



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1445/P3
FFK:jld&amn

DOA:.....Hynek, BB0266 - Technical changes to choice programs

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill makes the following changes to the Milwaukee parental choice program, the Racine parental choice program, and the statewide parental choice program:

1. Eliminates the requirement that a private school participating in a parental choice program must annually satisfy at least one of the following standards: (a) at least 70 percent of the pupils in the program advance one grade level each year; (b) the private school's average attendance rate for the pupils in the program is at least 90 percent; (c) at least 80 percent of the pupils in the program demonstrate significant academic progress; or (d) at least 70 percent of the families of pupils in the program meet parent involvement criteria established by the private school.

2. Allows DPI to bar a private school from participating in a parental choice program in the current school year and the following school year for misrepresenting any information required under the program. Under current law, DPI may bar a private school in the current school year if DPI determines the private school misrepresented information related to the school's financial viability or the school's current local certificate of occupancy.

3. Allows an applicant for a parental choice program to receive directly from DOR a determination about the applicant's income eligibility for the parental choice program as part of the application process.

4. Requires a private school that participated in a parental choice program in the previous school year to submit certain school policies at DPI's request, instead of submitting all of the policies to DPI each year as required under current law, and requires such a private school to provide to DPI only signatures of new members of its governing board, rather than signatures from all of the members of its governing body each year. For a private school that did not participate in a parental choice program in the previous year, the bill requires the private school to submit all of its policies and signatures from all of the members of its governing body to DPI by January 10 of the immediately preceding school year.

5. Changes the date by which a private school participating in a parental choice program must file a summer school daily attendance report from October 1 to September 15.

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

SECTION 1. 118.60 (1) (am) (intro.) of the statutes is renumbered 118.60 (1) (am) and amended to read:

118.60 (1) (am) "Eligible school district" means ~~a~~ the school district that, subject to sub. (1m), satisfies all of the following: was identified as an eligible school district under [2011 Wisconsin Act 32](#), section [9137 \(3u\)](#).

SECTION 2. 118.60 (1) (am) 1. to 4. of the statutes are repealed.

SECTION 3. 118.60 (1m) of the statutes is repealed.

SECTION 4. 118.60 (2) (a) 1. b. of the statutes is amended to read:

118.60 (2) (a) 1. b. The private school or the pupil's parent or guardian submits to the department of public instruction the names, addresses, social security numbers, and other state and federal tax identification numbers, if any, of the pupil's parents or legal guardians that reside in the same household as the pupil, whether and to whom the parents or legal guardians are married, the names of all of the other members of the pupil's family residing in the same household as the pupil, and the school year for which family income is being verified under this subd. 1. b. The

department of revenue shall review the information submitted under this subd. 1. b. and shall verify the eligibility or ineligibility of the pupil to participate in the program under this section on the basis of family income. In this subdivision, "family income" means federal adjusted gross income of the parents or legal guardians residing in the same household as the pupil for the tax year preceding the school year for which family income is being verified under this subd. 1. b. or, if not available, for the tax year preceding the tax year preceding the school year for which family income is being verified under this subd. 1. b. Family income for a family in which the pupil's parents are married or in which the pupil's legal guardians are married shall be reduced by \$7,000 before the verification is made under this subd. 1. b. The department of revenue may take no other action on the basis of the information submitted under this subd. 1. b. If the department of revenue is unable to verify family income or to verify whether the pupil is eligible or ineligible to participate in the program under this section on the basis of family income, the department of revenue shall notify the department of public instruction, the private school, and the pupil's parent or guardian of this fact and the department of public instruction shall utilize an alternative process, to be established by the department of public instruction, to determine whether the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction may not request any additional verification of income from the family of a pupil once the department of revenue has verified that the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction shall establish a procedure for determining family income eligibility for those pupils for whom no social security number or state or federal tax identification number has been provided.

