ad) 4. or

1 5. to participate in the program under this section, before the June 1 preceding the
2 school year in which the educational institution wishes to participate, the governing
3 body of the educational institution shall do all of the following:

****NOTE: As drafted, this applies to private schools, including private virtual schools, and to nonprofit organizations approved by the department. It does not apply to independent charter schools. Okay?

4 1. Adopt a resolution specifying that the educational institution will
5 participate in the program under this section in the following school year.

6 2. Adopt a resolution specifying the acceptance and rejection criteria described
7 in subs. (5) and (6) that the educational institution will implement for the following
8 school year.

9 3. Publish and post on its Internet site, if applicable, whether the educational
10 institution will participate in the program under this section and, if it will
11 participate, no later than 8 weeks before the date on which a course will begin, post
12 a description of the course that will be available to pupils applying under sub. (3).
13 The educational institution shall maintain and update the description of available
14 courses throughout the school year.

15 (b) If an educational institution under sub. (1) (ad) 4. or 5. does not participate
16 in the program under this section, sub. (2) does not apply to a pupil attending the
17 educational institution or to a pupil attending another educational institution who
18 wishes to attend a course offered by the educational institution under this section.

19 **SECTION 12.** 118.52 (3) (a) of the statutes is amended to read:

20 118.52 (3) (a) The parent of a pupil who wishes to attend ~~public school in a~~
21 ~~nonresident school district~~ an educational institution for the purpose of taking a
22 course under this section shall submit an application, on a form provided by the
23 department, to the ~~school board of the nonresident school district in~~ educational

1 institution at which the pupil wishes to attend a course not later than 6 weeks prior
2 to the date on which the course is scheduled to commence. The application shall
3 specify the course that the pupil wishes to attend and may specify the school or
4 schools at which the pupil wishes to attend the course. ~~The nonresident school board~~
5 An educational institution that receives an application under this paragraph shall
6 send a copy of the application to the pupil's resident school board, except that if the
7 pupil is attending a school in a school district other than the pupil's resident school
8 district pursuant to a whole grade sharing agreement under s. 118.50, the
9 nonresident school district to which the pupil applies under this section shall send
10 a copy of the application to the school board of the district in which the pupil is
11 attending school pursuant to the whole grade sharing agreement full-time
12 educational institution.

13 **SECTION 13.** 118.52 (3) (b) of the statutes is amended to read:

14 118.52 (3) (b) If ~~a nonresident school board~~ an educational institution receives
15 more applications for a particular course than there are spaces available in the
16 course, the ~~nonresident school board~~ educational institution shall determine which
17 pupils to accept on a random basis.

18 **SECTION 14.** 118.52 (3) (c) of the statutes is renumbered 118.52 (3) (c) (intro.)
19 and amended to read:

20 118.52 (3) (c) (intro.) No later than ~~one week~~ 4 weeks prior to the date on which
21 the course is scheduled to commence, the ~~nonresident school board~~ governing body
22 of the educational institution shall ~~notify~~ do all of the following:

23 1. Notify the applicant and the ~~resident school board~~ applicant's full-time
24 educational institution, in writing, whether the application has been accepted and,
25 if the application is accepted, the school location at which the pupil may attend the

1 course. If the applicant pupil is attending a school in a school district other than the
2 pupil's resident school district pursuant to a whole grade sharing agreement under
3 s. 118.50, the school board of the district to which the pupil applies under this section
4 shall provide the notice required under this paragraph to the school board of the
5 district in which the pupil is attending school pursuant to the whole grade sharing
6 agreement. The acceptance applies only for the following semester, school year, or
7 other session in which the course is offered. If the school board of the district
8 governing body of the educational institution to which the pupil applies under this
9 section rejects an application, it the governing body shall include in the notice the
10 reason for the rejection.

11 **SECTION 15.** 118.52 (3) (c) 2. of the statutes is created to read:

12 118.52 (3) (c) 2. Notify each applicant of the cost of the course.

13 **SECTION 16.** 118.52 (3) (d) of the statutes is repealed.

14 **SECTION 17.** 118.52 (3) (e) of the statutes is amended to read:

15 118.52 (3) (e) Following receipt of a notice of acceptance but prior to 2 weeks
16 before the date on which the course is scheduled to commence, the pupil's parent
17 shall notify the resident school board, or, if the pupil is attending school in a school
18 district other than the pupil's resident school district pursuant to a whole grade
19 sharing agreement under s. 118.50, the school board of the district in which the pupil
20 is attending school, pupil's full-time educational institution and the school board of
21 the district to educational institution providing the course for which the pupil applies
22 under this section of the pupil's intent to attend the course in the school district to
23 which the pupil applies under this section.

24 **SECTION 18.** 118.52 (4) of the statutes is renumbered 118.52 (2p) and amended
25 to read:

1 118.52 (2p) ADOPTION OF POLICIES AND CRITERIA; SCHOOL BOARDS AND CHARTER
2 SCHOOLS. By February 1, 1998, Annually, by June 1, each school board and governing
3 board of a charter school shall adopt a resolution specifying the criteria and policies
4 described in subs. (5) and (6). If the school board wishes to revise the criteria or
5 policies, it shall do so by resolution.

6 **SECTION 19.** 118.52 (5) of the statutes is amended to read:

7 118.52 (5) ~~NONRESIDENT SCHOOL DISTRICT~~ GOVERNING BODIES OF EDUCATIONAL
8 INSTITUTIONS; ACCEPTANCE AND REJECTION CRITERIA. ~~School board~~ A governing body's
9 policies and criteria for accepting and rejecting applications under sub. (3) from
10 pupils who ~~reside in another school district~~ are enrolled in or attend a different
11 educational institution shall be the same as the policies and criteria for entry into
12 the course that apply to pupils who ~~reside in the school district, except that the school~~
13 ~~board may give preference in attendance in a course to residents of the school district~~
14 are enrolled in or attend on a full-time basis the educational institution governed by
15 the governing body.

16 **SECTION 20.** 118.52 (6) of the statutes is amended to read:

17 118.52 (6) **RESIDENT SCHOOL DISTRICT REJECTION CRITERIA.** (a) *Individualized*
18 *education program requirements.* ~~The school board of a~~ A pupil's resident school
19 district, or, if the pupil is attending school in a school district other than the pupil's
20 resident school district pursuant to a whole grade sharing agreement under s.
21 118.50, the school board of the district in which the pupil is attending school, board
22 shall reject a pupil's application to attend a course in a public school in a nonresident
23 school district offered by an educational institution under this section if the resident
24 school board ~~or the school board of the district in which the pupil is attending school,~~

1 respectively, determines that the course conflicts with the individualized education
2 program for the pupil under s. 115.787 (2).

3 (b) *Undue financial burden.* ~~The school board of a~~ A pupil's resident school
4 district board may reject ~~an~~ the pupil's application to attend a course ~~in a public~~
5 ~~school in a nonresident school district~~ offered by an educational institution under
6 this section if the cost of the course would impose upon the resident school district
7 an undue financial burden in light of the resident school district's total economic
8 circumstances, including its revenue limit under subch. VII of ch. 121, its ability to
9 pay tuition costs for the pupil, and the per pupil cost for children continuing to be
10 served by the resident school district.

11 **SECTION 21.** 118.52 (8) of the statutes is amended to read:

12 118.52 (8) APPEAL OF REJECTION. If an application is rejected under sub. (3) (c)
13 or a pupil is prohibited from attending a course ~~in a public school in a nonresident~~
14 ~~school district~~ under sub. (6), the pupil's parent may appeal the decision to the
15 department within 30 days after the decision. The department shall affirm the
16 decision unless the department finds that the decision was arbitrary or
17 unreasonable. The department's decision is final and is not subject to judicial review
18 under subch. III of ch. 227.

19 **SECTION 22.** 118.52 (9) of the statutes is amended to read:

20 118.52 (9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS. A pupil attending a
21 course ~~in a public school in a nonresident school district~~ offered by an educational
22 institution under this section has all of the rights and privileges of pupils residing
23 ~~in that school district~~ attending the educational institution on a full-time basis and
24 is subject to the same rules and regulations as pupils ~~residing in that school district~~
25 attending the educational institution on a full-time basis.

1 **SECTION 23.** 118.52 (10) of the statutes is amended to read:

2 118.52 (10) Notwithstanding s. 118.125, the ~~resident school board governing~~
3 body of an educational institution shall provide to the ~~nonresident school board~~
4 governing body of the educational institution to which a pupil has applied under this
5 section, upon request by that ~~school board governing body~~, a copy of any expulsion
6 findings and orders, a copy of records of any pending disciplinary proceeding
7 involving the pupil, a written explanation of the reasons for the expulsion or pending
8 disciplinary proceeding, and the length of the term of the expulsion or the possible
9 outcomes of the pending disciplinary proceeding.

10 **SECTION 24.** 118.52 (11) of the statutes is amended to read:

11 118.52 (11) TRANSPORTATION. (a) *Responsibility.* The parent of a pupil
12 attending a course ~~in a public school in a nonresident school district offered by an~~
13 educational institution under this section is responsible for transporting the pupil
14 to and from the course that the pupil is attending.

15 (b) *Low-income assistance Assistance; low-income or rural community.* The
16 parent of a pupil who is attending a course ~~in a public school in a nonresident school~~
17 district offered by an educational institution under this section may apply to the
18 department for reimbursement of the costs incurred by the parent for the
19 transportation of the pupil to and from the pupil's residence or school in which the
20 pupil is enrolled and the school educational institution at which the pupil is
21 attending the course if the pupil and parent are unable to pay the cost of such
22 transportation. The department shall determine the reimbursement amount and
23 shall pay the amount from the appropriation under s. 20.255 (2) (cy). The
24 department shall give preference under this paragraph to those pupils who satisfy
25 the income eligibility criteria for a free or reduced-price lunch under 42 USC 1758

1 (b) (1) and to those pupils who attend a full-time educational institution in a rural
2 community.

3 **SECTION 25.** 118.52 (12) of the statutes is amended to read:

4 118.52 (12) TUITION. ~~The resident school board~~ pupil's full-time educational
5 institution shall pay to the nonresident school board, for each educational institution
6 offering the course the pupil attending a course in a public school in the nonresident
7 school district attends under this section, an amount equal to the cost of providing
8 the course to the pupil, ~~calculated in a manner~~ as determined by the department.
9 The educational institution offering the course the pupil attends under this section
10 may not charge or receive from the pupil or the pupil's full-time educational
11 institution any additional payment for the pupil attending the course under this
12 section.

13 **SECTION 26.** 118.52 (13) of the statutes is created to read:

14 118.52 (13) PROGRAM PUBLICITY. The department shall include on its Internet
15 site information on the program under this section, including a list of participating
16 educational institutions other than school boards, links to websites of participating
17 educational institutions, and the courses offered by each participating educational
18 institution under this section. The department shall maintain this information on
19 its Internet site so that the information is current and accurate throughout the school
20 year.

21 **SECTION 27.** 118.57 (1) of the statutes is amended to read:

22 118.57 (1) Annually, by January 31, each school board shall publish as a class
23 1 notice, under ch. 985, and post on its Internet site a description of the educational
24 options available to children in the school district, including public schools, private
25 schools participating in a parental choice program, charter schools, virtual schools,

1 full-time or ~~part-time~~ open enrollment in a nonresident school district, the course
2 choice program, and the early college credit program.

3 (END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4616/P3
FFK:amn

IN 12-4
TO PLY

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAV
SCN

Gen

1 AN ACT ~~to repeal~~ 118.52 (3) (d); *to renumber and amend* 118.52 (3) (c) and
2 118.52 (4); *to amend* 115.28 (54m), 115.38 (1) (d), 115.385 (4), 118.52 (1) (e),
3 118.52 (2), 118.52 (3) (a), 118.52 (3) (b), 118.52 (3) (e), 118.52 (5), 118.52 (6),
4 118.52 (8), 118.52 (9), 118.52 (10), 118.52 (11), 118.52 (12) and 118.57 (1); *to*
5 *repeal and recreate* 118.52 (title); and *to create* 118.52 (1) (ad), 118.52 (1)
6 (af), 118.52 (1) (ah), 118.52 (2m), 118.52 (3) (c) 2. and 118.52 (13) of the statutes;
7 **relating to:** expanding the part-time open enrollment program.

Analysis by the Legislative Reference Bureau

analysis

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

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

8 SECTION 1. 115.28 (54m) of the statutes is amended to read:

1 115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
2 department's Internet site a link to information about all of the educational options
3 available to children in the state who are at least 3 years old but not yet 18 21 years
4 old and who have not graduated from high school, including public schools, private
5 schools participating in a parental choice program, charter schools, virtual schools,
6 full-time ~~or part-time~~ open enrollment in a nonresident school district, the course
7 choice program, the early college credit program, and options for pupils enrolled in
8 a home-based private educational program.

9 **SECTION 2.** 115.38 (1) (d) of the statutes is amended to read:

10 115.38 (1) (d) The number and percentage of resident pupils enrolled in the
11 school district attending a course ~~in a nonresident school district offered by an~~
12 educational institution under s. 118.52, the number of nonresident pupils who are
13 not enrolled in the school district but are attending a course in the school district
14 under s. 118.52, and the courses taken by those pupils.

15 **SECTION 3.** 115.385 (4) of the statutes is amended to read:

16 115.385 (4) Annually, each public school, including a charter school, and each
17 private school participating in a parental choice program under s. 118.60 or 119.23
18 shall provide a copy of the school's accountability report to the parent or guardian of
19 each pupil enrolled in or attending the school. Each school shall simultaneously
20 provide to the parent or guardian of each pupil enrolled in the school a list of the
21 educational options available to children who reside in the pupil's resident school
22 district, including public schools, private schools participating in a parental choice
23 program, charter schools, virtual schools, full-time ~~or part-time~~ open enrollment in
24 a nonresident school district, the course choice program, the early college credit

1 program, and options for pupils enrolled in a home-based private educational
2 program.

3 **SECTION 4.** 118.52 (title) of the statutes is repealed and recreated to read:

4 **118.52 (title) Course choice program.**

5 **SECTION 5.** 118.52 (1) (ad) of the statutes is created to read:

6 **118.52 (1) (ad)** “Educational institution” means all of the following:

7 1. A public school under the charge of a pupil’s resident school board, including
8 a charter school under contract with the school board under s. 118.40.

9 2. A public school under the charge of a pupil’s nonresident school board,
10 including a charter school under contract with the school board under s. 118.40.

11 3. A charter school established under s. 118.40 (2r) or (2x).

12 4. A private school.

13 5. Any nonprofit organization approved by the department.

14 **SECTION 6.** 118.52 (1) (af) of the statutes is created to read:

15 **118.52 (1) (af)** “Full-time educational institution” means the educational
16 institution at which the pupil is enrolled or attends school full time during the school
17 year for which an application is made under this section.

18 **SECTION 7.** 118.52 (1) (ah) of the statutes is created to read:

19 **118.52 (1) (ah)** “Governing body” means the board that is elected or appointed
20 to govern an educational institution. If a board is not elected or appointed to govern
21 the educational institution, “governing body” means the person having direct charge
22 of the educational institution.

23 **SECTION 8.** 118.52 (1) (e) of the statutes is amended to read:

24 **118.52 (1) (e)** “Resident school district” means the school district in which a
25 pupil resides. If a pupil attends school under a whole grade sharing agreement under

1 s. 118.50 in a school district other than the school district in which the pupil resides,
2 the school district in which the pupil attends school under the whole grade sharing
3 agreement is considered the pupil's resident school district.

4 **SECTION 9.** 118.52 (2) of the statutes is amended to read:

5 118.52 (2) Beginning in the ~~2018-19~~ 2020-21 school year, subject to sub. (2m)
6 (b), a pupil who is enrolled in a public school in the high school or attends an
7 educational institution in grades 1 to 12 may attend public school in a nonresident
8 school district another educational institution under this section for the purpose of
9 taking a course offered by ~~the nonresident school district~~ that educational
10 institution. A pupil may attend no more than 2 courses at any time in ~~nonresident~~
11 ~~school districts~~ under this section.

12 **SECTION 10.** 118.52 (2m) of the statutes is created to read:

13 118.52 (2m) PROGRAM PARTICIPATION; PRIVATE SCHOOLS AND NONPROFIT
14 ORGANIZATIONS. (a) In order for an educational institution under sub. (1) (ad) 4. or
15 5. to participate in the program under this section, before the June 1 preceding the
16 school year in which the educational institution wishes to participate, the governing
17 body of the educational institution shall do all of the following:

18 1. Adopt a resolution specifying that the educational institution will
19 participate in the program under this section in the following school year.

20 2. Adopt a resolution specifying the acceptance and rejection criteria described
21 in subs. (5) and (6) that the educational institution will implement for the following
22 school year.

23 3. Publish and post on its Internet site, if applicable, whether the educational
24 institution will participate in the program under this section and, if it will
25 participate, no later than 8 weeks before the date on which a course will begin, post

1 a description of the course that will be available to pupils applying under sub. (3).
2 The educational institution shall maintain and update the description of available
3 courses throughout the school year.

4 (b) If an educational institution under sub. (1) (ad) 4. or 5. does not participate
5 in the program under this section, sub. (2) does not apply to a pupil attending the
6 educational institution or to a pupil attending another educational institution who
7 wishes to attend a course offered by the educational institution under this section.

8 **SECTION 11.** 118.52 (3) (a) of the statutes is amended to read:

9 118.52 (3) (a) The parent of a pupil who wishes to attend ~~public school in a~~
10 ~~nonresident school district~~ an educational institution for the purpose of taking a
11 course under this section shall submit an application, on a form provided by the
12 department, to the ~~school board of the nonresident school district in~~ educational
13 institution at which the pupil wishes to attend a course not later than 6 weeks prior
14 to the date on which the course is scheduled to commence. The application shall
15 specify the course that the pupil wishes to attend and may specify the school or
16 schools at which the pupil wishes to attend the course. ~~The nonresident school board~~
17 An educational institution that receives an application under this paragraph shall
18 send a copy of the application to the pupil's resident school board, ~~except that if the~~
19 ~~pupil is attending a school in a school district other than the pupil's resident school~~
20 ~~district pursuant to a whole grade sharing agreement under s. 118.50, the~~
21 ~~nonresident school district to which the pupil applies under this section shall send~~
22 ~~a copy of the application to the school board of the district in which the pupil is~~
23 ~~attending school pursuant to the whole grade sharing agreement~~ full-time
24 educational institution.

