



## 1995 ASSEMBLY BILL 1008

March 13, 1996 - Introduced by Representatives WILLIAMS, URBAN, SCHNEIDER, RILEY, CULLEN, GUNDERSON, L. YOUNG, GRONEMUS, OLSEN, MORRIS-TATUM, BLACK, GOETSCH, R. YOUNG, KRUG, SERATTI, BELL, R. POTTER, MUSSER, WOOD, TURNER, ALBERS, COGGS, BOYLE and ZIEGELBAUER, cosponsored by Senators WELCH, MOORE, PANZER and ANDREA. Referred to Committee on Urban Education.

1     **AN ACT to renumber** 119.23 (4); **to amend** 115.28 (10), 118.30 (1m) (a), (am) and  
2           (b), 119.23 (2) (a) 3. and 121.02 (1) (r); and **to create** 119.23 (2) (a) 6., 119.23 (2)  
3           (a) 7. and 119.23 (4) (b) of the statutes; **relating to:** the Milwaukee parental  
4           choice program and making an appropriation.

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### *Analysis by the Legislative Reference Bureau*

Current law allows up to 7% of the enrollment of the Milwaukee Public Schools (MPS) to attend, at no charge, any private school located in the city of Milwaukee under certain circumstances. (In the 1996-97 school year, the limit is increased to 15%.) The state pays the parent or guardian of the pupil an amount equal to the amount of per pupil aid that MPS receives from the state or an amount equal to the private school's educational cost per pupil, whichever is less. Payment is made in 4 instalments, in September, November, February and May. The parent or guardian must endorse the checks for the use of the private school. The state reduces the MPS school aid entitlement, for each pupil participating in the program, by the amount of per pupil aid that MPS would otherwise receive.

This bill makes a number of changes to the MPS parental choice program, including the following:

1. The bill requires each participating private school to have a formally constituted governing board.
2. The bill requires each governing board to adopt bylaws.
3. The bill requires each participating private school to have a financial statement approved by its governing board, a staff grievance procedure and a parent complaint procedure.
4. The bill directs the department of education (DOE) to extend its educational assessment program to the participating private schools.
5. The bill extends the pupil assessment program (requiring each school district to test its pupils in the 4th, 8th and 10th grades and requiring the

administration of a 3rd grade reading test) to pupils attending the participating private schools.

6. Beginning in the 1996-97 school year, the bill prohibits DOE from making the November and February payments until it has verified the private school's enrollment and the eligibility to attend the private school of every pupil for whom payment has been requested.

7. Beginning in the 1997-98 school year, the bill prohibits a private school from participating in the program unless DOE certifies that as of June 30 of the previous school year any overpayment made by DOE to the private school has been repaid.

8. The bill requires a private school to notify DOE of the school's intent to participate in the program by February 1 of the school year preceding the school year in which it intends to participate. Under current law, the deadline is May 1 of the preceding school year.

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

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

1           **SECTION 1.** 115.28 (10) of the statutes is amended to read:

2           115.28 (10) EDUCATIONAL ASSESSMENT. Develop an educational assessment  
3 program to measure objectively the adequacy and efficiency of educational programs  
4 offered by public schools in this state and offered by private schools participating in  
5 the program under s. 119.23. The program shall include methods by which pupil  
6 achievement in reading, mathematics, writing, science, social science and other  
7 areas of instruction commonly offered by public schools will be objectively measured  
8 each year. Assessment shall be undertaken at several grade levels on a uniform,  
9 statewide basis.

10           **SECTION 2.** 118.30 (1m) (a), (am) and (b) of the statutes, as created by 1995  
11 Wisconsin Act 27, are amended to read:

12           118.30 (1m) (a) Beginning in the 1996-97 school year, administer the 4th grade  
13 examination to all pupils enrolled in the school district, including pupils enrolled in

1 charter schools located in the school district and pupils attending private schools  
2 under s. 119.23 located in the school district, in the 4th grade.

3 (am) Administer the 8th grade examination to all pupils enrolled in the school  
4 district, including pupils enrolled in charter schools located in the school district and  
5 pupils attending private schools under s. 119.23 located in the school district, in the  
6 8th grade.

7 (b) Administer the 10th grade examination to all pupils enrolled in the school  
8 district, including pupils enrolled in charter schools located in the school district and  
9 pupils attending private schools under s. 119.23 located in the school district, in the  
10 10th grade.

11 **SECTION 3.** 119.23 (2) (a) 3. of the statutes, as affected by 1995 Wisconsin Act  
12 27, is amended to read:

13 119.23 (2) (a) 3. The private school notified the department of its intent to  
14 participate in the program under this section by ~~May~~ February 1 of the previous  
15 school year. The notice shall specify the number of pupils participating in the  
16 program under this section for which the school has space.

17 **SECTION 4.** 119.23 (2) (a) 6. of the statutes is created to read:

18 119.23 (2) (a) 6. The private school has a formally constituted governing board,  
19 a financial statement approved by the governing board, a staff grievance procedure,  
20 a parent complaint procedure and bylaws.

21 **SECTION 5.** 119.23 (2) (a) 7. of the statutes is created to read:

22 119.23 (2) (a) 7. The department certifies that as of June 30 of the current school  
23 year any overpayment made to the private school under sub. (4) (a) in the current  
24 school year has been repaid.

1           **SECTION 6.** 119.23 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is  
2           renumbered 119.23 (4) (a).

3           **SECTION 7.** 119.23 (4) (b) of the statutes is created to read:

4           119.23 (4) (b) Before making the payments in November and February under  
5           par. (a), the department shall verify the enrollment of the private school and the  
6           eligibility of each pupil attending the private school under this section to do so. The  
7           department may not make any payment to a private school in November or February  
8           under par. (a) until the private school's enrollment and the eligibility to attend the  
9           private school of every pupil for whom payment has been requested has been verified.

10          **SECTION 8.** 121.02 (1) (r) of the statutes is amended to read:

11          121.02 (1) (r) Annually administer a standardized reading test developed by  
12          the department to all pupils enrolled in the school district in grade 3, including pupils  
13          enrolled in charter schools located in the school district and pupils attending private  
14          schools under s. 119.23 located in the school district.

15          **SECTION 9. Appropriation changes.**

16          (1) In the schedule under section 20.005 (3) of the statutes for the appropriation  
17          to the department of education under section 20.255 (1) (a) of the statutes, as affected  
18          by the acts of 1995, the dollar amount is increased by \$75,000 for fiscal year 1996-97  
19          to increase the authorized FTE positions for the department by 1.0 GPR position for  
20          the administration of the Milwaukee parental choice program.

21          **SECTION 10. Initial applicability.**

22          (1) The treatment of section 119.23 (2) (a) 3. of the statutes first applies to  
23          notifications of intent to participate in the 1997-98 school year.

24          **SECTION 11. Effective dates.** This act takes effect on the day after  
25          publication, except as follows:

