

ASSEMBLY BILL 56

LRB
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1 **SECTION 1612.** 118.60 (2) (bh) of the statutes is created to read:

2 118.60 (2) (bh) 1. In this paragraph, "program cap" means any of the following:

3 a. For an eligible school district, the total number of pupils residing in the
4 eligible school district who attended a private school under this section in the
5 2019-20 school year.

6 b. For all school districts, other than an eligible school district or a 1st class city
7 school district, the total number of pupils residing in those school districts who
8 attended a private school under this section in the 2019-20 school year.

9 2. a. Beginning with the 2020-21 school year, the total number of pupils
10 residing in an eligible school district who may attend a private school under this
11 section during a school year may not exceed the program cap under subd. 1. a.

12 b. Beginning with the 2020-21 school year, the total number of pupils residing
13 in school districts, other than an eligible school district or a 1st class city school
14 district, who may attend a private school under this section during a school year may
15 not exceed the program cap under subd. 1. b.

16 **SECTION 1613.** 118.60 (2) (bm) of the statutes is amended to read:

17 118.60 (2) (bm) No pupil who resides in a school district, other than an eligible
18 school district or a 1st class city school district, may attend a participating private
19 school under this section unless the pupil is a member of a family that has a total
20 family income that does not exceed an amount equal to 2.2 times the poverty level,
21 ~~determined in accordance with criteria established by the director of the federal~~
22 ~~office of management and budget line, as defined in 42 USC 9902 (2).~~ In this
23 paragraph and sub. (3m), family income includes income of the pupil's parents or
24 legal guardians. Except as provided in par. (a) 1. c., the family income of the pupil
25 shall be verified as provided in par. (a) 1. b. A pupil attending a private school under

ASSEMBLY BILL 56**SECTION 1613**

1 this section whose family income increases may continue to attend a private school
2 under this section.

3 **SECTION 1614.** 118.60 (2) (c) 3. of the statutes is created to read:

4 118.60 (2) (c) 3. Notwithstanding par. (a) 6m., a teacher employed by a private
5 school participating in the program under this section who teaches only courses in
6 rabbinical studies is not required to hold a license or permit to teach issued by the
7 department.

8 **SECTION 1615.** 118.60 (3) (a) (intro.) of the statutes is amended to read:

9 118.60 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit
10 an application, on a form provided by the state superintendent, to the participating
11 private school that the pupil wishes to attend. If more than one pupil from the same
12 family applies to attend the same private school, the pupils may use a single
13 application. No later than 60 days after the end of the application period during
14 which an application is received and subject to ~~par.~~ pars. (am) and (ar), the private
15 school shall notify each applicant, in writing, whether his or her application has been
16 accepted. If the private school rejects an application, the notice shall include the
17 reason. Subject to ~~par.~~ pars. (am) and (ar), a private school may reject an applicant
18 only if it the private school has reached its maximum general capacity or seating
19 capacity. Except as provided in ~~par.~~ pars. (am) and (ar), the state superintendent
20 shall ensure that the private school determines which pupils to accept on a random
21 basis, except that the private school may give preference to the following in accepting
22 applications, in the order of preference listed:

23 **SECTION 1616.** 118.60 (3) (am) of the statutes is created to read:

24 118.60 (3) (am) All of the following apply to applications to attend a private
25 school under this section submitted by pupils who reside in an eligible school district:

ASSEMBLY BILL 56**SECTION 1616**

1 1. A private school that has submitted a notice of intent to participate under
2 sub. (2) (a) 3. a. may accept applications for a school year during application periods
3 determined by the department from pupils who reside in an eligible school district.
4 For each school year, the department shall establish one or more application periods
5 under this subdivision, the first of which begins no earlier than February 1 of the
6 school year before the applicable school year, and the last of which ends no later than
7 September 14 of the applicable school year.

8 2. Each private school that received applications under subd. 1. shall report to
9 the department the number of pupils who applied under subd. 1. to attend the private
10 school under this section and the names of those applicants who have siblings who
11 also applied under subd. 1. to attend the private school under this section. The
12 private school shall submit the report no later than 10 days after each application
13 period described under subd. 1. during which the private school received
14 applications.

15 3. After the end of each application period described under subd. 1., upon
16 receipt of the information under subd. 2., the department shall determine the sum
17 of all applicants for pupils residing in an eligible school district. In determining the
18 sum, the department shall count a pupil who has applied to attend more than one
19 private school under the program only once. If, after the end of an application period
20 described under subd. 1., the sum of all applicants for pupils residing in an eligible
21 school district exceeds the program cap under sub. (2) (bh) 2. a., the department shall
22 determine which applications submitted during the application period to accept on
23 a random basis, except that the department shall give preference to the applications
24 of pupils described in par. (a) 1m. to 5., in the order of preference listed in that
25 paragraph.

ASSEMBLY BILL 56**SECTION 1616**

1 4. If the sum under subd. 3. exceeds the program cap under sub. (2) (bh) 2. a.,
2 the department shall establish a waiting list in accordance with the preferences
3 required under subd. 3.

4 5. A private school that has accepted a pupil who resides in an eligible school
5 district under this paragraph shall notify the department whenever the private
6 school determines that a pupil will not attend the private school under this
7 paragraph. If, upon receiving notice under this subdivision, the department
8 determines that the number of pupils attending private schools under this section
9 falls below the program cap under sub. (2) (bh) 2. a., the department shall fill any
10 available slot with a pupil selected from the waiting list established under subd. 4.,
11 if such a waiting list exists.

