



1999 ASSEMBLY BILL 146

March 4, 1999 – Introduced by Representatives SERATTI and JENSEN, cosponsored by Senator FITZGERALD. Referred to Committee on Education Reform.

1 **AN ACT to amend** 115.817 (8), 118.153 (3) (c) 1. and 121.54 (2) (b) 1. of the
2 statutes; **relating to:** transportation to private schools, transportation of
3 children participating in certain special education programs and contracts with
4 private agencies for children-at-risk programs.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a school board is required to transport a pupil to and from the private school that the pupil attends if the pupil resides in the school district and the private school's attendance area, the private school is located at least two miles from the pupil's residence and the private school is located within the school district or not more than five miles beyond the boundaries of the school district.

This bill increases the five-mile limit to ten miles. This bill also increases the five-mile limit to ten miles in provisions relating to the transportation of children participating in certain special education programs and relating to the location of private agencies with which a school board may contract for children-at-risk programs.

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:

ASSEMBLY BILL 146**SECTION 1**

1 **SECTION 1.** 115.817 (8) of the statutes is amended to read:

2 115.817 **(8)** TRANSPORTATION. The board may promulgate a plan for the
3 transportation at county expense of children who are receiving special education and
4 related services under this section, special education and related services provided
5 at day care centers or special education and related services provided by a private
6 organization within whose attendance area the child resides and which is situated
7 not more than 5 10 miles beyond the boundaries of the area the board serves, as
8 measured along the usually traveled route. The plan, upon approval of the state
9 superintendent, shall govern the transportation of such children. Any such plan for
10 transportation during the school term supersedes ss. 115.88 and 121.54 (3).

11 **SECTION 2.** 118.153 (3) (c) 1. of the statutes is amended to read:

12 118.153 **(3)** (c) 1. Each school board shall identify appropriate private,
13 nonprofit, nonsectarian agencies located in the school district or within 5 10 miles
14 of the boundaries of the school district to meet the requirements under pars. (a) and
15 (b) for the children at risk enrolled in the school district.

16 **SECTION 3.** 121.54 (2) (b) 1. of the statutes is amended to read:

17 121.54 **(2)** (b) 1. Except as provided in sub. (1) or otherwise provided in this
18 subsection, the school board of each district operating high school grades shall
19 provide transportation to and from the school a pupil attends for each pupil residing
20 in the school district who attends any elementary grade, including kindergarten, or
21 high school grade at a private school located 2 miles or more from the pupil's
22 residence, if such private school is a school within whose attendance area the pupil
23 resides and is situated within the school district or not more than 5 10 miles beyond
24 the boundaries of the school district measured along the usually traveled route.

25 **SECTION 4. Effective date.**