25 **SECTION 12.** 118.52 (3) (b) of the statutes is amended to read:

1 118.52 (3) (b) If ~~a nonresident school board~~ an educational institution receives
2 more applications for a particular course than there are spaces available in the
3 course, the ~~nonresident school board~~ educational institution shall determine which
4 pupils to accept on a random basis.

5 **SECTION 13.** 118.52 (3) (c) of the statutes is renumbered ~~118.52 (3) (c) (intro.)~~
6 ~~and~~ amended to read:

7 118.52 (3) (c) ~~(intro.)~~ No later than ~~one week~~ 4 weeks prior to the date on which
8 the course is scheduled to commence, the ~~nonresident school board~~ governing body
9 of the educational institution shall notify do all of the following:

10 1. Notify the applicant and the resident school board applicant's full-time
11 educational institution, in writing, whether the application has been accepted and,
12 if the application is accepted, the school location at which the pupil may attend the
13 course. If the applicant pupil is attending a school in a school district other than the
14 pupil's resident school district pursuant to a whole grade sharing agreement under
15 s. 118.50, the school board of the district to which the pupil applies under this section
16 shall provide the notice required under this paragraph to the school board of the
17 district in which the pupil is attending school pursuant to the whole grade sharing
18 agreement. The acceptance applies only for the following semester, school year, or
19 other session in which the course is offered. If the school board of the district
20 governing body of the educational institution to which the pupil applies under this
21 section rejects an application, ~~it~~ the governing body shall include in the notice the
22 reason for the rejection.

23 **SECTION 14.** 118.52 (3) (c) 2. of the statutes is created to read:

24 118.52 (3) (c) 2. Notify each applicant of the cost of the course.

25 **SECTION 15.** 118.52 (3) (d) of the statutes is repealed.

1 **SECTION 16.** 118.52 (3) (e) of the statutes is amended to read:

2 118.52 **(3)** (e) Following receipt of a notice of acceptance but prior to 2 weeks
3 before the date on which the course is scheduled to commence, the pupil's parent
4 shall notify the resident school board, or, if the pupil is attending school in a school
5 district other than the pupil's resident school district pursuant to a whole grade
6 sharing agreement under s. 118.50, the school board of the district in which the pupil
7 is attending school, pupil's full-time educational institution and the school board of
8 the district to educational institution providing the course for which the pupil applies
9 under this section of the pupil's intent to attend the course ~~in the school district to~~
10 ~~which the pupil applies under this section.~~

11 **SECTION 17.** 118.52 (4) of the statutes is renumbered 118.52 (2p) and amended
12 to read:

13 118.52 **(2p)** ADOPTION OF POLICIES AND CRITERIA; SCHOOL BOARDS AND CHARTER
14 SCHOOLS. ~~By February 1, 1998, Annually, by June 1,~~ each school board and governing
15 board of a charter school shall adopt a resolution specifying the criteria and policies
16 described in subs. (5) and (6). If the school board wishes to revise the criteria or
17 policies, it shall do so by resolution.

18 **SECTION 18.** 118.52 (5) of the statutes is amended to read:

19 118.52 **(5)** ~~NONRESIDENT SCHOOL DISTRICT~~ GOVERNING BODIES OF EDUCATIONAL
20 INSTITUTIONS; ACCEPTANCE AND REJECTION CRITERIA. ~~School board~~ A governing body's
21 policies and criteria for accepting and rejecting applications under sub. (3) from
22 pupils who ~~reside in another school district~~ are enrolled in or attend a different
23 educational institution shall be the same as the policies and criteria for entry into
24 the course that apply to pupils who ~~reside in the school district, except that the school~~
25 ~~board may give preference in attendance in a course to residents of the school district~~

1 are enrolled in or attend on a full-time basis the educational institution governed by
2 the governing body.

3 **SECTION 19.** 118.52 (6) of the statutes is amended to read:

4 118.52 (6) RESIDENT SCHOOL DISTRICT REJECTION CRITERIA. (a) *Individualized*
5 *education program requirements.* ~~The school board of a~~ A pupil's resident school
6 district, or, if the pupil is attending school in a school district other than the pupil's
7 resident school district pursuant to a whole grade sharing agreement under s.
8 118.50, the school board of the district in which the pupil is attending school, board
9 shall reject a pupil's application to attend a course in a public school in a nonresident
10 school district offered by an educational institution under this section if the resident
11 school board or the school board of the district in which the pupil is attending school,
12 respectively, determines that the course conflicts with the individualized education
13 program for the pupil under s. 115.787 (2).

14 (b) *Undue financial burden.* ~~The school board of a~~ A pupil's resident school
15 district board may reject an the pupil's application to attend a course in a public
16 school in a nonresident school district offered by an educational institution under
17 this section if the cost of the course would impose upon the resident school district
18 an undue financial burden in light of the resident school district's total economic
19 circumstances, including its revenue limit under subch. VII of ch. 121, its ability to
20 pay tuition costs for the pupil, and the per pupil cost for children continuing to be
21 served by the resident school district.

22 **SECTION 20.** 118.52 (8) of the statutes is amended to read:

23 118.52 (8) APPEAL OF REJECTION. If an application is rejected under sub. (3) (c)
24 or a pupil is prohibited from attending a course ~~in a public school in a nonresident~~
25 ~~school district~~ under sub. (6), the pupil's parent may appeal the decision to the

1 department within 30 days after the decision. The department shall affirm the
2 decision unless the department finds that the decision was arbitrary or
3 unreasonable. The department's decision is final and is not subject to judicial review
4 under subch. III of ch. 227.

5 **SECTION 21.** 118.52 (9) of the statutes is amended to read:

6 118.52 (9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS. A pupil attending a
7 ~~course in a public school in a nonresident school district~~ offered by an educational
8 institution under this section has all of the rights and privileges of pupils residing
9 ~~in that school district~~ attending the educational institution on a full-time basis and
10 is subject to the same rules and regulations as pupils ~~residing in that school district~~
11 attending the educational institution on a full-time basis.

12 **SECTION 22.** 118.52 (10) of the statutes is amended to read:

13 118.52 (10) Notwithstanding s. 118.125, the ~~resident school board~~ governing
14 body of an educational institution shall provide to the ~~nonresident school board~~
15 governing body of the educational institution to which a pupil has applied under this
16 section, upon request by that ~~school board~~ governing body, a copy of any expulsion
17 findings and orders, a copy of records of any pending disciplinary proceeding
18 involving the pupil, a written explanation of the reasons for the expulsion or pending
19 disciplinary proceeding, and the length of the term of the expulsion or the possible
20 outcomes of the pending disciplinary proceeding.

21 **SECTION 23.** 118.52 (11) of the statutes is amended to read:

22 118.52 (11) TRANSPORTATION. (a) *Responsibility.* The parent of a pupil
23 attending a course ~~in a public school in a nonresident school district~~ offered by an
24 educational institution under this section is responsible for transporting the pupil
25 to and from the course that the pupil is attending.

1 (b) ~~Low-income assistance~~ Assistance; low-income or rural community. The
2 parent of a pupil who is attending a course in a public school in a nonresident school
3 district offered by an educational institution under this section may apply to the
4 department for reimbursement of the costs incurred by the parent for the
5 transportation of the pupil to and from the pupil's residence or school in which the
6 pupil is enrolled and the school educational institution at which the pupil is
7 attending the course if the pupil and parent are unable to pay the cost of such
8 transportation. The department shall determine the reimbursement amount and
9 shall pay the amount from the appropriation under s. 20.255 (2) (cy). The
10 department shall give preference under this paragraph to those pupils who satisfy
11 the income eligibility criteria for a free or reduced-price lunch under 42 USC 1758
12 (b) (1) and to those pupils who attend a full-time educational institution in a rural
13 community.

14 **SECTION 24.** 118.52 (12) of the statutes is amended to read:

15 118.52 (12) TUITION. ~~The resident school board~~ pupil's full-time educational
16 institution shall pay to the nonresident school board, for each educational institution
17 offering the course the pupil attending a course in a public school in the nonresident
18 school district attends under this section, an amount equal to the cost of providing
19 the course to the pupil, ~~calculated in a manner as~~ determined by the department.
20 The educational institution offering the course the pupil attends under this section
21 may not charge or receive from the pupil or the pupil's full-time educational
22 institution any additional payment for the pupil attending the course under this
23 section.

24 **SECTION 25.** 118.52 (13) of the statutes is created to read:

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4616/P4ins
FFK:...

ANALYSIS

the
This bill expands the part-time open enrollment program and renames it the course choice program.

the current
Under current part-time open enrollment program, a pupil enrolled in a public school in the high school grades may attend a course at a public school in a nonresident school district. Under the bill, a pupil enrolled in an educational institution, as defined in the bill, in grades one to twelve may attend a course at another education^{at} institution. A pupil may attend no more than a total of two courses under the part-time open enrollment or choice course program at any one time. *under the bill's*

The bill defines an educational institution as any of the following:

1. A public school under the control of a pupil's resident school board, including a charter school authorized by the resident school board.
2. A public school under the control of a pupil's nonresident school board, including a charter school authorized by the nonresident school board.
3. An independent charter school.
4. A private school ←
5. A nonprofit organization approved by the Department of Public Instruction.