12 **SECTION 1617.** 118.60 (3) (ar) (intro.) of the statutes is amended to read:

13 118.60 (3) (ar) (intro.) All of the following apply to applications to attend a
14 private school under this section ~~only if the limitation under sub. (2) (be) applies to~~
15 ~~the school year for which the application is made~~ submitted by pupils who reside in
16 a school district, other than an eligible school district or a 1st class city school district:

17 **SECTION 1618.** 118.60 (3) (ar) 3. of the statutes is renumbered 118.60 (3) (ar)
18 3. (intro.) and amended to read:

19 118.60 (3) (ar) 3. (intro.) Annually After the end of the application period
20 described under subd. 1., upon receipt of the information under subd. 2., the
21 department shall, for each school district, determine the sum of all applicants for
22 pupils residing in that school district under this paragraph and the sum of all
23 applicants for pupils residing in all school districts, other than an eligible school
24 district or a 1st class city school district. In determining the sum those sums, the
25 department shall count a pupil who has applied to attend more than one private

ASSEMBLY BILL 56**SECTION 1618**

1 school under the program only once. After determining the sum of all applicants for
2 pupils residing in a school district, those sums, if any of the following applies, the
3 department shall determine which applications to accept on a random basis, except
4 that the department shall give preference to the applications of pupils described in
5 s. 118.60 (3) par. (a) 1m. to 5., in the order of preference listed in that paragraph.:

6 **SECTION 1619.** 118.60 (3) (ar) 3. a. and b. of the statutes are created to read:

7 118.60 (3) (ar) 3. a. The sum of all applicants for pupils residing in a school
8 district, other than an eligible school district or a 1st class city school district, exceeds
9 the school district's pupil participation limit under sub. (2) (be).

10 b. The sum of all applicants for pupils residing in all school districts, other than
11 an eligible school district or a 1st class city school district, exceeds the program cap
12 under sub. (2) (bh) 2. b.

13 **SECTION 1620.** 118.60 (3) (ar) 4. of the statutes is renumbered 118.60 (3) (ar)
14 4. (intro.) and amended to read:

15 118.60 (3) (ar) 4. (intro.) ~~For each school district in which private schools~~
16 ~~received applications under subd. 1. that exceeded the school district's pupil~~
17 ~~participation limit under sub. (2) (be), the~~ The department shall establish a waiting
18 list in accordance with the preferences required under subd. 3. for each of the
19 following:

20 **SECTION 1621.** 118.60 (3) (ar) 4. a. and b. of the statutes are created to read:

21 118.60 (3) (ar) 4. a. A school district, other than an eligible school district or a
22 1st class city school district, for which the sum described under subd. 3. a. exceeds
23 the school district's pupil participation limit under sub. (2) (be).

ASSEMBLY BILL 56**SECTION 1621**

1 b. All school districts, other than an eligible school district or a 1st class city
2 school district, if the sum described under subd. 3. b. exceeds the program cap under
3 sub. (2) (bh) 2. b.

4 **SECTION 1622.** 118.60 (3) (ar) 5. of the statutes is amended to read:

5 118.60 (3) (ar) 5. A private school that has accepted a pupil who resides in a
6 school district, other than an eligible school district or a 1st class city school district,
7 under this paragraph shall notify the department whenever the private school
8 determines that a pupil will not attend the private school under this paragraph. If,
9 upon receiving notice under this subdivision, the department determines that the
10 number of pupils attending private schools under this section falls below a school
11 district's pupil participation limit under sub. (2) (be), or below the program cap under
12 sub. (2) (bh) 2. b., the department shall fill any available slot in that school district
13 or program with a pupil selected from the ~~school district's~~ applicable waiting list
14 established under subd. 4., if such a waiting list exists.

15 **SECTION 1623.** 118.60 (3) (b) of the statutes is amended to read:

16 118.60 (3) (b) If a participating private school rejects an applicant who resides
17 within an eligible school district because the private school has too few available
18 spaces, the applicant may transfer his or her application to a participating private
19 school that has space available. An applicant rejected under this paragraph or an
20 applicant who is on the waiting list under par. (am) 4. may, subject to sub. (2) (bh)
21 2. a., be admitted to a private school participating in the program under this section
22 for the following school year, provided that the applicant continues to reside within
23 an eligible school district. The department may not require, in that following school
24 year, the private school to submit financial information regarding the applicant or

ASSEMBLY BILL 56**SECTION 1623**

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

3 **SECTION 1624.** 118.60 (3) (c) of the statutes is amended to read:

4 118.60 (3) (c) If a participating private school rejects an applicant who resides
5 in a school district, other than an eligible school district or a 1st class city school
6 district, because the private school has too few available spaces, the applicant may
7 transfer his or her application to a participating private school that has space
8 available. An applicant who is rejected under this paragraph or an applicant who
9 is on the a waiting list under ~~sub. (3) par. (a)~~ 4. a. or b. may, subject to sub. (2) (be)
10 and (b) 2. b., be admitted to a private school participating in the program under this
11 section for the following school year, provided that the applicant continues to reside
12 in a school district, other than an eligible school district or a 1st class city school
13 district. The department may not require, in that following school year, the private
14 school to submit financial information regarding the applicant or to verify the
15 eligibility of the applicant to participate in the program under this section on the
16 basis of family income.

17 **SECTION 1625.** 118.60 (3m) (a) 2. of the statutes is amended to read:

18 118.60 (3m) (a) 2. The pupil is enrolled in a grade from 9 to 12 and the family
19 income of the pupil, as determined under sub. (2) (a) 1., does not exceed an amount
20 equal to 2.2 times the poverty level ~~determined in accordance with criteria~~
21 ~~established by the director of the federal office of management and budget line, as~~
22 defined in 42 USC 9902 (2).

23 **SECTION 1626.** 118.60 (3m) (b) 2. of the statutes is amended to read:

24 118.60 (3m) (b) 2. The family income of the pupil, as determined under sub. (2)
25 (a) 1., exceeds an amount equal to 2.2 times the poverty level ~~determined in~~

ASSEMBLY BILL 56**SECTION 1626**

1 ~~accordance with criteria established by the director of the federal office of~~
2 ~~management and budget line, as defined in 42 USC 9902 (2).~~

3 **SECTION 1627.** 118.60 (4) (bg) 3. of the statutes is amended to read:

4 118.60 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year
5 ~~and in each school year thereafter~~ years, upon receipt from the pupil's parent or
6 guardian of proof of the pupil's enrollment in the private school during a school term,
7 except as provided in subd. 5., the state superintendent shall pay to the private
8 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from
9 the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the
10 maximum amount per pupil the state superintendent paid a private school under
11 this section in the previous school year for the grade in which the pupil is enrolled;
12 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current
13 school year, if positive; and the change in the amount of statewide categorical aid per
14 pupil between the previous school year and the current school year, as determined
15 under s. 118.40 (2r) (e) 2p., if positive.

