

Senate Bill 44

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CHAPTER 261

AN ACT to repeal 40.71 (2) (c); to amend 40.70 (5) (a) (intro. par.), (b) and (c), (6) (a) and (7), 40.71 (2) (a), (6) (b) and (c) and 40.99 (5) (c) 6; and to repeal and recreate 40.70 (4) of the statutes, relating to the determination of state school aids on a current basis.

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

SECTION 1. 40.70 (4) of the statutes is repealed and recreated to read:

40.70 (4) YEAR TAKEN AS BASIS FOR STATISTICS. (a) The computation of aids for all school districts shall be based on the current average daily membership and teacher-pupil ratio of the district on the 3rd Friday in September and the estimated budget for the current year of operation. The estimated budget of the year of operation and the estimated required tax levy rate shall be based on the equalized valuation of territory comprising the district as determined by the department of taxation for the previous year. When the valuation of the district is increased or decreased due to an alteration in school district boundaries before the 3rd Friday in September, the estimated budget of the year of operation and the estimated required tax levy rate shall be based on the equalized valuation of territory comprising the altered district as determined by the department of taxation for the previous year.

(b) Where a reorganization order is not effective under s. 40.025 (4) due to litigation until after the 3rd Friday in September but before April 1 of the current fiscal school year, state aid for such district affected by the reorganization order for the first year of operation shall be computed after such order is effective using calculations by the state superintendent of the average daily membership and teacher-pupil ratio for the area in such reorganized district to be made as if such district had been in existence on the 3rd Friday in September.

(c) Adjustment of aids based on the actual operating cost shall be made at the end of the fiscal school year.

SECTION 2. 40.70 (5) (a) (intro. par.), (b) and (c), (6) (a) and (7) of the statutes are amended to read:

40.70 (5) (a) (intro. par.) In basic aid districts which did levy a tax of 3 mills or more in the year ~~prior to that~~ in which the aids are granted on the equalized valuation of the district for the year prior to the levy of such tax, state aids for elementary pupils shall be paid as follows:

(b) High school aids shall be paid to basic districts operating high schools at the rate of \$40 per pupil in average daily membership during

the ~~previous~~ current year in grades 9 ~~through~~ to 12 for both resident and nonresident pupils, except ~~as provided in~~ under s. 40.71 (6) (c). Aid paid on account of nonresident pupils shall be deducted from the nonresident tuition claims made under s. 40.91 (4) and (5).

(c) In union high school districts that meet the requirements of high schools in a basic district the aid shall be \$40 per pupil in average daily membership during the ~~previous~~ current year in grades 9 ~~through~~ to 12 for both resident and nonresident pupils.

(6) (a) State aids shall be paid to integrated aid districts for both elementary and high school resident pupils on the following basis: The state shall provide a sum equal to the amount produced by applying the required mill rate levied by the district on that equalized valuation indicated in sub. (5) (a) upon which the eligibility for receipt of aids is determined up to 17 mills on the amount by which that equalized valuation per resident pupil in average daily membership for the ~~previous~~ current year not exceeding 25 resident pupils in average daily membership per teacher is less than \$33,000 in the year on which the aids paid in 1963-64 are based and \$34,000 in the year on which the aids paid in 1964-65 and subsequent years are based and in such districts as levy the required mill rate of 17 mills for operation the state aid shall include the amount of the required operating costs in excess of the amount produced by such 17 mill levy, but in no case shall the state pay less than \$42 per resident elementary pupil in average daily membership and \$55 per resident high school pupil in average daily membership, not exceeding 25 resident pupils in average daily membership per teacher. Aids under this subsection shall be payable only to such integrated districts which did levy a tax of 5 mills or more in the year ~~prior to that~~ in which the aid is granted on the equalized valuation of the districts for the year prior to the levy of such tax.

(7) (a) State aids shall be paid to each elementary school district providing education from 1st ~~grade~~ to 8th grade or kindergarten to 8th grade, in a sum equal to the amount produced by applying the required mill rate levied in the elementary school districts on that equalized valuation of the districts indicated in this section upon which eligibility for receipt of aids is determined up to 17 mills, on the amount by which the equalized valuation per resident pupil in average daily membership for the ~~preceding~~ current year in such elementary school district, not exceeding 25 resident pupils in average daily membership per teacher, is less than \$28,000 in the year on which the aids paid in 1963-64 are based and \$28,500 in the year on which the aids paid in 1964-65 and subsequent years are based if the elementary school district meets the requirements of s. 40.67 (2) (a), (b), (d), (e), (f) and (g) 1, 3 and 4, and provided such elementary district has been at some prior date a part of an integrated school district, or employs not less than 4 teachers in the elementary school.

