



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0819/P2
FFK:wlj

DOA:.....Kretschmann, BB0261 - Payment indexing for choice, charter, and open enrollment

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Payment indexing: parental choice programs, the Special Needs Scholarship Program, independent charter schools, full-time open enrollment program, and whole grade sharing agreements

Under current law, the per pupil payment amounts under the Milwaukee Parental Choice Program, the Racine Parental Choice Program, the statewide parental choice program, and the Special Needs Scholarship Program, the per pupil payment amount to independent charter schools, the transfer amounts under the full-time open enrollment program, and the required transfer amount for a child with a disability in a whole grade sharing agreement (collectively “per pupil payments”) are adjusted annually. The annual adjustment for per pupil payments is an amount equal to the sum of any per member revenue limit increase that applies to school districts in that school year and any per member increase in categorical aids between the current school year and the previous school year. Under the bill, beginning in the 2021-22 school year, the annual adjustment for per pupil payments is the sum of the per member revenue limit increase that applies to school districts in that school year, if any, and the increase in the per member amount of per pupil

aid paid to school districts between the previous school year and the current school year, if any.

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

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

SECTION 1. 115.363 (2) (b) of the statutes is amended to read:

115.363 (2) (b) The school board shall pay to each nonprofit corporation with which it contracts under par. (a) an amount that is no more than the amount paid per pupil under s. 118.40 (2r) (e) ~~2m., 2n., or 2p.~~ 2q. in the current school year multiplied by the number of pupils participating in the program under the contract.

SECTION 2. 115.7915 (4m) (a) 2. c. of the statutes is created to read:

115.7915 (4m) (a) 2. c. Beginning in the 2021-22 school year, the sum of the scholarship amount under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

****NOTE: This is reconciled s. 115.7915 (4m) (a) 2. c. This SECTION has been affected by drafts with the following LRB numbers: -0819/P1 and -0827/P1.

SECTION 3. 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

118.40 (2r) (e) 2p. (intro.) ~~In Beginning in the 2015-16 school year and in each ending in the 2020-21 school year thereafter,~~ for a pupil attending a charter school established by or under a contract with an entity under par. (b) 1. a. to f., from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the

change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, if positive. The change in the statewide categorical aid per pupil shall be determined as follows:

SECTION 4. 118.40 (2r) (e) 2q. of the statutes is created to read:

118.40 **(2r)** (e) 2q. Beginning in the 2021-22 school year and in each school year thereafter, from the appropriation under s. 20.255 (2) (fm), for a pupil attending a charter school established by or under a contract with an entity under par. (b) 1., the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

****NOTE: This is reconciled s. 118.40 (2r) (e) 2p. and 2q. This SECTION has been affected by drafts with the following LRB numbers: -0819/P1 and -1401/P2.

SECTION 5. 118.40 (2r) (g) 1. b. of the statutes is amended to read:

118.40 **(2r)** (g) 1. b. Multiply the number of pupils under subd. 1. a. by the per pupil amount calculated under par. (e) ~~2p.~~ 2q. for that school year.

SECTION 6. 118.50 (2m) (a) 2. of the statutes is amended to read:

118.50 **(2m)** (a) 2. Beginning in the 2017-18 school year and ending in the 2020-21 school year, the sum of the per pupil amount under this paragraph for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 7. 118.50 (2m) (a) 3. of the statutes is created to read:

118.50 **(2m)** (a) 3. Beginning in the 2021-22 school year, the sum of the per pupil amount under this paragraph for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 8. 118.51 (16) (a) 3. b. of the statutes is amended to read:

118.51 **(16)** (a) 3. b. Beginning with the amount in the 2015-16 school year and ending with the amount in the 2020-21 school year, except as provided in subd. 3. c., ~~in each school year thereafter~~, the sum of the amount determined under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 9. 118.51 (16) (a) 3. bm. of the statutes is created to read:

118.51 **(16)** (a) 3. bm. Beginning with the amount for the 2021-22 school year and in each school year thereafter, the sum of the amount determined under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 10. 118.51 (17) (b) 2. cm. of the statutes is created to read:

118.51 **(17)** (b) 2. cm. Beginning in the 2021-22 school year, the per pupil transfer amount is the sum of the per pupil transfer amount for the previous school

year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

****NOTE: This is reconciled s. 118.51 (17) (b) 2. This SECTION has been affected by drafts with the following LRB numbers: -0819/P1 and -0827/P1.

SECTION 11. 118.60 (4) (bg) 3. of the statutes is amended to read:

118.60 (4) (bg) 3. In the 2015-16 to 2020-21 school year and in each school year ~~thereafter~~ years, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 12. 118.60 (4) (bg) 6. of the statutes is created to read:

118.60 (4) (bg) 6. Beginning in the 2021-22 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 7., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255

(2) (fr), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 13. 118.60 (4) (bg) 7. of the statutes is created to read:

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

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

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

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

SECTION 14. 119.23 (4) (bg) 3. of the statutes is amended to read:

119.23 (4) (bg) 3. In the 2015-16 to 2020-21 school year ~~and in each school year thereafter~~ years, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 15. 119.23 (4) (bg) 6. of the statutes is created to read:

119.23 (4) (bg) 6. Beginning in the 2021-22 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 7., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the

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

SECTION 16. 119.23 (4) (bg) 7. of the statutes is created to read:

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

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

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

(END)