Under the bill, participation in the course choice program is optional for an educational institution that is a private school or a nonprofit organization approved by DPI. If a private school or DPI-approved nonprofit organization wishes to participate in the course choice program it must take certain actions by the June 1 preceding the school year in which it wishes to participate, including a) adopting a resolution specifying that it will participate in the program, b) adopting a resolution specifying the acceptance and rejection criteria it will use in the following school year, and c) posting on its Internet site a statement that it will participate in the course choice program and the courses that will be available to pupils under the program. If a private school or DPI-approved nonprofit organization does not take these actions, a pupil attending the private school or nonprofit organization may not attend courses at other education^{at} institutions under the course choice program and pupils attending other educational institutions may not take courses at the private school or nonprofit organization under the course choice program. Participation in the course choice program is mandatory for the other types of educational institutions.

Under the bill, the educational institution that a pupil attends on a full-time basis must pay the educational institution offering a course the pupil takes under the course choice program an amount equal to the costs of providing the course to the pupil, as determined by DPI. The bill prohibits an educational institution from charging or receiving any additional payment from a pupil or a pupil's full-time educational institution for attending a course at the educational institution under the course choice program. *

Similar to the low-income transportation assistance offered under current law, a pupil attending a course under the course choice program may apply to DPI for financial assistance for the costs of transporting a pupil to a course the pupil attends under the course choice program if the pupil is unable to pay the cost of the

transportation

transportation. Under current law, in awarding transportation assistance, DPI must give a preference to pupils who satisfy the criteria for free or reduced-price lunch. Under the bill, DPI must also give a preference to pupils who attend an educational institution in a rural community.

Finally, the bill requires DPI to include information on the course choice program on DPI's internet site, including a list of participating educational institutions other than school boards, links to the internet sites of such educational institutions, and the courses offered by each participating educational institution.

END ANALYSIS



public schools
under the control of

Knepp, Fern

From: Scott, Katie
Sent: Wednesday, December 04, 2019 3:19 PM
To: Knepp, Fern
Subject: RE: Course Choice Bill
Attachments: 19-4616_P4.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Fern!

Thank you for the bill draft. We have 3 more small changes:

-Page 5, lines 6-7: Delete "or to a pupil attending another educational institution who wishes to attend a course offered by the educational institution under this section."

OR Do you feel there is a reason we should keep that phrase in?

Leave for now

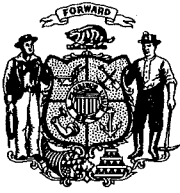
-Page 5, Section 11: We want public & private schools to know how much they will be paying for courses. Can we add, around line 17, that the educational institution shall send a cost estimate for the course?

-Page 8, Section 19, Part B: Since public schools have this option, can we make it so that private schools can also have this option, if they feel it is an undue financial burden? And for parents to appeal, can we make it so the parents can appeal to the local school board? ← *Okay for DPI, current law*

Thank you,
Katie

*under
118.52(8)*

Katie Scott
Policy Advisor
Office of Representative Jeremy Thiesfeldt
52nd Assembly District
(608) 266-3156



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4616/P4 /ps
FFK:amn&cjs

In 12-5

Today at 12-6
2m

mm

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

8x
1/4

Gen Cat

1 **AN ACT to repeal** 118.52 (3) (d); **to renumber and amend** 118.52 (4); **to amend**
2 115.28 (54m), 115.38 (1) (d), 115.385 (4), 118.52 (1) (e), 118.52 (2), 118.52 (3) (a),
3 118.52 (3) (b), 118.52 (3) (c), 118.52 (3) (e), 118.52 (5), 118.52 (6), 118.52 (8),
4 118.52 (9), 118.52 (10), 118.52 (11), 118.52 (12) and 118.57 (1); **to repeal and**
5 **recreate** 118.52 (title); and **to create** 118.52 (1) (ad), 118.52 (1) (af), 118.52 (1)
6 (ah), 118.52 (2m) and 118.52 (13) of the statutes; **relating to:** expanding the
7 part-time open enrollment program.

Analysis by the Legislative Reference Bureau

This bill expands the part-time open enrollment program and renames it the course choice program.

Under the current part-time open enrollment program, a pupil enrolled in a public school in the high school grades may attend a course at a public school in a nonresident school district. Under the bill, a pupil enrolled in an educational institution, as defined in the bill, in grades one to twelve may attend a course at another educational institution. A pupil may attend no more than a total of two courses at any one time under the current part-time open enrollment program or under the bill's course choice program.

The bill defines an educational institution as any of the following:

1. A public school under the control of a pupil's resident school board, including a charter school authorized by the resident school board.

2. A public school under the control of a pupil's nonresident school board, including a charter school authorized by the nonresident school board.
3. An independent charter school.
4. A private school.
5. A nonprofit organization approved by the Department of Public Instruction.

Under the bill, participation in the course choice program is optional for an educational institution that is a private school or a nonprofit organization approved by DPI. If a private school or DPI-approved nonprofit organization wishes to participate in the course choice program it must take certain actions by the June 1 preceding the school year in which it wishes to participate, including a) adopting a resolution specifying that it will participate in the program, b) adopting a resolution specifying the acceptance and rejection criteria it will use in the following school year, and c) posting on its Internet site a statement that it will participate in the course choice program and the courses that will be available to pupils under the program. If a private school or DPI-approved nonprofit organization does not take these actions, a pupil attending the private school or nonprofit organization may not attend courses at other educational institutions under the course choice program and pupils attending other educational institutions may not take courses at the private school or nonprofit organization under the course choice program. Participation in the course choice program is mandatory for the other types of educational institutions.

Under the bill, the educational institution that a pupil attends on a full-time basis must pay the educational institution offering a course the pupil takes under the course choice program an amount equal to the costs of providing the course to the pupil, as determined by DPI. The bill prohibits an educational institution from charging or receiving any additional payment from a pupil or a pupil's full-time educational institution for attending a course at the educational institution under the course choice program.

Similar to the low-income transportation assistance offered under current law, a pupil attending a course under the course choice program may apply to DPI for financial assistance for the cost of transportation to a course the pupil attends under the course choice program if the pupil is unable to pay the cost of the transportation. Under current law, in awarding transportation assistance, DPI must give a preference to pupils who satisfy the criteria for free or reduced-price lunch. Under the bill, DPI must also give a preference to pupils who attend an educational institution in a rural community.

Finally, the bill requires DPI to include information on the course choice program on DPI's Internet site, including a list of participating educational institutions other than public schools under the control of school boards, links to the Internet sites of such educational institutions, and the courses offered by each participating educational institution.

Under the current part-time open enrollment program, a pupil's resident school board may reject a pupil's application to attend a course in a nonresident school district if the resident school board determines that the cost of the course would impose an undue burden on the resident school district. The bill extends the authority to reject a pupil's application on the basis that the cost of the course would be an undue burden to participating educational institutions.

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

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

1 **SECTION 1.** 115.28 (54m) of the statutes is amended to read:

2 115.28 (**54m**) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
3 department's Internet site a link to information about all of the educational options
4 available to children in the state who are at least 3 years old but not yet ~~18~~ 21 years
5 old and who have not graduated from high school, including public schools, private
6 schools participating in a parental choice program, charter schools, virtual schools,
7 full-time ~~or part-time~~ open enrollment in a nonresident school district, the course
8 choice program, the early college credit program, and options for pupils enrolled in
9 a home-based private educational program.

10 **SECTION 2.** 115.38 (1) (d) of the statutes is amended to read:

11 115.38 (1) (d) The number and percentage of resident pupils enrolled in the
12 school district attending a course ~~in a nonresident school district~~ offered by an
13 educational institution under s. 118.52, the number of ~~nonresident~~ pupils who are
14 not enrolled in the school district but are attending a course in the school district
15 under s. 118.52, and the courses taken by those pupils.

16 **SECTION 3.** 115.385 (4) of the statutes is amended to read:

17 115.385 (4) Annually, each public school, including a charter school, and each
18 private school participating in a parental choice program under s. 118.60 or 119.23
19 shall provide a copy of the school's accountability report to the parent or guardian of
20 each pupil enrolled in or attending the school. Each school shall simultaneously
21 provide to the parent or guardian of each pupil enrolled in the school a list of the

1 educational options available to children who reside in the pupil's resident school
2 district, including public schools, private schools participating in a parental choice
3 program, charter schools, virtual schools, full-time or part-time open enrollment in
4 a nonresident school district, the course choice program, the early college credit
5 program, and options for pupils enrolled in a home-based private educational
6 program.

7 **SECTION 4.** 118.52 (title) of the statutes is repealed and recreated to read:

8 **118.52 (title) Course choice program.**

9 **SECTION 5.** 118.52 (1) (ad) of the statutes is created to read:

10 118.52 (1) (ad) "Educational institution" means all of the following:

11 1. A public school under the charge of a pupil's resident school board, including
12 a charter school under contract with the school board under s. 118.40.

13 2. A public school under the charge of a pupil's nonresident school board,
14 including a charter school under contract with the school board under s. 118.40.

15 3. A charter school established under s. 118.40 (2r) or (2x).

16 4. A private school.

17 5. Any nonprofit organization approved by the department.

18 **SECTION 6.** 118.52 (1) (af) of the statutes is created to read:

19 118.52 (1) (af) "Full-time educational institution" means the educational
20 institution at which the pupil is enrolled or attends school full time during the school
21 year for which an application is made under this section.

22 **SECTION 7.** 118.52 (1) (ah) of the statutes is created to read:

23 118.52 (1) (ah) "Governing body" means the board that is elected or appointed
24 to govern an educational institution. If a board is not elected or appointed to govern

1 the educational institution, "governing body" means the person having direct charge
2 of the educational institution.