16 **SECTION 1628.** 118.60 (4) (bg) 6. of the statutes is created to read:

17 118.60 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year
18 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's
19 enrollment in the private school during a school term, except as provided in subd. 7.,
20 the state superintendent shall pay to the private school in which the pupil is enrolled
21 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255
22 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state
23 superintendent paid a private school under this section in the previous school year
24 for the grade in which the pupil is enrolled; the amount of the per pupil revenue
25 adjustment under s. 121.91 (2m) for the current school year, if positive; and the

ASSEMBLY BILL 56**SECTION 1628**

1 change in the per pupil amount under s. 115.437 (2) (a) between the previous school
2 year and the current school year, if positive.

3 **SECTION 1629.** 118.60 (4) (bg) 7. of the statutes is created to read:

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

9 a. Multiply the number of pupils participating in the program who are enrolled
10 in the private school in any grade between kindergarten to 8 by the sum of the
11 maximum amount per pupil the state superintendent paid a private school under
12 this section in the previous school year for the grade in which the pupil is enrolled;
13 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current
14 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)
15 (a) between the previous school year and the current school year, if positive.

16 b. Multiply the number of pupils participating in the program who are enrolled
17 in the private school in any grade between 9 to 12 by the sum of the maximum amount
18 per pupil the state superintendent paid a private school under this section in the
19 previous school year for the grade in which the pupil is enrolled; the amount of the
20 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if
21 positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the
22 previous school year and the current school year, if positive.

23 **SECTION 1630.** 118.60 (4v) (b) of the statutes is amended to read:

24 118.60 (4v) (b) If the department considers a pupil as a resident of an eligible
25 school district under par. (a) for a school year, the department shall ensure that the

ASSEMBLY BILL 56**SECTION 1630**

1 pupil is not counted for that school year for purposes of determining whether a school
2 district has exceeded its pupil participation limit under sub. (2) (be) and that the
3 pupil is not counted for that school year for purposes of determining whether a
4 program cap under sub. (2) (bh) 2. a. or b. has been exceeded.

5 **SECTION 1631.** 118.60 (4v) (c) and (d) of the statutes are created to read:

6 118.60 (4v) (c) The department may consider a pupil enrolled in a private
7 school participating in the program under this section who satisfies all of the
8 following as a resident of a school district, other than an eligible school district or a
9 1st class city school district, who is enrolled in the private school under this section:

10 1. The pupil was a resident of an eligible school district when the pupil applied
11 to participate in the program under this section.

12 2. The pupil accepted a space at a private school participating in the program
13 under this section as a resident of an eligible school district.

14 3. The pupil resides in a school district, other than an eligible school district
15 or a 1st class city school district, on the 3rd Friday in September.

16 4. The private school the pupil is attending under this section accepts
17 applications under this section from pupils who reside in school districts, other than
18 an eligible school district or a 1st class city school district.

19 (d) If the department considers a pupil as a resident of a school district, other
20 than an eligible school district or a 1st class city school district, under par. (c) for a
21 school year, the department shall ensure that the pupil is not counted for that school
22 year for purposes of determining whether the school district has exceeded its pupil
23 participation limit under sub. (2) (be) and that the pupil is not counted for that school
24 year for purposes of determining whether a program cap under sub. (2) (bh) 2. a. or
25 b. has been exceeded.

ASSEMBLY BILL 56**SECTION 1632**

1 **SECTION 1632.** 118.60 (7) (ad) 1. of the statutes is amended to read:

2 118.60 (7) (ad) 1. If a private school participating in the program under this
3 section or s. 119.23 and accredited under sub. (2) (a) 7. to offer instruction in any
4 elementary grade, but not any high school grade, seeks to offer instruction in any
5 high school grade, the private school shall apply for ~~and achieve accreditation by an~~
6 accrediting entity to offer instruction in the additional grades ~~in the manner~~
7 established under sub. (2) (a) 7. e by December 31 of the first school year in which the
8 private school begins offering instruction in the additional grades and shall obtain
9 accreditation by an accrediting entity by December 31 of the 3rd school year following
10 the first school year in which the private school begins offering instruction in the
11 additional grades.

12 **SECTION 1633.** 118.60 (7) (ad) 2. of the statutes is amended to read:

13 118.60 (7) (ad) 2. If a private school participating in the program under this
14 section or s. 119.23 and accredited under sub. (2) (a) 7. to offer instruction in any high
15 school grade, but not any elementary grade, seeks to offer instruction in any
16 elementary grade, the private school shall apply for ~~and achieve accreditation by an~~
17 accrediting entity to offer instruction in the additional grades ~~in the manner~~
18 established under sub. (2) (a) 7. e by December 31 of the first school year in which the
19 private school begins offering instruction in the additional grades and shall obtain
20 accreditation by an accrediting entity by December 31 of the 3rd school year following
21 the first school year in which the private school begins offering instruction in the
22 additional grades.

23 **SECTION 1634.** Subchapter I (title) of chapter 119 [precedes 119.01] of the
24 statutes is repealed.

25 **SECTION 1635.** 119.02 (1) of the statutes is amended to read:

ASSEMBLY BILL 56**SECTION 1635**

1 119.02 (1) "Board" means the board of school directors in charge of the public
2 schools of a city of the 1st class ~~other than those public schools transferred to the~~
3 ~~opportunity schools and partnership programs under s. 119.33 or subch. II.~~

4 **SECTION 1636.** 119.02 (2g) of the statutes is repealed.

5 **SECTION 1637.** 119.02 (4) of the statutes is repealed.

