



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4662/1
TKK:emw

2015 ASSEMBLY BILL 990

March 10, 2016 - Introduced by Representatives BOWEN, GENRICH, C. TAYLOR, MASON, GOYKE, BERCEAU, WACHS and POPE, cosponsored by Senators C. LARSON, RINGHAND and HARRIS DODD. Referred to Committee on Education.

1 **AN ACT** *to repeal* 121.85 (3) (a) 2., 121.85 (3) (b) 2., 121.85 (5) (b), 121.85 (6) (ar)
2 2. c., 121.85 (6) (as), 121.85 (6) (bm) and 121.85 (6) (h); *to renumber and*
3 **amend** 121.85 (3) (a) 1., 121.85 (3) (b) 1. and 121.85 (5) (a); and *to amend*
4 121.85 (4), 121.85 (6) (a) (intro.) and 121.85 (6) (b) 2. of the statutes; **relating**
5 **to:** the Special Transfer Program (Chapter 220).

Analysis by the Legislative Reference Bureau

This bill restores the Special Transfer Program (commonly known as Chapter 220), under which the state provides aid to school districts to support voluntary efforts by school districts to reduce racial imbalance through interdistrict and intradistrict pupil transfers. The program was closed to new pupils seeking a transfer after the 2014-15 school year by 2015 Wisconsin Act 55.

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:

6 **SECTION 1.** 121.85 (3) (a) 1. of the statutes, as affected by 2015 Wisconsin Act
7 55, is renumbered 121.85 (3) (a) and amended to read:

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1 121.85 (3) (a) ~~Subject to subd. 2., the~~ The school board of the district of
2 residence and the school board of the district of attendance may enter into annual
3 written agreements to permit a pupil to attend a public school outside the school
4 district of residence.

5 **SECTION 2.** 121.85 (3) (a) 2. of the statutes, as created by 2015 Wisconsin Act
6 55, is repealed.

7 **SECTION 3.** 121.85 (3) (b) 1. of the statutes, as affected by 2015 Wisconsin Act
8 55, is renumbered 121.85 (3) (b) and amended to read:

9 121.85 (3) (b) ~~Except as provided in subd. 2., the~~ The school board of ~~a~~ the
10 district may ~~not~~ permit a pupil to attend a public school ~~under this section that is~~
11 within the district ~~but~~ that is outside the pupil's attendance area.

12 **SECTION 4.** 121.85 (3) (b) 2. of the statutes, as created by 2015 Wisconsin Act
13 55, is repealed.

14 **SECTION 5.** 121.85 (4) of the statutes, as affected by 2015 Wisconsin Act 55, is
15 amended to read:

16 121.85 (4) **OTHER PLANS TO REDUCE RACIAL IMBALANCE.** (a) Pupil transfers
17 resulting from a plan implemented by the school board to reduce racial imbalance
18 in a school district or attendance area shall be deemed to be transfer agreements
19 under sub. (3) and shall be eligible for state aid under this section if the transfers
20 comply with sub. (2), ~~provided the transfers are of pupils who attended a public~~
21 ~~school in a school district or attendance area under the plan in the 2015-16 school~~
22 ~~year.~~

23 (b) Any school board that, prior to May 4, 1976, established a plan to reduce
24 racial imbalance in the school district is eligible for state aid under sub. (6) (a) if the
25 state superintendent approves the plan, ~~provided the transfer pupil attended a~~

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1 public school in an attendance area other than the pupil's attendance area under the
2 plan in the 2015-16 school year.

3 **SECTION 6.** 121.85 (5) (a) of the statutes, as affected by 2015 Wisconsin Act 55,
4 is renumbered 121.85 (5) and amended to read:

5 121.85 (5) ~~Except as provided in par. (b), part-time~~ Part-time transfers for
6 curriculum offerings ~~are not also may be~~ permitted under this section. The
7 department shall establish procedures for aid computations in such cases.

8 **SECTION 7.** 121.85 (5) (b) of the statutes, as created by 2015 Wisconsin Act 55,
9 is repealed.

10 **SECTION 8.** 121.85 (6) (a) (intro.) of the statutes, as affected by 2015 Wisconsin
11 Act 55, is amended to read:

12 121.85 (6) (a) *Intradistrict transfer.* (intro.) Except as provided under pars.
13 (am), and (ar), ~~and (as)~~, the school district of attendance of pupils transferring from
14 one attendance area to another under subs. (3) (b) and (4) is entitled to an amount
15 determined as follows:

16 **SECTION 9.** 121.85 (6) (ar) 2. c. of the statutes, as created by 2015 Wisconsin Act
17 55, is repealed.

18 **SECTION 10.** 121.85 (6) (as) of the statutes, as created by 2015 Wisconsin Act
19 55, is repealed.

20 **SECTION 11.** 121.85 (6) (b) 2. of the statutes, as affected by 2015 Wisconsin Act
21 55, is amended to read:

22 121.85 (6) (b) 2. ~~Subject to par. (bm), in~~ In each school year, the school district
23 of attendance of pupils transferring from one school district to another under sub. (3)
24 (a) shall receive an amount equal to that produced by multiplying the number of
25 pupils transferred into the school district under sub. (3) (a) in the previous school

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SECTION 11

1 year by the amount produced by dividing the school district's net school cost by the
2 sum of the membership, plus the number of pupils transferred into the school district
3 of attendance in the previous school year under sub. (3) (a).

4 **SECTION 12.** 121.85 (6) (bm) of the statutes, as created by 2015 Wisconsin Act
5 55, is repealed.

6 **SECTION 13.** 121.85 (6) (h) of the statutes, as created by 2015 Wisconsin Act 55,
7 is repealed.

8 (END)