3 **SECTION 8.** 118.52 (1) (e) of the statutes is amended to read:

4 118.52 (1) (e) "Resident school district" means the school district in which a
5 pupil resides. If a pupil attends school under a whole grade sharing agreement under
6 s. 118.50 in a school district other than the school district in which the pupil resides,
7 the school district in which the pupil attends school under the whole grade sharing
8 agreement is considered the pupil's resident school district.

9 **SECTION 9.** 118.52 (2) of the statutes is amended to read:

10 118.52 (2) Beginning in the 2018-19 ~~2020-21~~ school year, subject to sub. (2m)
11 (b), a pupil who is enrolled in a public school in the high school or attends an
12 educational institution in grades 1 to 12 may attend public school in a nonresident
13 school district another educational institution under this section for the purpose of
14 taking a course offered by the ~~nonresident school district~~ that educational
15 institution. A pupil may attend no more than 2 courses at any time in ~~nonresident~~
16 ~~school districts~~ under this section.

17 **SECTION 10.** 118.52 (2m) of the statutes is created to read:

18 118.52 (2m) PROGRAM PARTICIPATION; PRIVATE SCHOOLS AND NONPROFIT
19 ORGANIZATIONS. (a) In order for ^{to for} an educational institution under sub. (1) (ad) 4. or
20 5. to participate in the program under this section, before the June 1 preceding the
21 school year in which the educational institution wishes to participate, the governing
22 body of the educational institution shall do all of the following:

23 1. Adopt a resolution specifying that the educational institution will
24 participate in the program under this section in the following school year.

1 2. Adopt a resolution specifying the acceptance and rejection criteria described
2 in subs. (5) and (6) that the educational institution will implement for the following
3 school year.

4 3. Publish and post on its Internet site, if applicable, whether the educational
5 institution will participate in the program under this section and, if it will
6 participate, no later than 8 weeks before the date on which a course will begin, post
7 a description of the course that will be available to pupils applying under sub. (3).
8 The ^{governing body of the} educational institution shall maintain and update the description of available
9 courses throughout the school year.

10 (b) If an educational institution under sub. (1) (ad) 4. or 5. does not participate
11 in the program under this section, sub. (2) does not apply to a pupil attending the
12 educational institution or to a pupil attending another educational institution who
13 wishes to attend a course offered by the educational institution under this section.

14 **SECTION 11.** 118.52 (3) (a) of the statutes is amended to read:

15 118.52 (3) (a) The parent of a pupil who wishes to attend ~~public school in a~~
16 ~~nonresident school district~~ an educational institution for the purpose of taking a
17 course under this section shall submit an application, on a form provided by the
18 department, to the ~~school board of the nonresident school district in~~ ^{the governing body of} educational
19 institution ^{at} which the pupil wishes to attend a course not later than 6 weeks prior
20 to the date on which the course is scheduled to commence. The application shall
21 specify the course that the pupil wishes to attend and may specify the ^{location} ~~school or~~
22 ~~schools~~ ^{at which the pupil wishes to attend the course.} ~~The nonresident school board~~
23 ^{the governing body of an} An educational institution that receives an application under this paragraph shall
24 send a copy of the application to the pupil's resident school board, except that if the
25 pupil is attending a school in a school district other than the pupil's resident school

1 ~~district pursuant to a whole grade sharing agreement under s. 118.50, the~~
2 ~~nonresident school district to which the pupil applies under this section shall send~~
3 ~~a copy of the application to the school board of the district in which the pupil is~~
4 ~~attending school pursuant to the whole grade sharing agreement~~ full-time
5 educational institution.

6 **SECTION 12.** 118.52 (3) (b) of the statutes is amended to read:

7 118.52 (3) (b) If ~~a nonresident school board~~ ^{the governing body of} an educational institution receives
8 more applications for a particular course than there are spaces available in the
9 course, the ~~nonresident school board~~ ^{governing body of the} educational institution shall determine which
10 pupils to accept on a random basis.

11 **SECTION 13.** 118.52 (3) (c) of the statutes is amended to read:

12 118.52 (3) (c) No later than ~~one week~~ 4 weeks prior to the date on which the
13 course is scheduled to commence, the ~~nonresident school board~~ governing body of the
14 educational institution shall notify the applicant and the ~~resident school board~~
15 ^{governing body of the} applicant's full-time educational institution, in writing, whether the application has
16 been accepted and, if the application is accepted, the school location at which the
17 pupil may attend the course: ~~If the applicant pupil is attending a school in a school~~
18 ~~district other than the pupil's resident school district pursuant to a whole grade~~
19 ~~sharing agreement under s. 118.50, the school board of the district to which the pupil~~
20 ~~applies under this section shall provide the notice required under this paragraph to~~
21 ~~the school board of the district in which the pupil is attending school pursuant to the~~
22 ~~whole grade sharing agreement.~~ The acceptance applies only for the following
23 semester, school year, or other session in which the course is offered. If the school
24 board of the district governing body of the educational institution to which the pupil

If the application is accepted, the governing body of the educational institution shall also notify the applicant's full-time educational institution, in writing, of the estimated cost of the course.

1 applies under this section rejects an application, ~~it~~ the governing body shall include
2 in the notice the reason for the rejection.

3 **SECTION 14.** 118.52 (3) (d) of the statutes is repealed.

4 **SECTION 15.** 118.52 (3) (e) of the statutes is amended to read:

5 118.52 (3) (e) Following receipt of a notice of acceptance but prior to 2 weeks
6 before the date on which the course is scheduled to commence, the pupil's parent
7 shall notify the ~~resident school board, or, if the pupil is attending school in a school~~
8 ~~district other than the pupil's resident school district pursuant to a whole grade~~
9 ~~sharing agreement under s. 118.50, the school board of the district in which the pupil~~
10 ~~is attending school,~~ ^{governing body of the} pupil's full-time educational institution and the school board of
11 the district ~~to~~ ^{the governing body of the} educational institution providing the course for which the pupil applies
12 under this section of the pupil's intent to attend the course ~~in the school district to~~
13 ~~which the pupil applies under this section.~~

14 **SECTION 16.** 118.52 (4) of the statutes is renumbered 118.52 (2p) and amended
15 to read:

16 118.52 (2p) ADOPTION OF POLICIES AND CRITERIA; SCHOOL BOARDS AND CHARTER
17 SCHOOLS. ~~By February 1, 1998, Annually, by June 1,~~ each school board and governing
18 board of a charter school shall adopt a resolution specifying the criteria and policies
19 described in subs. (5) and (6). If the school board ^{or governing body of a charter} wishes to revise the criteria or ^{School}
20 policies, it shall do so by resolution.

21 **SECTION 17.** 118.52 (5) of the statutes is amended to read:

22 118.52 (5) ~~NONRESIDENT SCHOOL DISTRICT~~ GOVERNING BODIES OF EDUCATIONAL
23 INSTITUTIONS; ACCEPTANCE AND REJECTION CRITERIA. ~~School board~~ A governing body's
24 policies and criteria for accepting and rejecting applications under sub. (3) from
25 pupils who reside in ~~another school district~~ are enrolled in or attend a different

1 educational institution shall be the same as the policies and criteria for entry into
2 the course that apply to pupils who reside in the school district, except that the school
3 board may give preference in attendance in a course to residents of the school district
4 are enrolled in or attend on a full-time basis the educational institution governed by
5 the governing body.

6 SECTION 18. 118.52 (6) of the statutes is amended to read:

7 118.52 (6) ~~RESIDENT-SCHOOL DISTRICT REJECTION~~ ^{Strike} CRITERIA. (a) *Individualized*

8 *education program requirements.* The school board of a Δ pupil's resident school
9 district, or, if the pupil is attending school in a school district other than the pupil's
10 resident school district pursuant to a whole grade sharing agreement under s.
11 118.50, the school board of the district in which the pupil is attending school, board
12 shall reject a pupil's application to attend a course in a public school in a nonresident
13 school district offered by an educational institution under this section if the resident
14 school board or the school board of the district in which the pupil is attending school,
15 respectively, determines that the course conflicts with the individualized education
16 program for the pupil under s. 115.787 (2).

17 (b) *Undue financial burden.* ^{No strike} The school board of a ^{governing body of a} Δ pupil's resident school
18 district board ^{full-time educational institution} may reject an ^{the} pupil's application to attend a course in a public
19 school in a nonresident school district offered by an educational institution ^{another} under
20 this section if the cost of the course would impose upon the resident school district
21 ^{full-time educational institution} an undue financial burden in light of the resident school district's ^{full-time educational institution's} total economic
22 circumstances, including its revenue limit under subch. VII of ch. 121, its ability to
23 pay tuition costs for the pupil, and the per pupil cost for children continuing to be
24 served by the resident school district. ^{it, and if}

25 SECTION 19. 118.52 (8) of the statutes is amended to read:

applicable its revenue limit
under subch VII
of ch. 121

1 118.52 (8) APPEAL OF REJECTION. If an application is rejected under sub. (3) (c)
2 or a pupil is prohibited from attending a course in a ^{public} ~~public school in a nonresident~~
3 school district ^{at an educational institution} under sub. (6), the pupil's parent may appeal the decision to the
4 department within 30 days after the decision. The department shall affirm the
5 decision unless the department finds that the decision was arbitrary or
6 unreasonable. The department's decision is final and is not subject to judicial review
7 under subch. III of ch. 227.

8 **SECTION 20.** 118.52 (9) of the statutes is amended to read:

9 118.52 (9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS. A pupil attending a
10 course in a ~~public school in a nonresident school district~~ offered by an educational
11 institution under this section has all of the rights and privileges of pupils residing
12 in that school district attending the educational institution on a full-time basis and
13 is subject to the same rules and regulations as pupils ~~residing in that school district~~
14 attending the educational institution on a full-time basis.

15 **SECTION 21.** 118.52 (10) of the statutes is amended to read:

16 118.52 (10) Notwithstanding s. 118.125, the ~~resident school board governing~~
17 body of an educational institution shall provide to the ~~nonresident school board~~
18 governing body of the educational institution to which a pupil has applied under this
19 section, upon request by that ~~school board governing body~~, a copy of any expulsion
20 findings and orders, a copy of records of any pending disciplinary proceeding
21 involving the pupil, a written explanation of the reasons for the expulsion or pending
22 disciplinary proceeding, and the length of the term of the expulsion or the possible
23 outcomes of the pending disciplinary proceeding.

24 **SECTION 22.** 118.52 (11) of the statutes is amended to read:

1 118.52 (11) TRANSPORTATION. (a) *Responsibility.* The parent of a pupil
2 attending a course ~~in a public school in a nonresident school district~~ offered by an
3 educational institution under this section is responsible for transporting the pupil
4 to and from the course that the pupil is attending.

5 (b) ~~Low-income assistance~~ Assistance; low-income or rural community. The
6 parent of a pupil who is attending a course ~~in a public school in a nonresident school~~
7 ~~district~~ offered by an educational institution under this section may apply to the
8 department for reimbursement of the costs incurred by the parent for the
9 transportation of the pupil to and from the pupil's residence or school ~~in which the~~
10 ~~pupil is enrolled~~ (and the school educational institution at which the pupil is
11 attending the course if the pupil and parent are unable to pay the cost of such
12 transportation. The department shall determine the reimbursement amount and
13 shall pay the amount from the appropriation under s. 20.255 (2) (cy). The
14 department shall give preference under this paragraph to those pupils who satisfy
15 the income eligibility criteria for a free or reduced-price lunch under 42 USC 1758
16 (b) (1) and to those pupils who attend a full-time educational institution in a rural
17 community.

18 **SECTION 23.** 118.52 (12) of the statutes is amended to read:

19 118.52 (12) TUITION. The resident school board pupil's full-time educational
20 institution shall pay to the nonresident school board, for each educational institution
21 offering the course the pupil attending a course in a public school in the nonresident
22 school district attends under this section, an amount equal to the cost of providing
23 the course to the pupil, calculated in a manner as determined by the department.
24 The educational institution offering the course the pupil attends under this section
25 may not charge or receive from the pupil or the pupil's full-time educational

governing body
of the

1 institution any additional payment for the pupil attending the course under this
2 section.

3 **SECTION 24.** 118.52 (13) of the statutes is created to read:

4 118.52 (13) PROGRAM PUBLICITY. The department shall include on its Internet
5 site information on the program under this section, including a list of participating
6 educational institutions other than schools under the charge of a school board, links
7 to websites of participating educational institutions, and the courses offered by each
8 participating educational institution under this section. The department shall
9 maintain this information on its Internet site so that the information is current and
10 accurate throughout the school year.

11 **SECTION 25.** 118.57 (1) of the statutes is amended to read:

12 118.57 (1) Annually, by January 31, each school board shall publish as a class
13 1 notice, under ch. 985, and post on its Internet site a description of the educational
14 options available to children in the school district, including public schools, private
15 schools participating in a parental choice program, charter schools, virtual schools,
16 full-time or ~~part-time~~ open enrollment in a nonresident school district, the course
17 choice program, and the early college credit program.

18 (END)

Knepp, Fern

From: Scott, Katie
Sent: Wednesday, December 11, 2019 12:57 PM
To: Knepp, Fern
Subject: Course Choice Bill

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Fern,

Section 18²⁴ – agreed. Let's just require that the DPI website contain links to the school districts and schools participating in the program.

Section 19 – agreed. Let's leave it as is.

We have two minor recommendations:

✓ Section 7 – Can we add language that gives the governing body the authority to delegate the administration of the program to a school administrator?

For instance, the bill draft requires the educational institution's board to notify the applicant and/or the other schools. This additional language will make it easier for schools to administer the program.

✓ Section 10 – It has been brought to our attention that private schools' governing boards don't pass resolutions like public school boards do. So, can we amend the language to remove "adopt a resolution specifying" and replace with "Shall specific...."

Can we get it as a /P6?

Thanks!
Katie

Katie Scott
Policy Advisor
Office of Representative Jeremy Thiesfeldt
52nd Assembly District
(608) 266-3156

* Per Katie: Specify in Analysis that participation is mandatory for public schools under current law. Not new in the bill



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4616/P5
FFK:amn&cjs

In 12/12
TODAY

1/16
amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA
Pwf

Regen.

1 **AN ACT** *to repeal* 118.52 (3) (d); *to renumber and amend* 118.52 (4); *to amend*
2 115.28 (54m), 115.38 (1) (d), 115.385 (4), 118.52 (1) (e), 118.52 (2), 118.52 (3) (a),
3 118.52 (3) (b), 118.52 (3) (c), 118.52 (3) (e), 118.52 (5), 118.52 (6), 118.52 (8),
4 118.52 (9), 118.52 (10), 118.52 (11), 118.52 (12) and 118.57 (1); *to repeal and*
5 *recreate* 118.52 (title); and *to create* 118.52 (1) (ad), 118.52 (1) (af), 118.52 (1)
6 (ah), 118.52 (2m) and 118.52 (13) of the statutes; **relating to:** expanding the
7 part-time open enrollment program.

Analysis by the Legislative Reference Bureau

This bill expands the part-time open enrollment program and renames it the course choice program.

Under the current part-time open enrollment program, a pupil enrolled in a public school in the high school grades may attend a course at a public school in a nonresident school district. Under the bill, a pupil enrolled in an educational institution, as defined in the bill, in grades one to twelve may attend a course at another educational institution. A pupil may attend no more than a total of two courses at any one time under the current part-time open enrollment program or under the bill's course choice program.

The bill defines an educational institution as any of the following:

1. A public school under the control of a pupil's resident school board, including a charter school authorized by the resident school board.

2. A public school under the control of a pupil's nonresident school board, including a charter school authorized by the nonresident school board.
3. An independent charter school.
4. A private school.
5. A nonprofit organization approved by the Department of Public Instruction.

Under the bill, participation in the course choice program is optional for an educational institution that is a private school or a nonprofit organization approved by DPI. If a private school or DPI-approved nonprofit organization wishes to participate in the course choice program it must take certain actions by the June 1 preceding the school year in which it wishes to participate, including (a) adopting a resolution specifying that it will participate in the program, (b) adopting a resolution specifying the acceptance and rejection criteria it will use in the following school year, and (c) posting on its Internet site a statement that it will participate in the course choice program and the courses that will be available to pupils under the program. If a private school or DPI-approved nonprofit organization does not take these actions, a pupil attending the private school or nonprofit organization may not attend courses at other educational institutions under the course choice program and pupils attending other educational institutions may not take courses at the private school or nonprofit organization under the course choice program. Participation in the course choice program is mandatory for the other types of educational institutions.

Under the bill, the educational institution that a pupil attends on a full-time basis must pay the educational institution offering a course the pupil takes under the course choice program an amount equal to the costs of providing the course to the pupil, as determined by DPI. The bill prohibits an educational institution from charging or receiving any additional payment from a pupil or a pupil's full-time educational institution for attending a course at the educational institution under the course choice program.

Under the current part-time open enrollment program, a pupil's resident school board may reject a pupil's application to attend a course in a nonresident school district if the resident school board determines that the cost of the course would impose an undue burden on the resident school district. The bill extends the authority to reject a pupil's application on the basis that the cost of the course would be an undue burden to all full-time educational institutions.

Similar to the low-income transportation assistance offered under current law, a pupil attending a course under the course choice program may apply to DPI for financial assistance for the cost of transportation to a course the pupil attends under the course choice program if the pupil is unable to pay the cost of the transportation. Under current law, in awarding transportation assistance, DPI must give a preference to pupils who satisfy the criteria for free or reduced-price lunch. Under the bill, DPI must also give a preference to pupils who attend an educational institution in a rural community.

Finally, the bill requires DPI to include information on the course choice program on DPI's Internet site, including a list of participating educational institutions other than public schools under the control of school boards, links to the

motion

written policy

both the part-time open enrollment and

public schools

Internet sites of such educational institutions, and the courses offered by each participating educational institution. *in the program*

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

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

1 **SECTION 1.** 115.28 (54m) of the statutes is amended to read:

2 115.28 (**54m**) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
3 department's Internet site a link to information about all of the educational options
4 available to children in the state who are at least 3 years old but not yet ~~18~~ 21 years
5 old and who have not graduated from high school, including public schools, private
6 schools participating in a parental choice program, charter schools, virtual schools,
7 full-time or part-time open enrollment in a nonresident school district, the course
8 choice program, the early college credit program, and options for pupils enrolled in
9 a home-based private educational program.

10 **SECTION 2.** 115.38 (1) (d) of the statutes is amended to read:

11 115.38 (1) (d) The number and percentage of ~~resident~~ pupils enrolled in the
12 school district attending a course ~~in a nonresident school district~~ offered by an
13 educational institution under s. 118.52, the number of ~~nonresident~~ pupils who are
14 not enrolled in the school district but are attending a course in the school district
15 under s. 118.52, and the courses taken by those pupils.

16 **SECTION 3.** 115.385 (4) of the statutes is amended to read:

17 115.385 (4) Annually, each public school, including a charter school, and each
18 private school participating in a parental choice program under s. 118.60 or 119.23
19 shall provide a copy of the school's accountability report to the parent or guardian of
20 each pupil enrolled in or attending the school. Each school shall simultaneously

1 provide to the parent or guardian of each pupil enrolled in the school a list of the
2 educational options available to children who reside in the pupil's resident school
3 district, including public schools, private schools participating in a parental choice
4 program, charter schools, virtual schools, full-time or part-time open enrollment in
5 a nonresident school district, the course choice program, the early college credit
6 program, and options for pupils enrolled in a home-based private educational
7 program.

8 **SECTION 4.** 118.52 (title) of the statutes is repealed and recreated to read:

9 **118.52 (title) Course choice program.**

10 **SECTION 5.** 118.52 (1) (ad) of the statutes is created to read:

11 118.52 (1) (ad) "Educational institution" means all of the following:

12 1. A public school under the charge of a pupil's resident school board, including
13 a charter school under contract with the school board under s. 118.40.

14 2. A public school under the charge of a pupil's nonresident school board,
15 including a charter school under contract with the school board under s. 118.40.

16 3. A charter school established under s. 118.40 (2r) or (2x).

17 4. A private school.

18 5. Any nonprofit organization approved by the department.

19 **SECTION 6.** 118.52 (1) (af) of the statutes is created to read:

20 118.52 (1) (af) "Full-time educational institution" means the educational
21 institution at which the pupil is enrolled or attends school full time during the school
22 year for which an application is made under this section.

23 **SECTION 7.** 118.52 (1) (ah) of the statutes is created to read:

24 118.52 (1) (ah) "Governing body" means the board that is elected or appointed
25 to govern an educational institution. If a board is not elected or appointed to govern

1 the educational institution, "governing body" means the person having direct charge
2 of the educational institution.

3 **SECTION 8.** 118.52 (1) (e) of the statutes is amended to read:

4 118.52 (1) (e) "Resident school district" means the school district in which a
5 pupil resides. If a pupil attends school under a whole grade sharing agreement under
6 s. 118.50 in a school district other than the school district in which the pupil resides,
7 the school district in which the pupil attends school under the whole grade sharing
8 agreement is considered the pupil's resident school district.

9 **SECTION 9.** 118.52 (2) of the statutes is amended to read:

10 118.52 (2) Beginning in the 2018-19 2020-21 school year, subject to sub. (2m)
11 (b), a pupil who is enrolled in a public school in the high school or attends an
12 educational institution in grades 1 to 12 may attend public school in a nonresident
13 school district another educational institution under this section for the purpose of
14 taking a course offered by the ~~nonresident school district~~ that educational
15 institution. A pupil may attend no more than 2 courses at any time in nonresident
16 school districts under this section.

17 **SECTION 10.** 118.52 (2m) of the statutes is created to read:

18 118.52 (2m) PROGRAM PARTICIPATION; PRIVATE SCHOOLS AND NONPROFIT
19 ORGANIZATIONS. (a) For an educational institution under sub. (1) (ad) 4. or 5. to
20 participate in the program under this section, before the June 1 preceding the school
21 year in which the educational institution wishes to participate, the governing body
22 of the educational institution shall do all of the following:

23 1. Adopt a resolution ^{motion} specifying that the educational institution will
24 participate in the program under this section in the following school year.

1 2. Adopt a resolution ^{written policy} specifying the acceptance and rejection criteria described
 2 in subs. (5) and (6) that the educational institution will implement for the following
 3 school year. ^{and whether the governing body will delegate any of its}
^{duties under this section to the administrator as defined in s. 118.60(1)(ad),}

4 3. Publish and post on its Internet site, if applicable, whether ^{that} the educational ^{of the}
 5 institution will participate in the program under this section and, no later than 8 ^{educational}
 6 weeks before the date on which a course will begin, post a description of the course ^{institution}
 7 that will be available to pupils applying under sub. (3). The governing body of the
 8 educational institution shall maintain and update the description of available
 9 courses throughout the school year.

10 (b) If an educational institution under sub. (1) (ad) 4. or 5. does not participate
 11 in the program under this section, sub. (2) does not apply to a pupil attending the
 12 educational institution or to a pupil attending another educational institution who
 13 wishes to attend a course offered by the educational institution under this section.

14 **SECTION 11.** 118.52 (3) (a) of the statutes is amended to read:

15 118.52 (3) (a) The parent of a pupil who wishes to attend ~~public school in a~~
 16 ~~nonresident school district~~ an educational institution for the purpose of taking a
 17 course under this section shall submit an application, on a form provided by the
 18 department, to the ~~school board of the nonresident school district in~~ governing body
 19 of the educational institution at which the pupil wishes to attend a course not later
 20 than 6 weeks prior to the date on which the course is scheduled to commence. The
 21 application shall specify the course that the pupil wishes to attend and may specify
 22 the ~~school or schools~~ location at which the pupil wishes to attend the course. The
 23 ~~nonresident school board~~ governing body of an educational institution that receives
 24 an application under this paragraph shall send a copy of the application to the pupil's
 25 resident school board, ~~except that if the pupil is attending a school in a school district~~

1 ~~other than the pupil's resident school district pursuant to a whole grade sharing~~
2 ~~agreement under s. 118.50, the nonresident school district to which the pupil applies~~
3 ~~under this section shall send a copy of the application to the school board of the~~
4 ~~district in which the pupil is attending school pursuant to the whole grade sharing~~
5 ~~agreement~~ full-time educational institution.

6 **SECTION 12.** 118.52 (3) (b) of the statutes is amended to read:

7 118.52 (3) (b) If ~~a nonresident school board~~ the governing body of an
8 educational institution receives more applications for a particular course than there
9 are spaces available in the course, the ~~nonresident school board~~ governing body of
10 the educational institution shall determine which pupils to accept on a random basis.

11 **SECTION 13.** 118.52 (3) (c) of the statutes is amended to read:

12 118.52 (3) (c) No later than ~~one week~~ 4 weeks prior to the date on which the
13 course is scheduled to commence, the ~~nonresident school board~~ governing body of the
14 educational institution shall notify the applicant and the ~~resident school board~~
15 governing body of the applicant's full-time educational institution, in writing,
16 whether the application has been accepted and, if the application is accepted, the
17 school location at which the pupil may attend the course. If the applicant pupil is
18 attending a school in a school district ~~other than the pupil's resident school district~~
19 ~~pursuant to a whole grade sharing agreement under s. 118.50, the school board of the~~
20 ~~district to which the pupil applies under this section shall provide the notice required~~
21 ~~under this paragraph to the school board of the district in which the pupil is~~
22 ~~attending school pursuant to the whole grade sharing agreement.~~ If the application
23 is accepted, the governing body of the educational institution shall also notify the
24 governing body of the applicant's full-time educational institution, in writing, of the
25 estimated cost of the course. The acceptance applies only for the following semester,

1 school year, or other session in which the course is offered. If the school board of the
2 district governing body of the educational institution to which the pupil applies
3 under this section rejects an application, it the governing body shall include in the
4 notice the reason for the rejection.

5 **SECTION 14.** 118.52 (3) (d) of the statutes is repealed.

6 **SECTION 15.** 118.52 (3) (e) of the statutes is amended to read:

7 118.52 (3) (e) Following receipt of a notice of acceptance but prior to 2 weeks
8 before the date on which the course is scheduled to commence, the pupil's parent
9 shall notify the ~~resident school board, or, if the pupil is attending school in a school~~
10 ~~district other than the pupil's resident school district pursuant to a whole grade~~
11 ~~sharing agreement under s. 118.50, the school board of the district in which the pupil~~
12 ~~is attending school, governing body of the pupil's full-time educational institution~~
13 ~~and the school board of the district to~~ governing body of the educational institution
14 providing the course for which the pupil applies under this section of the pupil's
15 intent to attend the course ~~in the school district to which the pupil applies under this~~
16 ~~section.~~

17 **SECTION 16.** 118.52 (4) of the statutes is renumbered 118.52 (2p) and amended
18 to read:

19 118.52 (2p) ADOPTION OF POLICIES AND CRITERIA; SCHOOL BOARDS AND CHARTER
20 SCHOOLS. ~~By February 1, 1998, Annually, by June 1,~~ each school board and governing
21 board of a charter school shall adopt a resolution specifying the criteria and policies
22 described in subs. (5) and (6). If the school board or governing board of a charter
23 school wishes to revise the criteria or policies, it shall do so by resolution.

24 **SECTION 17.** 118.52 (5) of the statutes is amended to read:

1 118.52 (5) ~~NONRESIDENT SCHOOL DISTRICT~~ GOVERNING BODIES OF EDUCATIONAL
2 INSTITUTIONS; ACCEPTANCE AND REJECTION CRITERIA. ~~School board~~ A governing body's
3 policies and criteria for accepting and rejecting applications under sub. (3) from
4 pupils who ~~reside in another school district~~ are enrolled in or attend a different
5 educational institution shall be the same as the policies and criteria for entry into
6 the course that apply to pupils who ~~reside in the school district, except that the school~~
7 ~~board may give preference in attendance in a course to residents of the school district~~
8 are enrolled in or attend on a full-time basis the educational institution governed by
9 the governing body.

