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## 2003 ASSEMBLY BILL 393

June 5, 2003 – Introduced by Representatives Jensen, Sinicki and Vukmir, cosponsored by Senators Darling, Kanavas and Reynolds. Referred to Committee on Education Reform.

1 AN ACT to create 121.78 (5) of the statutes; relating to: allowing certain pupils

who are victims of violent crimes to transfer to a different school district.

## Analysis by the Legislative Reference Bureau

This bill allows certain pupils who are victims of violent crimes to transfer to a public school in another school district if there is no other public school in the pupil's school district that is appropriate. The school board of the pupil's school district of residence must pay tuition for the pupil.

In order to be eligible, the violent crime must occur either on the school grounds of the school that the pupil attends, and during school hours or during a school-sponsored event held at the school that the pupil attends; or while the pupil is being transported to school, or from school to his or her home, on a school bus or in an alternative vehicle provided by the school district.

The bill provides for the Department of Public Instruction to determine the criminal offenses to which the bill applies.

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:

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## **ASSEMBLY BILL 393**

121.78 (5) VICTIMS OF VIOLENT CRIMINAL OFFENSES. (a) In this subsection "violent
criminal offense" has the meaning given in the administrative rules promulgated by
the department to implement 20 USC 7912.

- (b) A school board shall allow a pupil enrolled in the school district who is the victim of a violent criminal offense to attend a public school outside the school district of residence, and shall pay tuition for the pupil, if all of the following apply:
- 1. a. The pupil was the victim of the violent criminal offense while on the school grounds of the school that the pupil attends, during school hours or during a school-sponsored event held at the school that the pupil attends; or
- b. The pupil was the victim of the violent criminal offense while being transported to school to attend curricular programs during school hours, or from school to home immediately following school hours, on a school bus owned, leased, or contracted by the school board or in a motor vehicle operated as an alternative method of providing transportation under s. 121.555.
- 2. There is no other public school operated by the school board in the pupil's school district of residence that has the appropriate grade level for the pupil.
- 3. The pupil or his or her parent or guardian reports the violent criminal offense to the appropriate law enforcement agency and to the principal of the school that the pupil attends.
- (c) Within 10 working days of an incident being reported under par. (b) 3., the school board shall notify the parent or guardian of the pupil who is enrolled in the school district and who is the victim of the violent criminal offense, in writing, of the opportunity to attend a public school in another school district under. par. (b).