

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

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.~~ (ar) 4. a. or b. may, subject to sub. (2) (be)  
10 and (bh) 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~~

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

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

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.

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:

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,

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:



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

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.

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.

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

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 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

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

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~~

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



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

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

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. br~~ 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. br~~ 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

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~~

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 ~~which~~ 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.

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

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:

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~~



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.

1           **SECTION 1694.** 121.07 (2) (intro.) of the statutes is amended to read:

2           121.07 (2) MEMBERSHIP. (intro.) For the purposes of ss. 121.08, 121.09, 121.095,  
3 and 121.105, and ~~121.137~~, a school district's membership is the sum of all of the  
4 following:

5           **SECTION 1695.** 121.07 (6) (d) of the statutes is amended to read:

6           121.07 (6) (d) The "secondary ceiling cost per member" ~~in the 2001-02 school~~  
7 ~~year and in each school year thereafter~~ is an amount determined by dividing the state  
8 total shared cost in the previous school year by the state total membership in the  
9 previous school year ~~and multiplying the result by 0.90.~~

10           **SECTION 1696.** 121.07 (8) of the statutes is renumbered 121.07 (8) (intro.) and  
11 amended to read:

12           121.07 (8) GUARANTEED VALUATION. (intro.) A school district's primary,  
13 secondary and tertiary guaranteed valuations are determined by multiplying the  
14 amounts in sub. (7) by the sum of the school district's membership, and an amount  
15 calculated as follows:

16           **SECTION 1697.** 121.07 (8) (a) of the statutes is created to read:

17           121.07 (8) (a) Determine the number of pupils residing in the school district  
18 who satisfy the income eligibility criteria for a free or reduced-price lunch under 42  
19 USC 1758 (b) (1).

20           **SECTION 1698.** 121.07 (8) (b) of the statutes is created to read:

21           121.07 (8) (b) Multiply the number of pupils under par. (a) by 0.2.

22           **SECTION 1699.** 121.08 (4) (b) (intro.) and 1. of the statutes are consolidated,  
23 renumbered 121.08 (4) (b) and amended to read:

24           121.08 (4) (b) The amount of state aid that the school district operating under  
25 ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also

1 be reduced by the amount calculated as follows: ~~1. Multiply the amounts paid under~~  
2 ~~s. 119.23 (4) and (4m) in the 2009–10 school year by 41.6 percent, and multiply by~~  
3 ~~multiplying the amounts paid under s. 119.23 (4) and (4m) in the 2010–11 to 2012–13~~  
4 ~~school years by 38.4 percent. Beginning in the 2013–14 school year, multiply the~~  
5 ~~amounts paid under s. 119.23 (4) and (4m) in the current school year by a percentage~~  
6 ~~determined by subtracting 3.2 percentage points from the percentage that was~~  
7 ~~applied under this subdivision paragraph in the previous school year. This~~  
8 ~~subdivision paragraph does not apply after the 2024–25 school year.~~

9 **SECTION 1700.** 121.08 (4) (b) 2. and 3. of the statutes are repealed.

10 **SECTION 1701.** 121.10 of the statutes is created to read:

11 **121.10 Hold harmless aid. (1)** In this section, “state aid” means the sum of  
12 the following:

13 (a) The payments made to a school district under ss. 121.08 and 121.105 and  
14 subch. VI.

15 (b) The payments that would be made to a school district under s. 121.136 if s.  
16 121.136 were still applicable.

17 (c) The amount that would be received by a school district under s. 79.10 (4) and  
18 (5m) if s. 79.10 (4) and (5m) were still applicable.

19 **(2)** (a) Except as provided in par. (b), in the 2020–21 school year, if a school  
20 district would receive less in equalization aid under s. 121.08 in the current school  
21 year before any adjustment is made under s. 121.15 (4) (b) than it would have  
22 received in state aid in the current school year, the department shall pay to the school  
23 district the amount equal to the difference.

24 (b) If a school district from which territory was detached to create a new school  
25 district under s. 117.105 would receive in equalization aid under s. 121.08 in the

1 school year beginning on the first July 1 following the effective date of the  
2 reorganization less than the amount determined as follows, the department shall  
3 pay to the school district the difference between the former amount and the amount  
4 determined as follows:

5 1. Divide the school district's membership in the preceding school year by the  
6 school district's membership in the 2nd preceding school year.

7 2. Multiply the amount of state aid that would have been received by the school  
8 district in the preceding school year, as adjusted under s. 121.15 (4) (b) in the current  
9 school year, by the quotient under subd. 1.

10 (3) In the school year in which a school district consolidation takes effect under  
11 s. 117.08 or 117.09 and in each of the subsequent 4 school years, if the consolidated  
12 school district's equalization aid is less than the aggregate state aid to which the  
13 consolidating school districts would have been eligible in the school year prior to the  
14 school year in which the consolidation takes effect, the department shall pay the  
15 difference to the consolidated school district.

16 (4) Additional aid under this section shall be paid from the appropriation under  
17 s. 20.255 (2) (ag). No aid may be paid under this section after the 2020-21 school year.

18 **SECTION 1702.** 121.105 (1) of the statutes is amended to read:

19 121.105 (1) ~~In Except as provided in sub. (5), in~~ this section "state aid" means  
20 the sum of the payments provided to a school district under this section and ss.  
21 121.08, 121.85 and 121.86.

22 **SECTION 1703.** 121.105 (2) (am) 1. of the statutes is amended to read:

23 121.105 (2) (am) 1. Except as provided in subd. 2., if a school district would  
24 receive less in state aid in the current school year before any adjustment is made  
25 under s. 121.15 (4) (b) than an amount equal to 85 90 percent of the amount of state

1 aid that it received in the previous school year, as adjusted under s. 121.15 (4) (b) in  
2 the current school year, its state aid for the current school year shall be increased to  
3 an amount equal to 85 90 percent of the state aid received in the previous school year.

4 **SECTION 1704.** 121.105 (2) (am) 2. (intro.) of the statutes is amended to read:

5 121.105 (2) (am) 2. (intro.) If a school district from which territory was detached  
6 to create a new school district under s. 117.105 would receive in state aid in the school  
7 year beginning on the first July 1 following the effective date of the reorganization  
8 less than 85 90 percent of the amount determined as follows, its state aid in the school  
9 year beginning on the first July 1 following the effective date of the reorganization  
10 shall be increased to an amount equal to 85 90 percent of the amount determined as  
11 follows:

12 **SECTION 1705.** 121.105 (5) of the statutes is created to read:

13 121.105 (5) (a) In this subsection, "state aid" means the sum of the payments  
14 provided to a school district under this section and s. 121.08.

