



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2825/2
FFK:amn

2015 SENATE BILL 250

September 4, 2015 - Introduced by Senator STROEBEL, cosponsored by Representative SANFELIPPO. Referred to Committee on Education.

1 **AN ACT to amend** 118.60 (2) (be) 2.; and **to create** 118.60 (2) (be) 2m. of the
2 statutes; **relating to:** the pupil participation limit in the statewide parental
3 choice program.

Analysis by the Legislative Reference Bureau

Under current law, the limit on the total number of pupils residing in a school district who may participate in the statewide parental choice program (pupil participation limit) in the 2015-16 and 2016-17 school years is 1 percent of the school district's membership in the previous school year. Beginning with the 2017-18 school year, the pupil participation limit increases one percentage point each school year until the limit reaches 10 percent in the 2025-26 school year, after which there is no pupil participation limit in the statewide parental choice program.

This bill creates an exception to the pupil participation limit. The exception allows a pupil who attended a private school under the statewide parental choice program in the previous year to attend a private school under the statewide parental choice program if the pupil's application to attend a private school under the statewide parental choice program is not accepted because the pupil's resident school district has exceeded its pupil participation limit.

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:

SENATE BILL 250**SECTION 1**

1 **SECTION 1.** 118.60 (2) (be) 2. of the statutes, as created by 2015 Wisconsin Act
2 55, is amended to read:

3 118.60 (2) (be) 2. ~~Beginning~~ Except as provided in subd. 2m., beginning with
4 the 2015-16 school year and ending with the 2025-26 school year, the total number
5 of pupils residing in a school district, other than an eligible school district or a 1st
6 class city school district, who may attend a private school under this section during
7 a school year may not exceed the school district's pupil participation limit for that
8 school year.

9 **SECTION 2.** 118.60 (2) (be) 2m. of the statutes is created to read:

10 118.60 (2) (be) 2m. A pupil who resides in a school district, other than an
11 eligible school district or a 1st class city school district, may attend a private school
12 under this section if all of the following apply:

13 a. The pupil attended a private school under par. (bm) in the previous school
14 year.

15 b. The department determines that the total number of applications from
16 pupils residing in the pupil's resident school district exceeded the pupil's resident
17 school district's pupil participation limit.

18 c. The pupil's application to attend a private school under this section was not
19 accepted under the random process utilized by the department.

20 d. The private school to which the pupil applied to attend under this section has
21 not exceeded its maximum general capacity or seating capacity.

22 **SECTION 3. Initial applicability.**

23 (1) This act first applies to pupils applying to attend a private school under the
24 statewide parental choice program for the 2015-16 school year.

25

(END)