6 **SECTION 1638.** 119.04 (1) of the statutes is amended to read:

7 119.04 (1) Subchapters IV, V, and VII of ch. 115, ch. 121, and ss. 66.0235 (3) (c),
8 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
9 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 115.447,
10 115.448, 115.449, 115.457, 115.458, 118.001 to 118.04, 118.045, 118.06, 118.07,
11 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,
12 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225,
13 118.237, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258,
14 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53,
15 ~~118.55,~~ 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to
16 (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20,
17 120.21 (3), and 120.25 are applicable to a 1st class city school district and board but
18 ~~not, unless explicitly provided in this chapter or in the terms of a contract, to the~~
19 ~~commissioner or to any school transferred to an opportunity schools and partnership~~
20 ~~program.~~

21 **SECTION 1639.** 119.04 (1) of the statutes, as affected by 2019 Wisconsin Act
22 (this act), is amended to read:

23 119.04 (1) Subchapters IV, V, and ~~VII~~ VIII of ch. 115, ch. 121 and ss. 66.0235
24 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
25 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 115.447,

ASSEMBLY BILL 56**SECTION 1639**

1 115.448, 115.449, 115.457, 115.458, 118.001 to 118.04, 118.045, 118.06, 118.07,
2 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,
3 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225,
4 118.237, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258,
5 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53,
6 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3),
7 (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21
8 (3), and 120.25 are applicable to a 1st class city school district and board.

9 **SECTION 1640.** 119.16 (1n) of the statutes is repealed.

10 **SECTION 1641.** 119.16 (2) of the statutes is amended to read:

11 119.16 (2) ESTABLISH SCHOOLS AND DISTRICTS. The board shall maintain the
12 public schools in the city, ~~other than those public schools transferred to the~~
13 ~~opportunity schools and partnership programs under s. 119.33 and subch. II,~~ and
14 shall establish, organize, and maintain such schools as the board determines are
15 necessary to accommodate the children entitled to instruction therein. The board
16 shall divide the city into attendance districts for such schools.

17 **SECTION 1642.** 119.16 (8) (a) of the statutes is amended to read:

18 119.16 (8) (a) Annually before adopting its budget for the ensuing school year
19 and at least 5 days before transmitting its completed budget under par. (b), the board
20 shall hold a public hearing on the proposed school budget at a time and place fixed
21 by the board. At least 45 days before the public hearing, the board shall notify the
22 superintendent of schools ~~and the commissioner~~ of the date, time, and place of the
23 hearing. At least one week before the public hearing, the board shall publish a class
24 1 notice, under ch. 985, of the public hearing.

25 **SECTION 1643.** 119.16 (8) (b) of the statutes is amended to read:

ASSEMBLY BILL 56**SECTION 1643**

1 119.16 (8) (b) The board shall transmit its completed budget to the common
2 council on or before the first Monday in August of each year on forms furnished by
3 the auditing officer of the city, and shall include in the budget the information
4 specified under s. 119.46 (1) for all public schools in the city under this chapter,
5 ~~including the schools transferred to the opportunity schools and partnership~~
6 ~~programs under s. 119.33 and subch. II. The board shall itemize those portions of the~~
7 ~~budget allocated to schools transferred to the opportunity schools and partnership~~
8 ~~programs under s. 119.33 and subch. II. Such completed budget shall be published~~
9 with the budget summary under s. 65.04 (2) or 65.20 and budget under s. 65.05 (7).

10 **SECTION 1644.** 119.16 (9) of the statutes is amended to read:

11 119.16 (9) SCHOOL BUDGET. Annually, the board shall prepare a budget for each
12 school in the school district operating under this chapter, ~~other than the schools~~
13 ~~transferred to the opportunity schools and partnership programs under s. 119.33 and~~
14 ~~subch. II.~~

15 **SECTION 1645.** 119.16 (15) of the statutes is repealed.

16 **SECTION 1646.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

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

20 **SECTION 1647.** 119.23 (2) (a) 1. a. of the statutes is amended to read:

21 119.23 (2) (a) 1. a. The pupil is a member of a family that has a total family
22 income that does not exceed an amount equal to 3.0 times the poverty level
23 ~~determined in accordance with criteria established by the director of the federal~~
24 ~~office of management and budget line, as defined in 42 USC 9902 (2).~~ In this
25 subdivision and sub. (3m), family income includes income of the pupil's parents or

ASSEMBLY BILL 56**SECTION 1647**

1 legal guardians. Except as provided in subd. 1. d., the family income of the pupil shall
2 be verified as provided in subd. 1. b. A pupil attending a private school under this
3 section whose family income increases, including a pupil who attended a private
4 school under this section in the 2010-11 school year and whose family income has
5 increased, may continue to attend a private school under this section.

6 **SECTION 1648.** 119.23 (2) (a) 6. a. of the statutes is amended to read:

7 119.23 (2) (a) 6. a. Except as provided in subd. 6. c., all of the private school's
8 teachers have a teaching license issued by the department or a bachelor's degree or
9 a degree or educational credential higher than a bachelor's degree, including a
10 masters or doctorate, from a nationally or regionally accredited institution of higher
11 education. This subd. 6. a. does not apply after June 30, 2022.

12 **SECTION 1649.** 119.23 (2) (a) 6m. of the statutes is created to read:

13 119.23 (2) (a) 6m. a. Except as provided in subd. 6m. b., beginning on July 1,
14 2022, all of the private school's teachers have a teaching license or permit issued by
15 the department.

16 b. Any teacher employed by the private school on July 1, 2022, who has been
17 teaching for at least the 5 consecutive years immediately preceding July 1, 2022, and
18 who does not satisfy the requirements under subd. 6m. a. on July 1, 2022, applies to
19 the department on a form prepared by the department for a temporary,
20 nonrenewable waiver from the requirements under subd. 6m. a. The department
21 shall promulgate rules to implement this subd. 6m. b., including the form of the
22 application and the process by which the waiver application will be reviewed. The
23 application form shall require the applicant to submit a plan for satisfying the
24 requirements under subd. 6m. a. No waiver granted under this subd. 6m. b. is valid
25 after July 1, 2027.

ASSEMBLY BILL 56

SECTION 1650

1 **SECTION 1650.** 119.23 (2) (a) 7. bg. of the statutes is amended to read:

2 119.23 (2) (a) 7. bg. ~~Each~~ If the private school that begins participation in the
3 program under this section on or after April 10, 2014, and before the 2021-22 school
4 year, and that the private school is not accredited by an accrediting entity, ~~shall~~
5 obtain the private school obtains preaccreditation by a preaccrediting entity by
6 August 1 before the first school term in which the private school begins participation
7 in the program under this section, or by May 1 if the private school begins
8 participating in the program during summer school. In any school year, a private
9 school to which this subd. 7. bg. applies may apply for and seek to obtain
10 preaccreditation from only one preaccrediting entity. A private school to which this
11 subd. 7. bg. applies that fails to obtain preaccreditation as required under this subd.
12 7. bg. may not participate in the program under this section or under s. 118.60 until
13 preaccreditation has been obtained, but the private school may apply for and seek
14 to obtain preaccreditation from a preaccrediting entity for the following school year.