15 (b) If, after making the adjustments under subs. (2), (3), and (4), a school  
16 district would receive less in state aid in the current school year before any  
17 adjustment is made under s. 121.15 (4) (b) than an amount equal to \$3,000 multiplied  
18 by the school district's membership, the school district's state aid shall be increased  
19 to an amount equal to \$3,000 multiplied by the school district's membership.

20 **SECTION 1706.** 121.136 (3) of the statutes is created to read:

21 121.136 (3) No aid may be paid under this section after June 30, 2020.

22 **SECTION 1707.** 121.137 of the statutes is repealed.

23 **SECTION 1708.** 121.15 (1m) (a) 3. of the statutes is amended to read:

24 121.15 (1m) (a) 3. Beginning in the 1999-2000 school year and ending in the  
25 2018-19 school year, annually the state shall pay to school districts, from the

1 appropriation under s. 20.255 (2) (ac), \$75,000,000 on the 4th Monday in July of the  
2 following school year.

3 **SECTION 1709.** 121.15 (1m) (a) 4. of the statutes is created to read:

4 121.15 (1m) (a) 4. Beginning in the 2020-2021 school year, annually the state  
5 shall pay to school districts, from the appropriation under s. 20.255 (2) (ac),  
6 \$1,090,000,000 on the 4th Monday in July of the following school year.

7 **SECTION 1710.** 121.15 (3m) of the statutes is created to read:

8 121.15 (3m) (a) In this subsection:

9 1. "Partial school revenues" means the sum of state school aids, property taxes  
10 levied for school districts, and aid paid to school districts under s. 79.095 (4), less all  
11 of the following:

12 a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a  
13 school board's increasing the services that it provides by adding responsibility for  
14 providing a service transferred to it from another school board.

15 b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3.

16 c. The amount of any revenue limit increase under s. 121.91 (4) (h).

17 d. The amount of any property taxes levied for the purpose of s. 120.13 (19).

18 e. An amount equal to the amount estimated to be paid under s. 119.23 (4) and  
19 (4m) multiplied by the sum of the applicable percentages specified in s. 121.08 (4) (b)  
20 1. and 2.

21 f. The amount by which the property tax levy for debt service on debt that has  
22 been approved by a referendum exceeds \$490,000,000.

23 2. "State school aids" means the amounts appropriated under s. 20.255 (1) (b)  
24 and (2), other than s. 20.255 (2) (az), (bb), (fm), (fp), (fq), (fr), (fu), (fv), (k), and (m),  
25 the amount appropriated under s. 20.505 (4) (es), and the amount, as determined by

1 the secretary of administration, of the appropriation under s. 20.505 (4) (s) allocated  
2 for payments to telecommunications providers under contracts with school districts  
3 and cooperative educational service agencies under s. 16.971 (13), and to make  
4 information technology infrastructure grants under s. 16.9945.

5 (b) By May 15, 2021, and annually by May 15 thereafter, the department, the  
6 department of administration, and the legislative fiscal bureau shall jointly certify  
7 to the joint committee on finance an estimate of the amount necessary to appropriate  
8 under s. 20.255 (2) (ac) in the following school year to ensure that state school aids  
9 equal two-thirds of partial school revenues.

10 (c) By June 30, 2020, and biennially by June 30 thereafter, the joint committee  
11 on finance shall determine the amount appropriated under s. 20.255 (2) (ac) in the  
12 following school year.

13 **SECTION 1711.** 121.41 of the statutes is amended to read:

14 **121.41 Driver education programs; fees.** A school board, operator of a  
15 charter school authorized under s. 118.40 (2r) or (2x), cooperative educational service  
16 agency, or the technical college system board may establish and collect reasonable  
17 fees for any driver education program or part of a program which is neither required  
18 for nor credited toward graduation. The school board, operator of a charter school  
19 authorized under s. 118.40 (2r) or (2x), cooperative educational service agency, or the  
20 technical college system board may waive any fee established under this subsection  
21 for any indigent pupil.

22 **SECTION 1712.** 121.42 of the statutes is created to read:

23 **121.42 Driver education programs; state aid. (1)** In this section:

1 (a) "Driver education program" means an instructional program in driver  
2 education approved by the department and operated by a qualified driver education  
3 provider.

4 (b) "Eligible pupil" means a pupil who met the income eligibility standard for  
5 a free or reduced-price lunch in the federal school lunch program under 42 USC 1758  
6 (b) (1) in the previous school year.

7 (c) "Qualified driver education provider" means a school board, the operator of  
8 a charter school authorized under s. 118.40 (2r) or (2x), or a cooperative educational  
9 service agency.

10 **(2)** Beginning in the 2020-21 school year, from the appropriation under s.  
11 20.255 (2) (cv) and subject to sub. (4), the department shall pay to each qualified  
12 driver education provider the amount determined under sub. (3) if all of the following  
13 apply:

14 (a) The qualified driver education provider demonstrates to the department  
15 that for eligible pupils the qualified driver education provider reduced the fees the  
16 qualified driver education provider otherwise charges pupils to enroll in and  
17 complete the driver education program.

18 (b) By October 1, 2020, and annually thereafter, the qualified driver education  
19 provider reports to the department the number of eligible pupils who enrolled in and  
20 successfully completed a driver education program operated by qualified driver  
21 education in the previous school year.

22 **(3)** The department shall calculate the amount paid to a qualified driver  
23 education provider under sub. (2) by multiplying the number of eligible pupils  
24 reported under sub. (2) (b) by the lesser of the following:

25 (a) Two hundred dollars.



1 (b) The amount by which the qualified driver education provider reduced fees  
2 under sub. (2) (a) in the previous school year.

3 (4) If the appropriation under s. 20.255 (2) (cv) in any fiscal year is insufficient  
4 to pay the full amount of aid under sub. (2), the department shall prorate the aid  
5 payments among the entitled qualified driver education providers.

6 (5) The department may promulgate rules to implement and administer this  
7 section.

8 **SECTION 1713.** 121.58 (2) (a) 4. of the statutes is amended to read:

9 121.58 (2) (a) 4. For each pupil so transported whose residence is more than  
10 12 miles from the school attended, ~~\$300~~ \$365 per school year in the ~~2016-17~~ 2018-19  
11 school year and ~~\$365~~ \$375 per school year thereafter.