SECTION 5. 118.60 (2) (a) 6. c. of the statutes is amended to read:

118.60 (2) (a) 6. c. Any teacher employed by the private school on July 1 of the first school year that begins after a school district is identified as an eligible school district under sub. (1m) or 2011 Wisconsin Act 32, section 9137 (3u), who has been teaching for at least the 5 consecutive years immediately preceding that July 1, and who does not satisfy the requirements under subd. 6. a. on that July 1, applies to the department on a form prepared by the department for a temporary, nonrenewable waiver from the requirements under subd. 6. a. The department shall promulgate rules to implement this subd. 6. c., including the form of the application and the process by which the waiver application will be reviewed. The application form shall require the applicant to submit a plan for satisfying the requirements under subd. 6. a., including the name of the accredited institution of higher education at which the teacher is pursuing or will pursue the bachelor's degree and the anticipated date on which the teacher expects to complete the bachelor's degree. No waiver granted under this subd. 6. c. is valid after July 31 of the 5th school year that begins after a school district is was identified as an eligible school district under sub. (1m) or 2011 Wisconsin Act 32, section 9137 (3u).

SECTION 6. 118.60 (2) (ag) 2. a. of the statutes is amended to read:

118.60 (2) (ag) 2. a. By August 1 of the school year immediately preceding the school year in which the new private school intends to participate in the program under this section, submit to the department the information required under sub. (6m) (a) and (e) (6p) (a) and (b).

SECTION 7. 118.60 (2) (ag) 3. of the statutes is repealed.

SECTION 8. 118.60 (4) (a) of the statutes is amended to read:

118.60 (4) (a) Annually, on or before ~~October 1~~ September 15, a private school participating in the program under this section shall file with the department a report stating its summer daily attendance for each day of summer school for the purpose of sub. (4m).

SECTION 9. 118.60 (6m) (b) (intro.) of the statutes is amended to read:

118.60 (6m) (b) (intro.) Annually, by August 1st, provide to the department ~~the material specified in par. (a) and~~ all of the following information:

SECTION 10. 118.60 (6m) (bm) of the statutes is created to read:

118.60 (6m) (bm) Upon request of the department, provide a copy of any policy described in par. (a).

SECTION 11. 118.60 (6m) (c) of the statutes is amended to read:

118.60 (6m) (c) Provide Upon an individual joining of the private school's governing body, provide to the department a signed statement from ~~each the individual who is a member of the private school's governing body~~ verifying that the individual is a member of the governing body.

SECTION 12. 118.60 (6p) of the statutes is created to read:

118.60 (6p) In addition to the requirements under sub. (6m), a private school that is not a new private school and that did not participate in program under this section in the previous school year shall submit to the department by January 10 of the school year immediately preceding the school year in which the private school intends to participate in the program under this section all of the following:

(a) The information required under sub. (6m) (a).

(b) A signed statement from each individual who is a member of the private school's governing body verifying that the individual is a member of the governing body.

SECTION 13. 118.60 (7) (a) of the statutes is repealed.

SECTION 14. 118.60 (10) (a) 1. of the statutes is amended to read:

118.60 (10) (a) 1. Misrepresented information required under sub. ~~(7) (d)~~ this section or any rule promulgated under this section.

SECTION 15. 118.60 (10) (a) 4. of the statutes is repealed.

SECTION 16. 118.60 (10) (a) 5. of the statutes is amended to read:

118.60 (10) (a) 5. Failed to provide the information required under sub. (6m) or (6p).

SECTION 17. 118.60 (10) (am) 4. of the statutes is created to read:

118.60 (10) (am) 4. Misrepresented any information required under this section or under any rule promulgated under this section.