10 **SECTION 18.** 118.52 (6) of the statutes is amended to read:

11 118.52 (6) ~~RESIDENT SCHOOL DISTRICT REJECTION~~ REJECTION CRITERIA; FULL-TIME
12 EDUCATIONAL INSTITUTION. (a) *Individualized education program requirements.* ~~The~~
13 ~~school board of a~~ A pupil's resident school district, or, if the pupil is attending school
14 in a school district other than the pupil's resident school district pursuant to a whole
15 grade sharing agreement under s. 118.50, the school board of the district in which
16 the pupil is attending school, board shall reject a pupil's application to attend a
17 course in a public school in a nonresident school district offered by an educational
18 institution under this section if the resident school board ~~or the school board of the~~
19 ~~district in which the pupil is attending school, respectively,~~ determines that the
20 course conflicts with the individualized education program for the pupil under s.
21 115.787 (2).

22 (b) *Undue financial burden.* ~~The school board of a~~ governing body of a pupil's
23 ~~resident school district~~ full-time educational institution may reject an the pupil's
24 application to attend a course ~~in a public school in a nonresident school district~~
25 offered by another educational institution under this section if the cost of the course

1 would impose upon the ~~resident school district~~ full-time educational institution an
2 undue financial burden in light of the ~~resident school district's~~ full-time educational
3 institution's total economic circumstances, including its ~~revenue limit under subch.~~
4 ~~VII of ch. 121,~~ its ability to pay tuition costs for the pupil, and the per pupil cost for
5 children continuing to be served by the ~~resident school district~~ it, and if applicable,
6 its revenue limit under subch. VII of ch. 121.

7 **SECTION 19.** 118.52 (8) of the statutes is amended to read:

8 118.52 (8) APPEAL OF REJECTION. If an application is rejected under sub. (3) (c)
9 or a pupil is prohibited from attending a course ~~in a public school in a nonresident~~
10 ~~school district~~ at an educational institution under sub. (6), the pupil's parent may
11 appeal the decision to the department within 30 days after the decision. The
12 department shall affirm the decision unless the department finds that the decision
13 was arbitrary or unreasonable. The department's decision is final and is not subject
14 to judicial review under subch. III of ch. 227.

15 **SECTION 20.** 118.52 (9) of the statutes is amended to read:

16 118.52 (9) RIGHTS AND PRIVILEGES OF NONRESIDENT PUPILS. A pupil attending a
17 course ~~in a public school in a nonresident school district~~ offered by an educational
18 institution under this section has all of the rights and privileges of pupils ~~residing~~
19 ~~in that school district~~ attending the educational institution on a full-time basis and
20 is subject to the same rules and regulations as pupils ~~residing in that school district~~
21 attending the educational institution on a full-time basis.

22 **SECTION 21.** 118.52 (10) of the statutes is amended to read:

23 118.52 (10) Notwithstanding s. 118.125, the ~~resident school board governing~~
24 body of an educational institution shall provide to the ~~nonresident school board~~
25 governing body of the educational institution to which a pupil has applied under this

1 section, upon request by that ~~school board~~ governing body, a copy of any expulsion
2 findings and orders, a copy of records of any pending disciplinary proceeding
3 involving the pupil, a written explanation of the reasons for the expulsion or pending
4 disciplinary proceeding, and the length of the term of the expulsion or the possible
5 outcomes of the pending disciplinary proceeding.

6 **SECTION 22.** 118.52 (11) of the statutes is amended to read:

7 118.52 (11) TRANSPORTATION. (a) *Responsibility.* The parent of a pupil
8 attending a course ~~in a public school in a nonresident school district~~ offered by an
9 educational institution under this section is responsible for transporting the pupil
10 to and from the course that the pupil is attending.

11 (b) ~~*Low-income assistance Assistance; low-income or rural community.*~~ The
12 parent of a pupil who is attending a course ~~in a public school in a nonresident school~~
13 ~~district~~ offered by an educational institution under this section may apply to the
14 department for reimbursement of the costs incurred by the parent for the
15 transportation of the pupil to and from the pupil's residence or school ~~in which the~~
16 ~~pupil is enrolled~~ full-time educational institution and the school educational
17 institution at which the pupil is attending the course if the pupil and parent are
18 unable to pay the cost of such transportation. The department shall determine the
19 reimbursement amount and shall pay the amount from the appropriation under s.
20 20.255 (2) (cy). The department shall give preference under this paragraph to those
21 pupils who satisfy the income eligibility criteria for a free or reduced-price lunch
22 under 42 USC 1758 (b) (1) and to those pupils who attend a full-time educational
23 institution in a rural community.

24 **SECTION 23.** 118.52 (12) of the statutes is amended to read:

1 118.52 (12) TUITION. ~~The resident school board governing body of a pupil's~~
 2 ~~full-time educational institution~~ shall pay to the ~~nonresident school board, for each~~
 3 ~~governing body of the educational institution offering the course the pupil attending~~
 4 ~~a course in a public school in the nonresident school district~~ attends under this
 5 section, an amount equal to the cost of providing the course to the pupil, ~~ealeulated~~
 6 ~~in a manner~~ as determined by the department. The governing body of the
 7 educational institution offering the course the pupil attends under this section may
 8 not charge or receive from the pupil or the governing body of the pupil's full-time
 9 educational institution any additional payment for the pupil attending the course
 10 under this section.

11 **SECTION 24.** 118.52 (13) of the statutes is created to read:

12 118.52 (13) PROGRAM PUBLICITY. The department shall include on its Internet
 13 site information on the program under this section, including a list of participating
 14 educational institutions other than schools under the charge of a school board, links
 15 to websites of participating educational institutions, and the courses offered by each
 16 participating educational institution under this section. The department shall
 17 maintain this information on its Internet site so that the information is current and
 18 accurate throughout the school year.

19 **SECTION 25.** 118.57 (1) of the statutes is amended to read:

20 118.57 (1) Annually, by January 31, each school board shall publish as a class
 21 1 notice, under ch. 985, and post on its Internet site a description of the educational
 22 options available to children in the school district, including public schools, private
 23 schools participating in a parental choice program, charter schools, virtual schools,

*the Internet site, if any, of each school board,
 charter school established under s. 118.40(2r) or (2s),
 and educational institution under sub. (1)(a) & (b) and s.
 that is participating in the program under this section.*

1 full-time ~~or part-time~~ open enrollment in a nonresident school district, the course
2 choice program, and the early college credit program.

3 (END)

Knepp, Fern

From: katie scott <katiekellyscott@yahoo.com>
Sent: Thursday, December 19, 2019 12:21 PM
To: Knepp, Fern
Subject: Bill - ready to go

Hi Fern,

We're ready to circulate the Course Choice Bill!

Can we get the corrected version of the/P6 as a /1?

Thanks!

Katie
Office of Rep. Jeremy Thiesfeldt



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4616/P6
FFK:amn&cjs

In 12-19
TODAY

1
RMM

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to repeal* 118.52 (3) (d); *to renumber and amend* 118.52 (4); *to amend*
2 115.28 (54m), 115.38 (1) (d), 115.385 (4), 118.52 (1) (e), 118.52 (2), 118.52 (3) (a),
3 118.52 (3) (b), 118.52 (3) (c), 118.52 (3) (e), 118.52 (5), 118.52 (6), 118.52 (8),
4 118.52 (9), 118.52 (10), 118.52 (11), 118.52 (12) and 118.57 (1); *to repeal and*
5 *recreate* 118.52 (title); and *to create* 118.52 (1) (ad), 118.52 (1) (af), 118.52 (1)
6 (ah), 118.52 (2m) and 118.52 (13) of the statutes; **relating to:** expanding the
7 part-time open enrollment program.

Analysis by the Legislative Reference Bureau

This bill expands the part-time open enrollment program and renames it the course choice program.

Under the current part-time open enrollment program, a pupil enrolled in a public school in the high school grades may attend a course at a public school in a nonresident school district. Under the bill, a pupil enrolled in an educational institution, as defined in the bill, in grades one to twelve may attend a course at another educational institution. A pupil may attend no more than a total of two courses at any one time under the current part-time open enrollment program or under the bill's course choice program.

The bill defines an educational institution as any of the following:

1. A public school under the control of a pupil's resident school board, including a charter school authorized by the resident school board.

1 full-time ~~or part-time~~ open enrollment in a nonresident school district, the course
2 choice program, and the early college credit program.

3 (END)

Walker, Dan

From: Knepp, Fern
Sent: Tuesday, January 14, 2020 3:44 PM
To: Parisi, Lori; Walker, Dan
Subject: FW: Bill jacket

Can one of you jacket this for Representative Thiesfeldt?

Thanks,
Fern

From: Scott, Katie <Katie.Scott@legis.wisconsin.gov>
Sent: Tuesday, January 14, 2020 3:06 PM
To: Knepp, Fern <Fern.Knepp@legis.wisconsin.gov>
Subject: Bill jacket

Hi Fern,

Can we get LRB 4616 as a /1? Could we get as soon as possible? We're ready to circulate the bill!

Thanks!
Katie

Katie Scott
Policy Advisor
Office of Representative Jeremy Thiesfeldt
52nd Assembly District
(608) 266-3156

<< File: 19-4616/P6.pdf >>