12 **SECTION 1714.** 121.58 (4) of the statutes is amended to read:

13 121.58 (4) STATE AID FOR SUMMER CLASS TRANSPORTATION. Annually on or before  
14 October 1 of the year in which transportation is provided under s. 118.50 (3) (b) or  
15 121.54 (4), or under s. 121.54 (10) if the transportation is provided by the nonresident  
16 school district that a pupil attends under s. 118.51 or 121.84 (4), the school district  
17 clerk shall file with the department a report, containing such information as the  
18 department requires, on transportation provided by the school board to and from  
19 summer classes. Upon receipt of such report and if the summer classes meet the  
20 requirements of s. 121.14 (1) (a) 1. or 2., state aid shall be paid for such  
21 transportation. A school district ~~which~~ that provides such transportation shall be  
22 paid state aid for such transportation at the rate of \$10 per pupil transported to and  
23 from public school whose residence is at least 2 miles and not more than 5 miles by  
24 the nearest traveled route from the public school attended, and \$20 per pupil  
25 transported to and from public school whose residence is more than 5 miles by the

1 nearest traveled route from the public school attended, if the pupil is transported 30  
2 days or more. ~~The state aid shall be reduced proportionately if the pupil is~~  
3 ~~transported less than 30 days.~~

4 **SECTION 1715.** 121.59 (2) (intro.) of the statutes is amended to read:

5 121.59 (2) (intro.) Annually the department shall, subject to sub. (3), pay to  
6 each eligible school district the amount determined as follows:

7 **SECTION 1716.** 121.59 (2m) (a) (intro.), 1. and 2. of the statutes are renumbered  
8 121.59 (2m) (intro.), (am) and (bm), and 121.59 (2m) (intro.) and (bm), as  
9 renumbered, are amended to read:

10 121.59 (2m) (intro.) ~~Beginning in the 2017-18 school year and in any school~~  
11 ~~year thereafter, if a~~ If an eligible school district was eligible to receive aid under sub.  
12 (2) in the immediately preceding school year but is ineligible to receive aid in the  
13 current school year because the number under sub. (2) (d) is not a positive number,  
14 the state superintendent shall, subject to ~~par. (b)~~ sub. (3), pay to that eligible school  
15 district the amount determined as follows:

16 (bm) Multiply the amount under ~~subd. 1. par. (am)~~ by 0.5.

17 **SECTION 1717.** 121.59 (2m) (b) of the statutes is repealed.

18 **SECTION 1718.** 121.59 (3) of the statutes is amended to read:

19 121.59 (3) Aid under this section ~~shall be~~ is paid from the appropriation under  
20 s. 20.255 (2) (cq). If the appropriation under s. 20.255 (2) (cq) is insufficient to pay  
21 the full amount of aid under subs. (2) and (2m), the state superintendent shall  
22 prorate the payments among the eligible school districts entitled to receive aid under  
23 this section.

24 **SECTION 1719.** 121.84 (4) (b) of the statutes is amended to read:

1           121.84 (4) (b) If a pupil attends school in a school district outside the pupil's  
2 school district of residence under par. (a), s. 118.51 (12) (b), (14), (16), and (17) apply  
3 to the pupil as if the pupil were attending school in a nonresident school district  
4 under s. 118.51. If the pupil is rejected as a result of s. 118.51 (12) (b), s. 118.51 (9)  
5 applies.

6           **SECTION 1720.** 121.90 (2) (am) 1. of the statutes is amended to read:

7           121.90 (2) (am) 1. Aid under ss. 121.08, 121.09, 121.10, 121.105, and 121.136  
8 and subch. VI, as calculated for the current school year on October 15 under s. 121.15  
9 (4) and including adjustments made under s. 121.15 (4).

10          **SECTION 1721.** 121.90 (2) (am) 4. of the statutes is repealed.

11          **SECTION 1722.** 121.905 (1) (a) of the statutes is renumbered 121.905 (1) and  
12 amended to read:

13           121.905 (1) ~~Except as provided in par. (b), in~~ In this section, "revenue ceiling"  
14 means ~~\$9,100 in the 2017-18 school year, \$9,400 in the 2018-19 school year, \$9,500~~  
15 ~~\$9,700 in the 2019-20 school year, \$9,600 and \$10,000 in the 2020-21 school year,~~  
16 ~~\$9,700 in the 2021-22 school year, and \$9,800 in the 2022-23 school year and in any~~  
17 ~~subsequent each school year thereafter.~~

18          **SECTION 1723.** 121.905 (1) (b) of the statutes is repealed.

19          **SECTION 1724.** 121.905 (3) (c) 6. of the statutes is amended to read:

20           121.905 (3) (c) 6. For the limit for the 2015-16, 2016-17, 2017-18, and 2018-19  
21 ~~school year or any school year thereafter~~ years, make no adjustment to the result  
22 under par. (b).

23          **SECTION 1725.** 121.905 (3) (c) 7. of the statutes is created to read:

24           121.905 (3) (c) 7. For the limit for the 2019-20 school year, add \$200 to the  
25 result under par. (b).

1           **SECTION 1726.** 121.905 (3) (c) 8. of the statutes is created to read:

2           121.905 (3) (c) 8. For the limit for the 2020-21 school year, add \$204 to the  
3 result under par. (b).

4           **SECTION 1727.** 121.905 (3) (c) 9. of the statutes is created to read:

5           121.905 (3) (c) 9. For the limit for the 2021-22 school year and any school year  
6 thereafter, add the result under s. 121.91 (2m) (k) 2. to the result under par. (b).

7           **SECTION 1728.** 121.91 (2m) (i) (intro.) of the statutes is amended to read:

8           121.91 (2m) (i) (intro.) Except as provided in subs. (3), (4), and (8), no school  
9 district may increase its revenues for the 2015-16, 2016-17, 2017-18, and 2018-19  
10 ~~school year or for any school year thereafter years~~ to an amount that exceeds the  
11 amount calculated as follows:

12           **SECTION 1729.** 121.91 (2m) (im) of the statutes is created to read:

13           121.91 (2m) (im) Except as provided in subs. (3), (4), and (8), no school district  
14 may increase its revenues for the 2019-20 school year to an amount that exceeds the  
15 amount calculated as follows:

16           1. Divide the sum of the amount of state aid received in the previous school year  
17 and property taxes levied for the previous school year, excluding property taxes  
18 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
19 (c), by the average of the number of pupils enrolled in the 3 previous school years.

20           2. Add \$200 to the result under subd. 1.

21           3. Multiply the result under subd. 2. by the average of the number of pupils  
22 enrolled in the current school year and the 2 preceding school years.

23           **SECTION 1730.** 121.91 (2m) (j) of the statutes is created to read:

1           121.91 (2m) (j) Except as provided in subs. (3), (4), and (8), no school district  
2 may increase its revenues for the 2020-21 school year to an amount that exceeds the  
3 amount calculated as follows:

4           1. Divide the sum of the amount of state aid received in the previous school year  
5 and property taxes levied for the previous school year, excluding property taxes  
6 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
7 (c), by the average of the number of pupils enrolled in the 3 previous school years.

