



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Senate Bill 615

Assembly Amendment 1

Memo published: February 23, 2016 *Contact:* Katie Bender-Olson, Senior Staff Attorney (266-2988)

2015 SENATE BILL 615

Senate Bill 615 makes changes to the Special Needs Scholarship program created in the 2015-17 Biennial Budget. This program provides state funding for private school attendance to certain students with a current individualized education program (IEP) or services plan, who attended public school for the prior school year and were denied attendance at a nonresident school district through public school open enrollment. To apply for a scholarship in the 2016-17 school year, a student must have been denied open enrollment in all nonresident school districts he or she applied to, and had an appeal of denial upheld in one school year between 2011-12 and 2016-17. The bill makes the following changes related to the Special Needs Scholarship Program:

- Allows a student to apply at any time during the school year.
- Changes the selection of recipients from a random process to a rolling process.
- Repeals a requirement that a student be in public school the entire 2015-16 school year to be eligible for the scholarship.
- Allows the Department of Public Instruction (DPI) to withhold payment from a school that violates program requirements.
- Requires notice to parents of federal appeal rights to contest a determination of ineligibility for the scholarship because the IEP team believes a student is no longer a child with a disability.
- Requires schools hosting Special Needs Scholarship students to follow all health and safety laws that apply to public schools.

Senate Bill 615 does not modify school revenue limits or the parental choice programs.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 modifies the way school revenue limits are calculated for school districts that have resident students who enroll in the Racine Parental Choice Program or the Statewide Parental Choice Program beginning in the current 2015-16 school year and thereafter (“incoming choice students”). Under current law, incoming choice students are counted in the membership of their resident school district for purposes of general aid, distributed on a prior year basis. Aid to an incoming choice student’s resident school district is reduced in the year the student enrolls in a private choice school, in order to fund the payment to the choice school. The school district receives a revenue limit adjustment equal to its base revenue per pupil to account for the incoming choice students.

Under Assembly Amendment 1, a school district’s revenue limit adjustment for incoming choice students is equal to the reduction in the school district’s state aid to account for the incoming choice students in a given year. Thus, under the amendment, a school district may only levy property tax to cover the amount deducted from its state aid for resident students attending a choice school, and cannot levy an amount above that deduction.

The modification to the revenue limit adjustment contained in Assembly Amendment 1 first applies for calculation of a school district’s revenue limit for the 2016-17 school year.

BILL HISTORY

Assembly Amendment 1 was offered by Representatives Vos, Thiesfeldt, Loudenbeck, Murphy, Kitchens, and Jagler on February 18, 2016. On that date, the Assembly adopted Assembly Amendment 1 and concurred in Senate Bill 615, as amended, on a vote of Ayes, 56; Noes, 37; and Paired, 4.

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