15 **SECTION 1651.** 119.23 (2) (a) 7. br. of the statutes is amended to read:

16 119.23 (2) (a) 7. br. ~~A private school to which~~ If subd. 7. bg. applies ~~shall apply~~
17 to the private school, the private school applies for accreditation by an accrediting
18 entity by December 31 of the first school year that begins after April 10, 2014, in
19 which the private school begins participation in the program under this section, and
20 ~~shall achieve~~ obtains accreditation by an accrediting entity by December 31 of the
21 3rd school year following the school year in which the private school begins
22 participation in the program under this section. If the private school is accredited
23 under this subd. 7. br., the private school is not required to obtain preaccreditation
24 as a prerequisite to providing instruction under this section in additional grades or
25 in an additional or new school.

ASSEMBLY BILL 56

SECTION 1652

1 **SECTION 1652.** 119.23 (2) (a) 7. f. of the statutes is created to read:

2 119.23 (2) (a) 7. f. If the private school begins participation in the program
3 under this section in the 2021-22 school year or in any school year thereafter, the
4 private school is accredited by an accrediting entity by August 1 of the school year
5 in which the private school begins participation in the program under this section.

6 **SECTION 1653.** 119.23 (2) (ag) 4. of the statutes is amended to read:

7 119.23 (2) (ag) 4. Notwithstanding If the new private school begins
8 participation in the program under this section before the 2021-22 school year,
9 notwithstanding the deadline to obtain preaccreditation under sub. (2) par. (a) 7. bg.,
10 by December 15 of the school year immediately preceding the school year in which
11 the new private school intends to participate in the program under this section,
12 obtain preaccreditation from a preaccrediting entity. If the new private school begins
13 participation in the program under this section in the 2021-22 school year or in any
14 school year thereafter, the new private school shall comply with the requirement
15 under par. (a) 7. f.

16 **SECTION 1654.** 119.23 (2) (b) of the statutes is created to read:

17 119.23 (2) (b) 1. In this paragraph, “program cap” means the total number of
18 pupils residing in the city who attended a private school under this section in the
19 2019-20 school year.

20 2. Beginning with the 2020-21 school year, the total number of pupils residing
21 in the city who may attend a private school under this section during a school year
22 may not exceed the program cap.

23 **SECTION 1655.** 119.23 (2) (c) 3. of the statutes is created to read:

24 119.23 (2) (c) 3. Notwithstanding par. (a) 6m., a teacher employed by a private
25 school participating in the program under this section who teaches only courses in

ASSEMBLY BILL 56**SECTION 1655**

1 rabbinical studies is not required to hold a license or permit to teach issued by the
2 department.

3 **SECTION 1656.** 119.23 (3) (a) (intro.) of the statutes is amended to read:

4 119.23 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit
5 an application, on a form provided by the state superintendent, to the participating
6 private school that the pupil wishes to attend. If more than one pupil from the same
7 family applies to attend the same private school, the pupils may use a single
8 application. No later than 60 days after the end of the application period during
9 which an application is received and subject to par. (ar), the private school shall
10 notify each applicant, in writing, whether his or her application has been accepted.
11 If the private school rejects an application, the notice shall include the reason. ~~A~~
12 Subject to par. (ar), a private school may reject an applicant only if it the private
13 school has reached its maximum general capacity or seating capacity. The Except
14 as provided in par. (ar), the state superintendent shall ensure that the private school
15 determines which pupils to accept on a random basis, except that the private school
16 may give preference to the following in accepting applications, in order of preference
17 listed:

18 **SECTION 1657.** 119.23 (3) (ar) of the statutes is created to read:

19 119.23 (3) (ar) All of the following apply to applications to attend a private
20 school under this section submitted by pupils who reside in the city:

21 1. A private school that has submitted a notice of intent to participate under
22 sub. (2) (a) 3. may accept applications for a school year during application periods
23 determined by the department from pupils who reside in the city. For each school
24 year, the department shall establish one or more application periods under this
25 subdivision, the first of which begins no later than February 1 of the school year

ASSEMBLY BILL 56**SECTION 1657**

1 before the applicable school year, and the last of which ends no later than September
2 14 of the applicable school year.

3 2. Each private school that received applications under subd. 1. shall report to
4 the department the number of pupils who applied under subd. 1. to attend the private
5 school under this section and the names of those applicants who have siblings who
6 also applied under subd. 1. to attend the private school under this section. The
7 private school shall submit the report no later than 10 days after each application
8 period described under subd. 1. during which the private school received
9 applications.

10 3. After the end of each application period described under subd. 1, upon receipt
11 of the information under subd. 2., the department shall determine the sum of all
12 applicants for pupils residing in the city. In determining the sum, the department
13 shall count a pupil who has applied to attend more than one private school under the
14 program only once. If, after the end of an application period described under subd.
15 1., the sum of all applicants for pupils residing in the city exceeds the program cap
16 under sub. (2) (b), the department shall determine which applications submitted
17 during the application period to accept on a random basis, except that the
18 department shall give preference to the applications of pupils described in par. (a)
19 1. to 5., in the order of preference listed in that paragraph.

20 4. If the sum under subd. 3. exceeds the program cap under sub. (2) (b), the
21 department shall establish a waiting list in accordance with the preferences required
22 under subd. 3.

23 5. A private school that has accepted a pupil who resides in the city under this
24 paragraph shall notify the department whenever the private school determines that
25 a pupil will not attend the private school under this paragraph. If, upon receiving

ASSEMBLY BILL 56**SECTION 1657**

1 notice under this subdivision, the department determines that the number of pupils
2 attending private schools under this section falls below the program cap under sub.
3 (2) (b), the department shall fill any available slot with a pupil selected from the
4 waiting list established under subd. 4., if such a waiting list exists.