8           2. Add \$204 to the result under subd. 1.

9           3. Multiply the result under subd. 2. by the average of the number of pupils  
10 enrolled in the current school year and the 2 preceding school years.

11           **SECTION 1731.** 121.91 (2m) (k) of the statutes is created to read:

12           121.91 (2m) (k) Except as provided in subs. (3), (4), and (8), no school district  
13 may increase its revenues for the 2021-22 school year or for any school year  
14 thereafter to an amount that exceeds the amount calculated as follows:

15           1. Divide the sum of the amount of state aid received in the previous school year  
16 and property taxes levied for the previous school year, excluding property taxes  
17 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)  
18 (c), by the average of the number of pupils enrolled in the 3 previous school years.

19           2. Multiply the amount of the revenue increase per pupil allowed under this  
20 subsection for the previous school year by the sum of 1.0 plus the allowable rate of  
21 increase under s. 73.0305 expressed as a decimal.

22           3. Add the result under subd. 1. to the result under subd. 2.

23           4. Multiply the result under subd. 3. by the average of the number of pupils  
24 enrolled in the current and the 2 preceding school years.

25           **SECTION 1732.** 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

1           121.91 **(2m)** (r) 1. (intro.) Notwithstanding pars. ~~(e) to (i)~~ (im) to (k), if a school  
2 district is created under s. 117.105, its revenue limit under this section for the school  
3 year beginning with the effective date of the reorganization shall be determined as  
4 follows except as provided under subs. (3) and (4):

5           **SECTION 1733.** 121.91 (2m) (r) 1. b. of the statutes is amended to read:

6           121.91 **(2m)** (r) 1. b. Add an amount equal to the amount of revenue increase  
7 per pupil allowed under this subsection for the previous school year multiplied by the  
8 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
9 to the result under subd. 1. a., except that in calculating the limit for ~~the 2013-14~~  
10 ~~school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., and~~  
11 ~~in calculating the limit for the 2015-16 school year and any school year thereafter,~~  
12 ~~make no adjustment to the result under subd. 1. a. the 2019-20 school year, add \$200~~  
13 ~~to the result under subd. 1. a., in calculating the limit for the 2020-21 school year,~~  
14 ~~add \$204 to the result under subd. 1. a., and in calculating the limit for the 2021-22~~  
15 ~~school year and any school year thereafter, add the amount calculated under par. (k)~~  
16 ~~3. for that school year to the result under subd. 1. a.~~

17           **SECTION 1734.** 121.91 (2m) (r) 2. (intro.) of the statutes is amended to read:

18           121.91 **(2m)** (r) 2. (intro.) If a school district is created under s. 117.105, the  
19 following adjustments to the calculations under pars. ~~(e) to (h)~~ (im) to (k) apply for  
20 the 2 school years beginning on the July 1 following the effective date of the  
21 reorganization:

22           **SECTION 1735.** 121.91 (2m) (r) 2. a. of the statutes is amended to read:

23           121.91 **(2m)** (r) 2. a. For the school year beginning on the first July 1 following  
24 the effective date of the reorganization the number of pupils in the previous school  
25 year shall be used under pars. ~~(e)~~ (im) 1., ~~(d)~~ (j) 1. and ~~(e)~~ (k) 1. instead of the average

1 of the number of pupils in the 3 previous school years, and for the school year  
2 beginning on the 2nd July 1 following the effective date of the reorganization the  
3 average of the number of pupils in the 2 previous school years shall be used under  
4 pars. (e) (im) 1., (d) (j) 1. and (e) (k) 1. instead of the average of the number of pupils  
5 in the 3 previous school years.

6 **SECTION 1736.** 121.91 (2m) (r) 2. b. of the statutes is amended to read:

7 121.91 **(2m)** (r) 2. b. For the school year beginning on the first July 1 following  
8 the effective date of the reorganization the average of the number of pupils in the  
9 current and the previous school years shall be used under ~~par. (e)~~ pars. (j) 3. and (k)  
10 4. instead of the average of the number of pupils in the current and the 2 preceding  
11 school years.

12 **SECTION 1737.** 121.91 (2m) (s) 1. (intro.) of the statutes is amended to read:

13 121.91 **(2m)** (s) 1. (intro.) Notwithstanding pars. (e) ~~to (i)~~ (im) to (k), if territory  
14 is detached from a school district to create a new school district under s. 117.105, the  
15 revenue limit under this section of the school district from which territory is detached  
16 for the school year beginning with the effective date of the reorganization shall be  
17 determined as follows except as provided in subs. (3) and (4):

18 **SECTION 1738.** 121.91 (2m) (s) 1. b. of the statutes is amended to read:

19 121.91 **(2m)** (s) 1. b. Add an amount equal to the amount of revenue increase  
20 per pupil allowed under this subsection for the previous school year multiplied by the  
21 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal  
22 to the result under subd. 1. a., except that in calculating the limit for ~~the 2013-14~~  
23 ~~school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., and~~  
24 ~~in calculating the limit for the 2015-16 school year and any school year thereafter,~~  
25 ~~make no adjustment to the result under subd. 1. a. the 2019-20 school year, add \$200~~

1 to the result under subd. 1. a., in calculating the limit for the 2020-21 school year,  
2 add \$204 to the result under subd. 1. a., and in calculating the limit for the 2021-22  
3 school year and any school year thereafter, add the amount calculated under par. (k)  
4 3. for that school year to the result under subd. 1. a.

5 **SECTION 1739.** 121.91 (2m) (s) 2. (intro.) of the statutes is amended to read:

6 121.91 (2m) (s) 2. (intro.) If territory is detached from a school district to create  
7 a new school district under s. 117.105, the following adjustments to the calculations  
8 under pars. (e) to (h) (im) to (k) apply to the school district from which territory is  
9 detached for the 2 school years beginning on the July 1 following the effective date  
10 of the reorganization:

11 **SECTION 1740.** 121.91 (2m) (s) 2. a. of the statutes is amended to read:

12 121.91 (2m) (s) 2. a. For the school year beginning on the first July 1 following  
13 the effective date of the reorganization, the number of pupils in the previous school  
14 year shall be used under ~~par. (e)~~ pars. (im) 1., (j) 1. and (k) 1. instead of the average  
15 of the number of pupils in the 3 previous school years; and for the school year  
16 beginning on the 2nd July 1 following the effective date of the reorganization, the  
17 average of the number of pupils in the 2 previous school years shall be used under  
18 ~~par. (e)~~ pars. (im) 1., (j) 1. and (k) 1. instead of the average of the number of pupils  
19 in the 3 previous school years.

