

State of Wisconsin



2021 Senate Bill 608

Date of enactment:
Date of publication*:

2021 WISCONSIN ACT

AN ACT *to amend* 118.60 (2) (a) 2. c., 118.60 (3) (ar) 6. (intro.), 118.60 (3) (ar) 6. a. and 118.60 (3) (ar) 6. b.; and *to create* 118.60 (3) (ar) 6. am., 118.60 (3) (ar) 6. bm. and 118.60 (3) (ar) 6. cm. of the statutes; **relating to:** the prior year pupil attendance requirement to participate in the Racine Parental Choice Program or the statewide parental choice program and allowing a pupil who changes residence to transfer from the Racine Parental Choice Program or Milwaukee Parental Choice Program to the statewide parental choice program.

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

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

118.60 (2) (a) 2. c. The pupil attended a private school under this section or s. 115.7915 or 119.23 in the previous school year.

SECTION 2. 118.60 (3) (ar) 6. (intro.) of the statutes is amended to read:

118.60 (3) (ar) 6. (intro.) ~~In the 2017–18 school year and any school year thereafter, between the first weekday in August and the 3rd Friday in August, No later than the 3rd Friday in September,~~ the department may transfer a pupil's application to attend a private school under this section ~~or s. 119.23~~ in the current school year to a private school that accepted applications from pupils under subd. 1. for the current school year, if all of the following apply:

SECTION 3. 118.60 (3) (ar) 6. a. of the statutes is amended to read:

118.60 (3) (ar) 6. a. A participating private school accepted an application from the pupil for the current school year under subd. 1. and verified that the pupil is eligible to attend a private school under this section; a participating private school accepted an application from

the pupil for the current school year under par. (a) no later than the last weekday in July of the current school year and verified that the pupil is eligible to attend that private school under this section; or a private school participating in the program under s. 119.23 accepted an application from the pupil for the current school year under s. 119.23 (3) (a) no later than the last weekday in July of the current school year and verified that the pupil is eligible to attend that private school under s. 119.23.

SECTION 4. 118.60 (3) (ar) 6. am. of the statutes is created to read:

118.60 (3) (ar) 6. am. If the private school that accepted the pupil's application under subd. 6. a. verified the eligibility of the applicant to participate in the program under this section or s. 119.23 on the basis of family income as provided under sub. (2) (a) 1. b. or s. 119.23 (2) (a) 1. b., the participating private school to which the pupil's application is transferred verifies no later than the 3rd Friday in August that the pupil is eligible under sub. (2) (bm) to participate in the program under this section on the basis of family income.

SECTION 5. 118.60 (3) (ar) 6. b. of the statutes is amended to read:

118.60 (3) (ar) 6. b. ~~The~~ If the pupil's application was submitted under subd. 1., the pupil's residence changed

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

after the end of the application period under subd. 1. and on or before the 3rd Friday in August and, after the change, the pupil continues to reside in a school district other than an eligible school district or a 1st class city school district.

SECTION 6. 118.60 (3) (ar) 6. bm. of the statutes is created to read:

118.60 (3) (ar) 6. bm. If the pupil's application was submitted under par. (a) or s. 119.23 (3) (a), the pupil's residence changed after the last weekday in April, after the pupil's application was submitted, and on or before the 3rd Friday in August and, after the change, the pupil resides in a school district other than an eligible school district or a 1st class city school district.

SECTION 7. 118.60 (3) (ar) 6. cm. of the statutes is created to read:

118.60 (3) (ar) 6. cm. Between the first weekday in August and the 3rd Friday in August, the participating private school to which the pupil's application is transferred notifies the department of the pupil's change in residence and verifies that the conditions under subd. 6. a. to c. apply.

SECTION 8. Nonstatutory provisions.

(1) PUPIL TRANSFERS DURING THE 2021-22 SCHOOL YEAR. The department of public instruction may transfer a pupil's application to attend a private school under s. 118.60 (3) (a) or 119.23 (3) (a) in the 2021-22 school year to a private school that accepted applications from pupils under s. 118.60 (3) (ar) 1. for the 2021-22 school year, if all of the following apply:

(a) A private school participating in the program under s. 118.60 or 119.23 accepted an application from the pupil for the 2021-22 school year under s. 118.60 (3) (a) or 119.23 (3) (a) no later than April 20, 2021, and verified that the pupil is eligible to attend a private school under s. 118.60 or 119.23.

(b) If the private school that accepted the pupil's application under par. (a) verified the eligibility of the applicant to participate in the program under s. 118.60 or

119.23 on the basis of family income as provided under s. 118.60 (2) (a) 1. b. or 119.23 (2) (a) 1. b., the participating private school to which the pupil's application is transferred verifies no later than November 12, 2021, that the pupil is eligible under s. 118.60 (2) (bm) to participate in the program under this section on the basis of family income.

(c) The pupil's residence changed after April 20, 2021, after the pupil's application was submitted, and on or before August 20, 2021, and, after the change, the pupil resides in a school district other than an eligible school district, as defined in s. 118.60 (1) (am), or a 1st class city school district.

(d) The participating private school to which the pupil's application is transferred under this subsection has space available in the pupil's grade for the remainder of the 2021-22 school year.

(e) Between November 1, 2021, and November 12, 2021, the participating private school to which the pupil's application is transferred notifies the department of the pupil's change in residence and verifies that the conditions under pars. (a) to (d) apply.

(f) The total number of pupils residing in the pupil's resident school district attending a private school under s. 118.60 during the 2021-22 school year does not exceed the school district's pupil participation limit under s. 118.60 (2) (be).

(2) NO STATE AID ADJUSTMENT. If the department of public instruction transfers a pupil's application under sub. (1), the pupil is not considered an incoming choice pupil, as defined in s. 118.60 (4d) (a), residing in the school district to which the pupil changed his or her residence for purposes of making the calculation under s. 118.60 (4d) for the school year in which the transfer occurs.

SECTION 9. Initial applicability.

(1) The treatment of s. 118.60 (3) (ar) 6. (intro.), a., am., b., bm., and cm. first applies to applications to attend a private school in the 2022-23 school year.