5 **SECTION 1658.** 119.23 (3) (b) of the statutes is amended to read:

6 119.23 (3) (b) If the private school rejects an applicant because it the private
7 school has too few available spaces, the applicant may transfer his or her application
8 to a participating private school that has space available. An applicant rejected
9 under this paragraph or an applicant who is on the waiting list under par. (ar) 4. may,
10 subject to sub. (2) (b), be admitted to a private school participating in the program
11 under this section for the following school year, provided that the applicant continues
12 to reside within the city. The department may not require, in that following school
13 year, the private school to submit financial information regarding the applicant or
14 to verify the eligibility of the applicant to participate in the program under this
15 section on the basis of family income.

16 **SECTION 1659.** 119.23 (3m) (a) 2. of the statutes is amended to read:

17 119.23 (3m) (a) 2. The pupil is enrolled in a grade from 9 to 12 and the family
18 income of the pupil, as determined under sub. (2) (a) 1., does not exceed an amount
19 equal to 2.2 times the poverty level ~~determined in accordance with criteria~~
20 ~~established by the director of the federal office of management and budget line, as~~
21 defined in 42 USC 9902 (2).

22 **SECTION 1660.** 119.23 (3m) (b) 2. of the statutes is amended to read:

23 119.23 (3m) (b) 2. The family income of the pupil, as determined under sub. (2)
24 (a) 1., exceeds an amount equal to 2.2 times the poverty level ~~determined in~~

ASSEMBLY BILL 56**SECTION 1660**

1 ~~accordance with criteria established by the director of the federal office of~~
2 ~~management and budget~~ line, as defined in 42 USC 9902 (2).

3 **SECTION 1661.** 119.23 (4) (bg) 3. of the statutes is amended to read:

4 119.23 (4) (bg) 3. In the 2015-16, 2016-17, 2017-18, and 2018-19 school year
5 ~~and in each school year thereafter~~ years, upon receipt from the pupil's parent or
6 guardian of proof of the pupil's enrollment in the private school during a school term,
7 except as provided in subd. 5., the state superintendent shall pay to the private
8 school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from
9 the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the
10 maximum amount per pupil the state superintendent paid a private school under
11 this section in the previous school year for the grade in which the pupil is enrolled;
12 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current
13 school year, if positive; and the change in the amount of statewide categorical aid per
14 pupil between the previous school year and the current school year, as determined
15 under s. 118.40 (2r) (e) 2p., if positive.

16 **SECTION 1662.** 119.23 (4) (bg) 6. of the statutes is created to read:

17 119.23 (4) (bg) 6. Beginning in the 2019-20 school year and in each school year
18 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's
19 enrollment in the private school during a school term, except as provided in subd. 7.,
20 the state superintendent shall pay to the private school in which the pupil is enrolled
21 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255
22 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state
23 superintendent paid a private school under this section in the previous school year
24 for the grade in which the pupil is enrolled; the amount of the per pupil revenue
25 adjustment under s. 121.91 (2m) for the current school year, if positive; and the

ASSEMBLY BILL 56**SECTION 1662**

1 change in the per pupil amount under s. 115.437 (2) (a) between the previous school
2 year and the current school year, if positive.

3 **SECTION 1663.** 119.23 (4) (bg) 7. of the statutes is created to read:

4 119.23 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school
5 that enrolls pupils under the program in any grade between kindergarten to 8 and
6 also in any grade between 9 to 12, the state superintendent shall substitute for the
7 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the
8 following modifications:

9 a. Multiply the number of pupils participating in the program who are enrolled
10 in the private school in any grade between kindergarten to 8 by the sum of the
11 maximum amount per pupil the state superintendent paid a private school under
12 this section in the previous school year for the grade in which the pupil is enrolled;
13 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current
14 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)
15 (a) between the previous school year and the current school year, if positive.

16 b. Multiply the number of pupils participating in the program who are enrolled
17 in the private school in any grade between 9 to 12 by the sum of the maximum amount
18 per pupil the state superintendent paid a private school under this section in the
19 previous school year for the grade in which the pupil is enrolled; the amount of the
20 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if
21 positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the
22 previous school year and the current school year, if positive.

23 **SECTION 1664.** 119.23 (4v) (b) of the statutes is amended to read:

24 119.23 (4v) (b) If the department considers a pupil as a resident of the city
25 under par. (a) for a school year, the department shall ensure that the pupil is not

ASSEMBLY BILL 56**SECTION 1664**

1 counted for that school year for purposes of determining whether a school district has
2 exceeded its pupil participation limit under s. 118.60 (2) (be) and that the pupil is not
3 counted for that school year for purposes of determining whether a program cap
4 under sub. (2) (b) or s. 118.60 (2) (bh) 2. a. or b. has been exceeded.

5 **SECTION 1665.** 119.23 (4v) (c), (d) and (e) of the statutes are created to read:

6 119.23 (4v) (c) The department may consider a pupil enrolled in a private
7 school participating in the program under this section who satisfies all of the
8 following as a resident of a school district, other than a 1st class city school district,
9 who is enrolled in the private school under this section:

10 1. The pupil was a resident of the city when the pupil applied to participate in
11 the program under this section.

12 2. The pupil accepted a space at a private school participating in the program
13 under this section as a resident of the city.

14 3. The pupil resides in a school district, other than a 1st class city school
15 district, on the 3rd Friday in September.

16 4. The private school at which the pupil accepted a space under this section is
17 participating in the program under s. 118.60.

18 (d) If the department considers a pupil as a resident of an eligible school
19 district, as defined in s. 118.60 (1) (am), under par. (c) for a school year, the
20 department shall ensure that the pupil is not counted for that school year for
21 purposes of determining whether a program cap under sub. (2) (b) or s. 118.60 (2) (bh)
22 2. a. has been exceeded.

23 (e) If the department considers a pupil as a resident of a school district, other
24 than an eligible school district, as defined in s. 118.60 (1) (am), or a 1st class city
25 school district, under par. (c) for a school year, the department shall ensure that the

ASSEMBLY BILL 56**SECTION 1665**

1 pupil is not counted for that school year for purposes of determining whether the
2 school district has exceeded its pupil participation limit under s. 118.60 (2) (be) and
3 that the pupil is not counted for that school year for purposes of determining whether
4 a program cap under sub. (2) (b) or s. 118.60 (2) (bh) 2. b. has been exceeded.