20 **SECTION 1741.** 121.91 (2m) (s) 2. b. of the statutes is amended to read:

21 121.91 (2m) (s) 2. b. For the school year beginning on the first July 1 following  
22 the effective date of the reorganization the average of the number of pupils in the  
23 current and the previous school year shall be used under ~~par. (e)~~ pars. (j) 3. and (k)  
24 4. instead of the average of the number of pupils in the current and the 2 preceding  
25 school years.



1           **SECTION 1742.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

2           121.91 **(2m)** (t) 1. (intro.) If 2 or more school districts are consolidated under  
3 s. 117.08 or 117.09, ~~except as follows, in the 2013-14 school year and the 2014-15~~  
4 2019-20 school year, the consolidated school district's revenue limit shall be  
5 determined as provided under par. ~~(hm), and (im), in the 2015-16~~ 2020-21 school  
6 year, the consolidated school district's revenue limit shall be determined as provided  
7 under par. (j), and in each school year thereafter, the consolidated school district's  
8 revenue limit shall be determined as provided under par. ~~(i) (k), except as follows:~~

9           **SECTION 1743.** 121.91 (3) (a) 1. of the statutes is amended to read:

10           121.91 **(3)** (a) 1. If a school board wishes to exceed the limit under sub. (2m)  
11 otherwise applicable to the school district in any school year, it shall promptly adopt  
12 a resolution supporting inclusion in the final school district budget of an amount  
13 equal to the proposed excess revenue. The resolution shall specify whether the  
14 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
15 proposed excess revenue is for both recurring and nonrecurring purposes, the  
16 amount of the proposed excess revenue for each purpose. The resolution shall be filed  
17 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board  
18 shall notify the department that it will schedule a referendum for the purpose of  
19 submitting the resolution to the electors of the school district for approval or rejection  
20 and shall submit a copy of the resolution to the department. Except as provided in  
21 subd. 2., the school board shall schedule the referendum to be held at the next  
22 regularly scheduled spring primary or election or partisan primary or general  
23 election, provided such election is to be held not sooner than 70 days after the filing  
24 of the resolution of the school board. ~~A school board may proceed under this~~  
25 ~~subdivision and under s. 67.05 (6a) 2. a. no more than 2 times in any calendar year.~~

1 The school district clerk shall certify the results of the referendum to the department  
2 within 10 days after the referendum is held.

3 **SECTION 1744.** 121.91 (4) (om) of the statutes is created to read:

4 121.91 (4) (om) 1. Beginning in the 2020-21 school year, if a school board adopts  
5 a resolution to do so, the limit otherwise applicable to a school district under sub.  
6 (2m) in any school year is increased by the amount spent by the school district in that  
7 school year on a project, including the payment of debt service on a bond or note  
8 issued or a state trust fund loan obtained to finance the project, to remediate lead  
9 contamination in drinking water in the school district. In this paragraph, the  
10 amount spent by the school district includes costs incurred by the school district to  
11 test for the presence of lead in drinking water, to provide safe drinking water to  
12 affected school buildings during remediation, and, if necessary, to replace lead pipe  
13 water service lines to school buildings in the school district. The term of a bond or  
14 note issued or state trust fund loan obtained to finance the project under this  
15 subdivision may not exceed 20 years. If a school board issues a bond or note or obtains  
16 a state trust fund loan to finance a project described in this subdivision, a resolution  
17 adopted by a school board under this subdivision is valid for each school year in which  
18 the school board pays debt service on the bond, note, or state trust fund loan.

19 2. Any additional revenue received by a school district under this paragraph  
20 shall not be included in the base for determining the school district's limit under sub.  
21 (2m) for the following school year.

22 **SECTION 1745.** 121.91 (4) (p) 1. of the statutes is amended to read:

23 121.91 (4) (p) 1. The limit otherwise applicable to a school district under sub.  
24 (2m) in any school year is increased by the amount of any reduction to that school  
25 district's state aid payment made under s. 118.51 (16) (b) 2. and (c) or (17) (c) 2. or

1       ~~(em) 2.~~ in the previous school year for a pupil who was not included in the calculation  
2       of the number of pupils enrolled in that school district in the previous school year.”.

3               **51.** Page 428, line 18: after that line insert:

4               “**SECTION 1769.** 146.89 (1) (d) 2. of the statutes is amended to read:

5               146.89 (1) (d) 2. A private school, as defined in s. 115.001 (3r), that participates  
6       in the choice program under s. 118.60 or the Milwaukee Parental Choice Program  
7       under s. 119.23 or that, pursuant to s. ~~115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3)~~  
8       ~~(e), is responsible for the operation and general management of a school transferred~~  
9       ~~to an opportunity schools and partnership program under s. 119.33, subch. IX of ch.~~  
10       ~~115, or subch. II of ch. 119.~~

11              **SECTION 1770.** 146.89 (1) (g) 1. of the statutes is amended to read:

12              146.89 (1) (g) 1. A public elementary school, ~~including an elementary school~~  
13       ~~transferred to an opportunity schools and partnership program under s. 119.33,~~  
14       ~~subch. IX of ch. 115, or subch. II of ch. 119.”.~~

15              **52.** Page 429, line 3: after that line insert:

16              “**SECTION 1785.** 165.28 (intro.) of the statutes is renumbered 115.94 (intro.).

17              **SECTION 1786.** 165.28 (1) of the statutes is renumbered 115.94 (1) and amended  
18       to read:

19              115.94 (1) In conjunction with the department of public instruction justice,  
20       create model practices for school safety. The department of public instruction justice  
21       shall provide any resources or staff requested by the office to create the model  
22       practices. The office shall also consult the Wisconsin School Safety Coordinators  
23       Association and the Wisconsin Safe and Healthy Schools Training and Technical  
24       Assistance Center when creating the model practices.

1           **SECTION 1787.** 165.28 (2) of the statutes is renumbered 115.94 (2).

2           **SECTION 1788.** 165.28 (3) of the statutes is renumbered 165.25 (20) and  
3 amended to read:

4           **165.25 (20) TRAINING ON SCHOOL SAFETY.** Offer, or contract with another party  
5 to offer, training to school staff on school safety. Training subjects may include  
6 trauma informed care and how adverse childhood experiences have an impact on a  
7 child's development and increase needs for counseling or support. If a school receives  
8 under s. ~~165.88~~ 115.945 (2) (b) a grant for the training under this subsection, the  
9 ~~office~~ department may charge a fee for the training.

10           **SECTION 1792.** 165.88 (title) of the statutes is renumbered 115.945 (title).