SECTION 18. 119.23 (2) (a) 1. b. of the statutes is amended to read:

119.23 (2) (a) 1. b. The private school or the pupil's parent or guardian submits to the department of public instruction the names, addresses, social security numbers, and other state and federal tax identification numbers, if any, of the pupil's parents or legal guardians that reside in the same household as the pupil, whether and to whom the parents or legal guardians are married, the names of all of the other members of the pupil's family residing in the same household as the pupil, and the school year for which family income is being verified under this subd. 1. b. The department of revenue shall review the information submitted under this subd. 1. b. and shall verify the eligibility or ineligibility of the pupil to participate in the program under this section on the basis of family income. In this subdivision, "family income" means federal adjusted gross income of the parents or legal guardians residing in the same household as the pupil for the tax year preceding the school year for which family income is being verified under this subd. 1. b. or, if not available, for

the tax year preceding the tax year preceding the school year for which family income is being verified under this subd. 1. b. Family income for a family in which the pupil's parents are married or in which the pupil's legal guardians are married shall be reduced by \$7,000 before the verification is made under this subd. 1. b. The department of revenue may take no other action on the basis of the information submitted under this subd. 1. b. If the department of revenue is unable to verify family income or to verify whether the pupil is eligible or ineligible to participate in the program under this section on the basis of family income, the department of revenue shall notify the department of public instruction, the private school, and the pupil's parent or guardian of this fact and the department of public instruction shall utilize an alternative process, to be established by the department of public instruction, to determine whether the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction may not request any additional verification of income from the family of a pupil once the department of revenue has verified that the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction shall establish a procedure for determining family income eligibility for those pupils for whom no social security number or state or federal tax identification number has been provided.

SECTION 19. 119.23 (2) (ag) 2. a. of the statutes is amended to read:

119.23 (2) (ag) 2. a. By August 1 of the school year immediately preceding the school year in which the new private school intends to participate in the program under this section, submit to the department the information required under sub. ~~(6m) (a) and (e) (6p) (a) and (b).~~

SECTION 20. 119.23 (2) (ag) 3. of the statutes is repealed.

SECTION 21. 119.23 (4) (a) of the statutes is amended to read:

119.23 (4) (a) Annually, on or before ~~October 1~~ September 15, a private school participating in the program under this section shall file with the department a report stating its summer daily attendance for each day of summer school for the purpose of sub. (4m).

SECTION 22. 119.23 (6m) (b) (intro.) of the statutes is amended to read:

119.23 (6m) (b) (intro.) Annually, by August 1st, provide to the department ~~the material specified in par. (a) and~~ all of the following information:

SECTION 23. 119.23 (6m) (bm) of the statutes is created to read:

119.23 (6m) (bm) Upon request of the department, provide a copy of any policy described in par. (a).

SECTION 24. 119.23 (6m) (c) of the statutes is amended to read:

119.23 (6m) (c) ~~Provide~~ Upon an individual joining the private school's governing body, provide to the department a signed statement from each ~~the individual who is a member of the private school's governing body~~ verifying that the individual is a member of the governing body.

SECTION 25. 119.23 (6p) of the statutes is created to read:

119.23 (6p) In addition to the requirements under sub. (6m), a private school that is not a new private school and that did not participate in program under this section in the previous school year shall submit to the department by January 10 of the school year immediately preceding the school year in which the private school intends to participate in the program under this section all of the following:

(a) The information required under sub. (6m) (a).

(b) A signed statement from each individual who is a member of the private school's governing body verifying that the individual is a member of the governing body.

SECTION 26. 119.23 (7) (a) of the statutes is repealed.

SECTION 27. 119.23 (10) (a) 1. of the statutes is amended to read:

119.23 (10) (a) 1. Misrepresented information required under sub. (7) (d) this section or any rule promulgated under this section.

SECTION 28. 119.23 (10) (a) 4. of the statutes is repealed.

SECTION 29. 119.23 (10) (a) 5. of the statutes is amended to read:

119.23 (10) (a) 5. Failed to provide the information required under sub. (6m) or (6p).

SECTION 30. 119.23 (10) (am) 4. of the statutes is created to read:

119.23 (10) (am) 4. Misrepresented any information required under this section or under any rule promulgated under this section.

(END)