5 **SECTION 1666.** 119.23 (7) (ad) 1. of the statutes is amended to read:

6 119.23 (7) (ad) 1. If a private school participating in the program under this
7 section or s. 118.60 and accredited under sub. (2) (a) 7. to offer instruction in any
8 elementary grade, but not any high school grade, seeks to offer instruction in any
9 high school grade, the private school shall apply for ~~and achieve accreditation by an~~
10 accrediting entity to offer instruction in the additional grades ~~in the manner~~
11 ~~established under sub. (2) (a) 7. or by December 31 of the first school year in which~~
12 the private school begins offering instruction in the additional grades and shall
13 obtain accreditation by an accrediting entity by December 31 of the 3rd school year
14 following the first school year in which the private school begins offering instruction
15 in the additional grades.

16 **SECTION 1667.** 119.23 (7) (ad) 2. of the statutes is amended to read:

17 119.23 (7) (ad) 2. If a private school participating in the program under this
18 section or s. 118.60 and accredited under sub. (2) (a) 7. to offer instruction in any high
19 school grade, but not any elementary grade, seeks to offer instruction in any
20 elementary grade, the private school shall apply for ~~and achieve accreditation by an~~
21 accrediting entity to offer instruction in the additional grades ~~in the manner~~
22 ~~established under sub. (2) (a) 7. or by December 31 of the first school year in which~~
23 the private school begins offering instruction in the additional grades and shall
24 obtain accreditation by an accrediting entity by December 31 of the 3rd school year

ASSEMBLY BILL 56**SECTION 1667**

1 following the first school year in which the private school begins offering instruction
2 in the additional grades.

3 **SECTION 1668.** 119.313 of the statutes is created to read:

4 **119.313 Mathematics Partnership. (1)** The board, in consultation with the
5 University of Wisconsin- Milwaukee, shall develop and implement a plan to improve
6 mathematics instruction in schools in the school district.

7 **(2)** Annually, beginning in the 2020-21 school year, from the appropriation
8 under s. 20.255 (2) (ah), the department shall award a grant to the board to develop
9 and implement the plan under sub. (1). The board may use grant proceeds for
10 personnel costs associated with developing and implementing the plan under sub.
11 (1).

12 **(3)** The department may promulgate rules to implement and administer this
13 section.

14 **SECTION 1669.** 119.33 of the statutes is repealed.

15 **SECTION 1670.** 119.44 (2) (a) 5. of the statutes is repealed.

16 **SECTION 1671.** 119.46 (1) of the statutes is amended to read:

17 119.46 (1) As part of the budget transmitted annually to the common council
18 under s. 119.16 (8) (b), the board shall report the amount of money required for the
19 ensuing school year to operate all public schools in the city under this chapter,
20 ~~including the schools transferred to the superintendent of schools opportunity~~
21 ~~schools and partnership program under s. 119.33 and to the opportunity schools and~~
22 ~~partnership program under subch. II, to repair and keep in order school buildings~~
23 ~~and equipment, including school buildings and equipment transferred to the~~
24 ~~superintendent of schools opportunity schools and partnership program under s.~~
25 ~~119.33 and to the opportunity schools and partnership program under subch. II, to~~

ASSEMBLY BILL 56**SECTION 1671**

1 make material improvements to school property, and to purchase necessary
2 additions to school sites. The report shall specify the amount of net proceeds from
3 the sale or lease of city-owned property used for school purposes deposited in the
4 immediately preceding school year into the school operations fund as specified under
5 s. 119.60 (2m) (c) or (5) and the net proceeds from the sale of an eligible school
6 building deposited in the immediately preceding school year into the school
7 operations fund as specified under s. 119.61 (5). The amount included in the report
8 for the purpose of supporting the Milwaukee Parental Choice Program under s.
9 119.23 shall be reduced by the amount of aid received by the board under s. 121.136
10 and by the amount specified in the notice received by the board under s. 121.137 (2).
11 The common council shall levy and collect a tax upon all the property subject to
12 taxation in the city, which shall be equal to the amount of money required by the
13 board for the purposes set forth in this subsection, at the same time and in the same
14 manner as other taxes are levied and collected. Such taxes shall be in addition to all
15 other taxes ~~which~~ that the city is authorized to levy. The taxes so levied and collected,
16 any other funds provided by law and placed at the disposal of the city for the same
17 purposes, and the moneys deposited in the school operations fund under ss. 119.60
18 (1), (2m) (c), and (5) and 119.61 (5) shall constitute the school operations fund.

19 **SECTION 1672.** 119.49 (4) of the statutes is amended to read:

20 119.49 (4) The common council shall levy and collect a tax upon all taxable
21 property in the city, in the same manner and at the same time as other taxes are
22 levied and collected, ~~which~~ that shall be sufficient to pay the interest on all school
23 bonds issued under this ~~subchapter~~ chapter ~~that~~ are outstanding and to pay
24 such part of the principal of such school bonds as becomes due during the ensuing
25 school year.

ASSEMBLY BILL 56**SECTION 1673**

1 **SECTION 1673.** 119.61 (2) (b) of the statutes is amended to read:

2 119.61 (2) (b) The board shall submit a copy of the inventory required under
3 par. (a) to ~~the commissioner~~, the superintendent of schools, the city clerk, the
4 department, and the joint committee on finance.

5 **SECTION 1674.** 119.61 (2) (c) of the statutes is amended to read:

6 119.61 (2) (c) In addition to the inventory required under par. (a), the board
7 shall annually notify ~~the commissioner~~, the superintendent of schools, the city clerk,
8 the department, and the joint committee on finance any time a change is made to the
9 use of a school building.

10 **SECTION 1675.** 119.61 (3) (a) of the statutes is amended to read:

11 119.61 (3) (a) If, within 60 days after receipt of the inventory required under
12 sub. (2) (a) or of a notice under sub. (2) (c), ~~either the commissioner or the~~
13 superintendent of schools submits a letter of interest regarding an eligible school
14 building, the common council shall immediately proceed to add ~~the commissioner or~~
15 the superintendent of schools, ~~respectively~~, as an agent of the board on any existing
16 lease for the eligible school building between the common council and the board.

17 **SECTION 1676.** 119.61 (3) (b) of the statutes is amended to read:

18 119.61 (3) (b) If, no more than 60 days after providing ~~the commissioner and~~
19 the superintendent of schools with a copy of the inventory under sub. (2) (a) or of a
20 notice under sub. (2) (c), ~~neither the commissioner nor the superintendent of schools~~
21 has not submitted a letter of interest under par. (a), the city clerk shall post a public
22 notice on the city's Internet site. The city clerk shall include in the public notice
23 under this subsection the address of and the information specified under sub. (2) (a)
24 1. and 8. for each school building identified on the inventory under sub. (2) (a), or on
25 the notice under sub. (2) (c), that is an eligible school building. The city clerk shall

ASSEMBLY BILL 56**SECTION 1676**

1 include in the public notice a request for and instructions for submitting letters of
2 interest from persons interested in purchasing an eligible school building.

3 **SECTION 1677.** 119.66 of the statutes is amended to read:

4 **119.66 Interest in contracts forbidden.** During the term for which elected
5 or appointed and for 2 years after the expiration of the term, no member of the board
6 may be employed by the board or by the department of employee trust funds in any
7 capacity for which a salary or emolument is provided by the board or the department
8 of employee trust funds. No board member, superintendent of schools, assistant
9 superintendent, other assistant, teacher or other employee of the board may have
10 any interest in the purchase or sale of property by the city for the use or convenience
11 of the schools. No contract made in violation of this section is valid. Any
12 consideration paid by the city for a purchase or sale prohibited by this section may
13 be recovered in an action at law in the name of the city. Any person violating this
14 section shall be removed from any position held under this ~~subchapter~~ chapter.

15 **SECTION 1678.** Subchapter II (title) of chapter 119 [precedes 119.9000] of the
16 statutes is repealed.

17 **SECTION 1679.** 119.9000 of the statutes is repealed.

18 **SECTION 1680.** 119.9001 of the statutes is repealed.

19 **SECTION 1681.** 119.9002 of the statutes is repealed.

20 **SECTION 1682.** 119.9003 of the statutes is repealed.

21 **SECTION 1683.** 119.9004 of the statutes is repealed.

22 **SECTION 1684.** 119.9005 of the statutes is repealed.

23 **SECTION 1685.** 120.12 (17) of the statutes is repealed.

24 **SECTION 1686.** 120.13 (2) (g) of the statutes is amended to read:

ASSEMBLY BILL 56

1 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
2 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.728, 632.746 (1) and (10) (a) 2. and (b)
3 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.867, 632.87 (4) to (6), 632.885,
4 632.89, 632.895 (9) (8) to (17), 632.896, and 767.513 (4).

5 **SECTION 1687.** 120.13 (14) (b) 1. of the statutes is amended to read:

6 120.13 (14) (b) 1. If a person ~~who has contracted under par. (a) to provide a child~~
7 ~~care program is convicted of a serious crime, as defined in s. 48.686 (1) (c), or if a~~
8 ~~caregiver specified in s. 48.686 (1) (ag) 1. or a nonclient resident, as defined in s.~~
9 ~~48.686 (1) (bm), of the~~ subject to a background check under s. 48.686 (2) who operates,
10 works at, or resides at a child care program contracted for under par. (a), is convicted
11 or adjudicated delinquent for committing a serious crime on or after his or her 10th
12 birthday, as defined under s. 48.686 (1) (c), the school board shall rescind the contract
13 of the contractor for the child care program immediately upon providing written
14 notice of the rescission and the grounds for the rescission and an explanation of the
15 process for appealing the rescission.

16 **SECTION 1688.** 120.13 (14) (b) 2. of the statutes is amended to read:

17 120.13 (14) (b) 2. If a person ~~who has contracted under par. (a) to provide a child~~
18 ~~care program is the subject of a pending criminal charge alleging that the person has~~
19 ~~committed a serious crime, as defined in s. 48.686 (1) (c), or if a caregiver specified~~
20 ~~in s. 48.686 (1) (ag) 1. or a nonclient resident, as defined in s. 48.686 (1) (bm), of the~~
21 ~~subject to a background check under s. 48.686 (2) who operates, works at, or resides~~
22 ~~at a child care program contracted for under par. (a) is the subject of a pending~~
23 ~~criminal charge or delinquency petition alleging that the person has committed a~~
24 ~~serious crime on or after his or her 10th birthday, as defined in s. 48.686 (1) (c), the~~
25 ~~school board shall immediately suspend the contract of the contractor for the child~~

ASSEMBLY BILL 56**SECTION 1688**

1 care program until the school board obtains information regarding the final
2 disposition of the charge or delinquency petition indicating that the person is not
3 ineligible to provide operate, work at, or reside at a child care program under this
4 subsection.

5 **SECTION 1689.** 120.18 (1) (o) of the statutes is repealed.

6 **SECTION 1690.** 121.004 (7) (c) 1. a. of the statutes is amended to read:

7 121.004 (7) (c) 1. a. A pupil enrolled in a ~~5-year-old~~ kindergarten program that
8 requires full-day attendance by the pupil for 5 days a week, but not on any day of
9 the week that pupils enrolled in other grades in the school do not attend school, for
10 an entire school term shall be counted as one pupil.

11 **SECTION 1691.** 121.004 (7) (c) 2. of the statutes is amended to read:

12 121.004 (7) (c) 2. In subd. 1. a. and b., “full-day” means the length of the school
13 day for pupils in the first grade of the school district operating the 4-year-old or
14 5-year-old kindergarten program.

15 **SECTION 1692.** 121.004 (7) (cm) of the statutes is amended to read:

16 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,
17 including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b),
18 that provides the required number of hours of direct pupil instruction under s. 121.02
19 (1) (f) but requires less than full-day attendance by the pupil for 5 days a week shall
20 be counted as 0.6 pupil if the program annually provides at least 87.5 additional
21 hours of outreach activities. In this paragraph, “full-day” has the meaning given in
22 par. (c) 2.

23 **SECTION 1693.** 121.05 (1) (a) 5. of the statutes is amended to read:

24 121.05 (1) (a) 5. Pupils attending a technical college under s. 118.15 (1) (b) and
25 ~~pupils attending an institution of higher education under s. 118.55.~~