11           **SECTION 1793.** 165.88 (1) (intro.) and (a) of the statutes are consolidated,  
12 renumbered 115.945 (1) and amended to read:

13           **115.945 (1) DEFINITIONS DEFINITION.** In this section:—(a)—“Independent,  
14 “independent charter school” means a charter school established under s. 118.40 (2r)  
15 or (2x).

16           **SECTION 1794.** 165.88 (1) (b), (c) and (d) of the statutes are repealed.

17           **SECTION 1795.** 165.88 (2) of the statutes is renumbered 115.945 (2), and  
18 115.945 (2) (a) and (b), as renumbered, are amended to read:

19           **115.945 (2) (a)** From the appropriation under s. ~~20.455~~ 20.255 (2) (f), the  
20 department of justice shall award grants for expenditures related to improving  
21 school safety. The department shall accept applications for a grant under this  
22 subsection from school boards, operators of independent charter schools, governing  
23 bodies of private schools, and tribal schools.

24           (b) The department of justice, in consultation with the department of ~~public~~  
25 ~~instruction~~ justice, shall develop a plan for use in awarding grants under this

1 subsection. The department of justice shall include in the plan a description of what  
2 types of expenditures are eligible to be funded by grant proceeds. Eligible  
3 expenditures shall include expenditures to comply with the model practices created  
4 in s. ~~165.28~~ 115.94 (1); expenditures for training under s. ~~165.28 (3)~~ 165.25 (20);  
5 expenditures for safety-related upgrades to school buildings, equipment, and  
6 facilities; and expenditures necessary to comply with s. 118.07 (4) (cf).  
7 Notwithstanding s. 227.10 (1), the plan need not be promulgated as rules under ch.  
8 227.

9 **SECTION 1796.** 165.88 (3) of the statutes is renumbered 115.945 (3).

10 **SECTION 1797.** 165.88 (4) of the statutes is renumbered 115.945 (4) and  
11 amended to read:

12 115.945 (4) REPORT. The department of justice shall submit an annual report  
13 to the cochairpersons of the joint committee on finance providing an account of the  
14 grants awarded under sub. (2) and the expenditures made with the grant moneys.”.

15 **53.** Page 431, line 12: after that line insert:

16 “**SECTION 1855.** 230.08 (2) (wc) of the statutes is repealed.”.

17 **54.** Page 459, line 11: after that line insert:

18 “**SECTION 2179.** 938.49 (2) (b) of the statutes is amended to read:

19 938.49 (2) (b) Notify the juvenile’s last school district or, if the juvenile was last  
20 enrolled in a private school participating in the program under s. 118.60 or in the  
21 program under s. 119.23 or, pursuant to s. ~~115.999 (3), 119.33 (2) (c) 3., or 119.9002~~  
22 ~~(3) (c), in a school under the operation and general management of the governing~~  
23 ~~body of a private school, the private school or the governing body of a private school,~~  
24 in writing of its obligation under s. 118.125 (4).”.

1           **55.** Page 492, line 22: after that line insert:

2           “(1) TRANSFER OF OFFICE OF SCHOOL SAFETY.

3           (a) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property of the department of justice that is primarily related to  
5 the duties of the office of school safety, as determined by the state superintendent of  
6 public instruction, is transferred to the department of public instruction.

7           (b) *Contracts.* All contracts entered into by the department of justice in effect  
8 on the effective date of this paragraph that are primarily related to the duties of the  
9 office of school safety, as determined by the state superintendent of public  
10 instruction, remain in effect and are transferred to the department of public  
11 instruction. The department of public instruction shall carry out any obligations  
12 under those contracts unless modified or rescinded by the department of public  
13 instruction to the extent allowed under the contract.

14           (c) *Rules and orders.* All rules promulgated by the department of justice in  
15 effect on the effective date of this paragraph that are primarily related to the duties  
16 of the office of school safety, as determined by the state superintendent of public  
17 instruction, remain in effect until their specified expiration dates or until amended  
18 or repealed by the department of public instruction. All orders issued by the  
19 department of justice in effect on the effective date of this paragraph that are  
20 primarily related to the duties of the office of school safety, as determined by the state  
21 superintendent of public instruction, remain in effect until their specified expiration  
22 dates or until modified or rescinded by the department of public instruction.”.

23           **56.** Page 494, line 7: delete lines 7 to 25 and substitute:

24           “(1) SECONDARY GUARANTEE.

1 (a) Notwithstanding s. 121.07 (7) (b), for the purpose of setting the secondary  
2 guaranteed valuation per member in the 2019-2020 school year, the department of  
3 public instruction shall treat the appropriation under s. 20.255 (2) (ac) as if  
4 \$75,000,000 were appropriated in the 2018-19 fiscal year.

5 (b) Notwithstanding s. 121.07 (7) (b), for the purpose of setting the secondary  
6 guaranteed valuation per member in the 2020-21 school year, the department of  
7 public instruction shall treat the appropriation under s. 20.255 (2) (ac) as if an  
8 additional \$1,090,000,000 were appropriated in the 2020-21 fiscal year.

9 (2) AFTER-SCHOOL PROGRAM GRANTS; EMERGENCY RULES. The department of public  
10 instruction may promulgate emergency rules under s. 227.24 to implement and  
11 administer s. 115.446. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules  
12 promulgated under this subsection remain in effect until July 1, 2020, or the date on  
13 which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24  
14 (1) (a) and (3), the department is not required to provide evidence that promulgating  
15 a rule under this subsection as an emergency rule is necessary for the preservation  
16 of the public peace, health, safety, or welfare and is not required to provide a finding  
17 of emergency for a rule promulgated under this subsection.

18 (3) SPECIAL NEEDS SCHOLARSHIP PAYMENTS BASED ON ACTUAL COSTS; 2019-20 SCHOOL  
19 YEAR. If before the effective date of this subsection, the department of public  
20 instruction made a scholarship payment to a private school for a child with a  
21 disability the amount of which is based on a financial statement submitted to the  
22 department under s. 115.7915 (4c), 2017 stats., the department of public instruction  
23 shall consider the amount paid to the private school as an installment payment of  
24 the amount for the 2019-20 school year under s. 115.7915 (4m) (a) 4. The department  
25 of public instruction shall adjust the remaining installment payments under s.

1 115.7915 (4m) (b) to ensure that the private school receives the total scholarship  
2 amount for the 2019-20 school year under s. 115.7915 (4m) (a) 4. for the child with  
3 a disability for whom the private school submitted a financial statement under s.  
4 115.7915 (4c), 2017 stats., in the 2018-19 school year.”.

5 **57.** Page 498, line 8: after that line insert:

6 “(2i) STUDENT SUCCESS AND ATTAINMENT. From the appropriation under s. 20.285  
7 (1) (a), the Board of Regents of the University of Wisconsin System shall allocate  
8 \$20,000,000 in fiscal year 2019-20 and \$25,000,000 in fiscal year 2020-21 to advance  
9 student success and attainment.”.