(b) In no case shall any elementary school district to which this subsection applies receive state aid of less than \$42 per resident elementary pupil in average daily membership, not exceeding 25 resident pupils in average daily membership per teacher. Aids under this subsection shall be payable only to those elementary school districts which levied a tax of 3 mills or more in the year ~~prior to that~~ in which the aid is granted on the basis of the equalized valuation of the district for the year prior to the levy of the tax.

SECTION 3. 40.71 (2) (a) of the statutes is amended to read:

40.71 (2) (a) If a school board desires to have the school program under its jurisdiction qualify for state aid on an integrated level, the clerk of the school district shall file a request for such a classification with

the state superintendent of public instruction on ~~a form~~ forms provided by the department of public instruction on or before July 15 of each year. The report with supporting evidence as filed shall set forth the program which ~~was~~ will be in effect during the current school year prior to July 1. The department shall review the request for classification with the supporting evidence and supervisory recommendations and determine the aid classification level of the school district, which shall be either basic aid district or integrated aid district. State aid payable to an integrated aid district is the highest level of state aid. Any school district about to incur indebtedness may apply to the state superintendent for and he is authorized to issue a certificate as to the eligibility of such district for the highest level of state aid which certificate shall be conclusive as to such eligibility for 30 days but not beyond June 30 next succeeding. The department shall notify the clerk of the school district of the classification so determined on or before September 15 of the year of filing.

SECTION 4. 40.71 (2) (c) of the statutes is repealed.

SECTION 5. 40.71 (6) (b) and (c) of the statutes are amended to read:

40.71 (6) (b) If the state superintendent is satisfied that the educational program of any union high school district meets the requirements of s. 40.67 (1), (2) (d), (f), (g) 2 and 3 and that the district did levy a tax of 3 mills, or more in the year prior to that in which the aid is granted on the equalized valuation of the district for the year prior to the levy of such tax, the state superintendent shall grant in aids an amount equal to the required mill levy made by the district up to 10 mills on the amount by which the equalized valuation per resident pupil in average daily membership up to 25 resident pupils in average daily membership per teacher is less than \$70,000 in the year on which the aids paid in 1963-64 are based and \$72,000 in the year on which the aids paid in 1964-65 and subsequent years are based, but not less than \$55 per resident pupil in average daily membership up to 25 resident pupils in average daily membership per teacher. State aids shall be paid on account of nonresident union high school pupils at the rate of \$55 per nonresident in average daily membership which \$55 shall be deducted from the nonresident tuition claims under s. 40.91 (4) and (5).

(c) If the state superintendent is satisfied that the educational program of any union high school district meets the requirements of a high school in a basic district and that the district did levy a tax of 3 mills, or more, in the year prior to that in which the aid is granted on the equalized valuation of the district for the year prior to the levy of such tax, the state superintendent shall grant in aids an amount equal to the required mill levy made by the district up to 10 mills on the amount by which the equalized valuation per resident pupil in average daily membership up to 25 resident pupils in average daily membership per teacher is less than \$55,000, but not less than \$40 per resident pupil in average daily membership up to 25 resident pupils in average daily membership per teacher. State aids shall be paid on account of nonresident union high school pupils at the rate of \$40 per nonresident in average daily membership which \$40 shall be deducted from the nonresident tuition claims under s. 40.91 (4) and (5).

SECTION 6. 40.99 (5) (c) 6 of the statutes is amended to read:

40.99 (5) (c) 6. In school districts which have been newly altered, created, re-established or recreated, computation of aids for the first year shall be based on the average daily membership and the teacher-pupil ratio

of the district for the 3rd ~~week~~ *Friday* in September and the summer session just ended.

SECTION 7. No school district shall receive a lesser amount of state aid in the 1965-66 school year than it received in the 1964-65 school year.

Approved September 2, 1965.