10 **58.** Page 499, line 21: after that line insert:

11 “(1p) STUDENT LOAN REFINANCING STUDY COMMITTEE.

12 (a) There is created the student loan refinancing study committee to study the  
13 creation and administration of a bonding authority for the refinancing of student  
14 loans in this state in order to ease the burden of student loan debt for this state’s  
15 residents.

16 (b) The student loan refinancing study committee shall consist of the following  
17 members:

- 18 1. The secretary of financial institutions.
- 19 2. The state treasurer.
- 20 3. The executive secretary of the higher educational aids board.

21 (c) No later than October 1, 2020, the student loan refinancing study committee  
22 shall submit to the governor and to the chief clerk of each house of the legislature,  
23 for distribution to the appropriate standing committees under s. 13.172 (3), a report  
24 that includes all of the following:



1           1. Recommendations regarding the corporate and legal structure of the  
2 refinancing entity, including governance.

3           2. A profile of the loan portfolio, projected start-up and operational costs,  
4 estimated staffing needs, underwriting requirements, and other information  
5 pertinent to the creation of a refinancing entity that can offer interest rate savings  
6 to this state's student loan debtors.

7           3. An assessment of the feasibility of and options for offering protections to  
8 borrowers refinancing student debt through the refinancing entity that are similar  
9 to the protections under federal student loan programs.

10           (d) The department of financial institutions shall pay the administrative  
11 expenses of the student loan refinancing study committee, not exceeding a total of  
12 \$50,000, from the appropriation account under s. 20.144 (1) (g).

13           (e) The student loan refinancing study committee terminates upon the  
14 submission of the report under par. (c).”

15           **59.** Page 505, line 12: after that line insert:

16           “(1) MINORITY TEACHER LOAN PROGRAM; SUNSET. The treatment of s. 39.40 (5) first  
17 applies to loan applications received by the higher educational aids board on the  
18 effective date of this subsection.”

19           **60.** Page 506, line 4: after that line insert:

20           “(1) STATE AID. The treatment of ss. 20.255 (2) (ac), 121.004 (7) (c) 1. a. and 2.,  
21 121.07 (6) (d), and 121.105 (1), (2) (am) 1. and 2. (intro.), and (5), the renumbering  
22 and amendment of s. 121.07 (8), and the creation of s. 121.07 (8) (a) and (b) first apply  
23 to the distribution of school aid in, and the calculation of revenue limits for, the  
24 2020-21 school year.

INSERT  
149-15

1           (2) HIGH-COST TRANSPORTATION AID. The treatment of s. 121.59 (2) (intro.), (2m)  
2 (a) (intro.), 1., and 2. and (b), and (3) first applies to aid paid in the 2019-20 school  
3 year.

4           (3) STATE AID FOR SUMMER CLASS TRANSPORTATION. The treatment of s. 121.58 (4)  
5 first applies to state aid for transportation paid in the 2019-20 school year.

6           (4) PARENTAL CHOICE PROGRAMS; PROGRAM CAPS. The treatment of ss. 118.60 (3)  
7 (am) and (ar) (intro.) and 5. and 119.23 (3) (ar), the renumbering and amendment of  
8 s. 118.60 (3) (ar) 3. and 4., and the creation of s. 118.60 (3) (ar) 3. a. and b. and 4. a.  
9 and b. first apply to an application to attend in a private school under s. 118.60 or  
10 119.23 in the 2020-21 school year.

11           (5) PARENTAL CHOICE PROGRAMS; TRANSFERRING APPLICANTS BETWEEN PROGRAMS.  
12 The treatment of ss. 118.60 (4v) (b), (c), and (d) and 119.23 (4v) (b), (c), (d), and (e) first  
13 applies to counting pupils for the pupil participation limits under s. 118.60 (2) (be)  
14 and the program caps under ss. 118.60 (2) (bh) 2. a. and b. and 119.23 (2) (b) for the  
15 2020-21 school year.

16           (6) GRANTS FOR NATIONAL TEACHER CERTIFICATION OR MASTER EDUCATOR LICENSURE.  
17 The renumbering and amendment of s. 115.42 (1) and (2) (c) and the creation of s.  
18 115.42 (1c) and (2) (c) 1. b. and 2. first apply to grants awarded in the 2019-20 school  
19 year.

20           (7) SUMMER SCHOOL GRANT PROGRAM. The treatment of s. 115.447 (2) (intro.) first  
21 applies to the 2019-20 school year.

22           (8) ADDITIONAL SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (bd) and  
23 115.881 (2) and (3) first applies to aid paid in the 2019-20 school year.”.

24           **61.** Page 507, line 12: after that line insert:

1           “(1) DENTIST LOAN ASSISTANCE PROGRAM. The treatment of s. 36.60 (2) (a) 2. and  
2           (4m) (intro.) first applies to dentists whose applications for the program under s.  
3           36.60 are received on the effective date of this subsection.”.

4           **62.** Page 509, line 10: after that line insert:

5           “(1) OFFICE OF SCHOOL SAFETY TRANSFER. The treatment of ss. 15.253 (3), 20.455  
6           (2) (f) and (im), 20.923 (4) (c) 6., 115.28 (15) (a) and (b), 118.017 (1) (a), 119.04 (1) (by  
7           SECTION 1639), 165.28 (intro.), (1), (2), and (3), 165.88 (title), (1) (intro.), (a), (b), (c),  
8           and (d), (2), (3), and (4), and 230.08 (2) (wc), and subch. VIII (title) of ch. 115, the  
9           renumbering of subch. VII (title) of ch. 115, the creation of subch. VII (title) of ch. 115,  
10          and SECTION 9127 (1) of this act take effect on January 1, 2020.”.

11          **63.** Page 509, line 22: delete the material beginning with that line and ending  
12          with page 510, line 4 and substitute:

13          “(1) WISCONSIN READING CORPS. The treatment of s. 20.255 (3) (fr) takes effect  
14          on July 1, 2019.

15          (2) SPARSITY AID. The treatment of s. 115.436 (2) (intro.), (b), and (c) and (3) (ac),  
16          (ag), and (b) takes effect on July 1, 2020.

17          (3) PERSONAL ELECTRONIC COMPUTING DEVICES; GRANT PROGRAM. The repeal of ss.  
18          20.255 (2) (aw) and 115.438 takes effect on July 1, 2020.

19          (4) SCHOOL PERFORMANCE IMPROVEMENT GRANTS. The treatment of s. 20.255 (2)  
20          (dg) and the repeal of s. 115.387 take effect on July 1, 2020.

21          (5) SUPPLEMENTAL SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (be),  
22          115.881 (4), and 115.883 takes effect on July 1, 2020.





State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2829/1  
MIM:wlj

2019 BILL

INSERTS  
to 60405

1 **AN ACT to amend** 40.22 (1), 40.22 (2m) (intro.), 40.22 (2r) (intro.) and 40.22 (3)  
2 (intro.); and **to create** 40.26 (6) (intro.), (a) and (b) of the statutes; **relating to:**  
3 annuitants in the Wisconsin Retirement System who retire from employment  
4 as a teacher and are rehired by or provide employee services to a school district  
5 that is a participating employer.

---

***Analysis by the Legislative Reference Bureau***

Under current law, if a Wisconsin Retirement System annuitant, or a disability annuitant who has attained his or her normal retirement date, is appointed to a position with a WRS-participating employer, or provides employee services to a WRS-participating employer in which he or she is expected to work at least two-thirds of what is considered full-time employment by the Department of Employee Trust Funds, the annuity must be suspended and no annuity payment is payable until after the participant again terminates covered employment.

This bill creates an exception to this requirement for an annuitant who retired from employment as a teacher with a school district who is subsequently rehired or provides employee services as a teacher after retirement if 1) the participating employer is a school district; 2) at least 30 days have elapsed from the date the person left covered employment with a school district; 3) at the time the person initially retires from a school district, the person does not have an agreement with any school district to return to employment; and 4) the person elects to not become a participating employee at the time the person is rehired as a teacher by a school

**BILL**

district or enters into a contract to provide employee services as a teacher after retirement. In other words, the bill allows a teacher annuitant who retired from a school district to return to work as a teacher for a school district that is a participating employer and elect to not become a participating employee for purposes of the Wisconsin Retirement System, and instead continue to receive his or her annuity.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

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

Page 292, line 25: after that line insert:

INSERT  
30-11

1

<sup>66</sup> SECTION 1. 40.22 (1) of the statutes is amended to read:

2

40.22 (1) Except as provided in sub. (2) and s. 40.26 (6), each employee

3

currently in the service of, and receiving earnings from, a state agency or other

4

participating employer shall be included within the provisions of the Wisconsin

5

retirement system as a participating employee of that state agency or participating

6

employer.

7

SECTION 2. 40.22 (2m) (intro.) of the statutes is amended to read:

8

40.22 (2m) (intro.) An Except as otherwise provided in s. 40.26 (6), an employee

9

who was a participating employee before July 1, 2011, who is not expected to work

10

at least one-third of what is considered full-time employment by the department,

11

as determined by rule, and who is not otherwise excluded under sub. (2) from

12

becoming a participating employee shall become a participating employee if he or she

13

is subsequently employed by the state agency or other participating employer for

14

either of the following periods:

15

SECTION 3. 40.22 (2r) (intro.) of the statutes is amended to read:

16

40.22 (2r) (intro.) An Except as otherwise provided in s. 40.26 (6), an employee

17

who was not a participating employee before July 1, 2011, who is not expected to work



**BILL**

1 at least two-thirds of what is considered full-time employment by the department,  
2 as determined by rule, and who is not otherwise excluded under sub. (2) from  
3 becoming a participating employee shall become a participating employee if he or she  
4 is subsequently employed by the state agency or other participating employer for  
5 either of the following periods:

6 **SECTION 4.** <sup>411(B)</sup> 40.22 (3) (intro.) of the statutes is amended to read:

7 40.22 (3) (intro.) ~~A- Except as otherwise provided in s. 40.26 (6),~~ a person who  
8 qualifies as a participating employee shall be included within, and shall be subject  
9 to, the Wisconsin retirement system effective on one of the following dates:

10 **SECTION 5.** <sup>413</sup> 40.26 (6) (intro.), (a) and (b) of the statutes are created to read:

11 40.26 (6) (intro.) Subsections (1) to (5) do not apply to a participant who applies  
12 for an annuity or lump sum payment during the period in which at least 30 days have  
13 elapsed between the participant's termination of employment as a teacher with a  
14 school district that is a participating employer, and becoming a teacher as an  
15 employee or contractor providing employee services as a teacher with any school  
16 district that is a participating employer if all of the following conditions are met:

17 (a) At the time the participant terminates his or her employment as a teacher  
18 with a school district, the participant does not have an agreement with any school  
19 district that is a participating employer to return to employment as a teacher or enter  
20 into a contract to provide employee services as a teacher for the school district.

21 (b) The participant elects on a form provided by the department to not become  
22 a participating employee. ✓

—END INSERT 30-11—

23 **SECTION 9313. Initial applicability; Employee Trust Funds.**

INSERT  
149-15

**BILL**

Page 504, line 23: after that line insert:

①

66/1  
21c  
WRS TEACHER ANNUITANTS. This act first applies to participants under the

2

Wisconsin Retirement System who terminate employment on the effective date of

③

this subsection. 23/0

—END INSERT 149-15—

4

(END)



**Pleviak, Krista**

LRB 60405

---

**From:** Champagne, Rick  
**Sent:** Tuesday, June 25, 2019 1:23 PM  
**To:** Knepp, Fern; Pleviak, Krista  
**Subject:** FW: Budget Drafting

---

**From:** Bender, Mark <Mark.Bender@legis.wisconsin.gov>  
**Sent:** Tuesday, June 25, 2019 1:15 PM  
**To:** Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>  
**Subject:** RE: Budget Drafting

Can we add the Dairy Innovation Hub to our education amendment? The funding level should be the same as the Dem JFC motion (#140)

---

**From:** Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>  
**Sent:** Monday, June 24, 2019 3:25 PM  
**To:** Bender, Mark <Mark.Bender@legis.wisconsin.gov>  
**Subject:** RE: Budget Drafting

Got it

---

**From:** Bender, Mark <Mark.Bender@legis.wisconsin.gov>  
**Sent:** Monday, June 24, 2019 3:24 PM  
**To:** Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>  
**Subject:** RE: Budget Drafting

Rick,

Sorry to do this, but we would like CAFO's added back in to the environment/clean water amendment (LRB 0579). We would also like to add the annuitant teachers piece from the Governor's budget (within ETF) added in to the education amendment.

Let me know if anyone has questions.

Mark

---

**From:** Bender, Mark  
**Sent:** Thursday, June 20, 2019 4:44 PM  
**To:** Champagne, Rick <Rick.Champagne@legis.wisconsin.gov>  
**Subject:** RE: Budget Drafting

More edits.

Please remove the following from the Environment amendment

- CAFOs (Paper 529)
- Stewardship (Paper #515)