DOA: Stritchko, BB0234 – Various changes to parental choice programs

FOR 2015–2017 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ..., relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

SECTION 1. 20.255 (2) (ac) of the statutes is amended to read:

20.255 (2) (ac) General equalization aids. The amounts in the schedule for the payment of educational aids under ss. 121.08, 121.09, 121.095, 121.105, 121.137 and subch. VI of ch. 121.

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

118.60 (1) (ab) "Accrediting entity" means Wisconsin North Central Association, Wisconsin Religious and Independent Schools Accreditation, Independent Schools Association of the Central States, Wisconsin Evangelical Lutheran Synod School Accreditation, National Lutheran School Accreditation, Wisconsin Association of Christian Schools, Accrediting Association of Seventh Day Adventist Schools, Association of Waldorf Schools of North America, National Accreditation Board of Merkos L'Inyonei Chinuch, North American Christian School Accrediting Agency, and the diocese or archdiocese within which a private school is located, and any other organization recognized by the National Council for Private School Accreditation.


SECTION 3. 118.60 (1) (am) (intro.) of the statutes is amended to read:

118.60 (1) (am) (intro.) "Eligible school district" means a school district that, subject to sub. (1m), satisfies all of the following and satisfying all of the following under 2011 Wisconsin Act 32, section 9137 (3u):


SECTION 4. 118.60 (1) (b) of the statutes is repealed.

SECTION 5. 118.60 (1) (bn) of the statutes is repealed.

SECTION 6. 118.60 (1) (c) of the statutes is repealed.

SECTION 7. 118.60 (1) (cm) of the statutes is repealed.

SECTION 8. 118.60 (1) (e) of the statutes is repealed.

SECTION 9. 118.60 (1) (f) of the statutes is repealed.

SECTION 10. 118.60 (1m) of the statutes is repealed.

SECTION 11. 118.60 (2) (a) (intro.) of the statutes is amended to read:
118.60 (2) (a) (intro.) Subject to pars. (ag) and (ar), any pupil in grades kindergarten to 12 who resides within an eligible school district may attend any private school under this section and, subject to pars. (ag), (ar), (be), (bm), and (bs), any pupil in grades kindergarten to 12 who resides in a school district, other than an eligible school district or a 1st class city school district, may attend any private school under this section if all of the following apply:


SECTION 12. 118.60 (2) (a) 1. a. of the statutes is amended to read:

118.60 (2) (a) 1. a. Except as provided in par. (bm), the pupil is a member of a family that has a total family income that does not exceed an amount equal to 3.0 times the poverty level determined in accordance with criteria established by the director of the federal office of management and budget. In this subdivision and sub. (3m), family income includes income of the pupil’s parents or legal guardians. The family income of the pupil shall be verified as provided in subd. 1. b. A pupil attending a private school under this section whose family income increases may continue to attend a private school under this section.


SECTION 13. 118.60 (2) (a) 1. b. of the statutes is amended to read:

118.60 (2) (a) 1. b. The private school or the pupil’s parent or guardian submits to the department of public instruction the names, addresses, social security numbers, and other state and federal tax identification numbers, if any, of the pupil’s parents or legal guardians that reside in the same household as the pupil, whether and to whom the parents or legal guardians are married, the names of all of the other members of the pupil’s family residing in the same household as the pupil, and the school year for which family income is being verified under this subd. 1. b. The department of revenue shall review the information submitted under this subd. 1.
b. and shall verify the eligibility or ineligibility of the pupil to participate in the
program under this section on the basis of family income. In this subdivision, “family
income” means federal adjusted gross income of the parents or legal guardians
residing in the same household as the pupil for the tax year preceding the school year
for which family income is being verified under this subd. 1. b. or, if not available, for
the tax year preceding the tax year preceding the school year for which family income
is being verified under this subd. 1. b. Family income for a family in which the pupil’s
parents are married or in which the pupil’s legal guardians are married shall be
reduced by $7,000 before the verification is made under this subd. 1. b. The
department of revenue may take no other action on the basis of the information
submitted under this subd. 1. b. If the department of revenue is unable to verify
family income or to verify whether the pupil is eligible or ineligible to participate in
the program under this section on the basis of family income, the department of
revenue shall notify the department of public instruction of this fact and the
department of public instruction shall utilize an alternative process, to be
established by the department of public instruction, to determine whether the pupil
is eligible to participate in the program under this section on the basis of family
income. The department of public instruction may not request any additional
verification of income from the family of a pupil once the department of revenue has
verified that the pupil is eligible to participate in the program under this section on
the basis of family income. The department of public instruction shall establish a
procedure for determining family income eligibility for those pupils for whom no
social security number or state or federal tax identification number has been
provided.
***NOTE: Under current law, private schools submit information to DPI, which is then reviewed by DOR. Does allowing parents to directly submit their information to DPI give parents the access to DOR during the online application process?

SECTION 14. 118.60 (2) (a) 3. a. of the statutes is amended to read:

118.60 (2) (a) 3. a. Except as provided in subd. 3. b. and c. and sub. (2) (ag) 1., the private school notified the state superintendent of its intent to participate in the program under this section or in the program under s. 119.23, and paid the nonrefundable fee, set by the department as required under s. 119.23 (2) (a) 3., by December 1 of the previous school year. The notice shall specify the number of pupils participating in the program under this section and in the program under s. 119.23 for which the school has space.

SECTION 16. 118.60 (2) (a) 3. b. of the statutes is amended to read:

118.60 (2) (a) 3. b. For a private school that intends to participate in the program under this section in an eligible school district identified under 2011 Wisconsin Act 32, section 9137 (3m), the private school notified the state superintendent of its intent to participate, and paid the nonrefundable fee set by the department under subd. 3. a. by August 1, 2011. The notice shall specify the number of pupils participating in the program under this section for which the school has space.

SECTION 16. 118.60 (2) (a) 4m. of the statutes is created to read:

118.60 (2) (a) 4m. The private school is a nonprofit organization.

SECTION 17. 118.60 (2) (a) 6. a. of the statutes is amended to read:

118.60 (2) (a) 6. a. Except as provided in subd. 6. c. and d., all of the private school’s teachers have a teaching license issued by the department or a bachelor’s
degree or a degree or educational credential higher than a bachelor's degree, including a masters or doctorate, from an accredited institution of higher education.

SECTION 18. 118.60 (2)(a) 6. b. of the statutes is amended to read:

118.60 (2) (a) 6. b. All of the private school's administrators have at least a bachelor's degree from an accredited institution of higher education or a teaching license or administrator's license issued by the department.

SECTION 19. 118.60 (2)(a) 6. c. of the statutes is amended to read:

118.60 (2) (a) 6. c. Any teacher employed by the private school in the eligible school district on July 1 of the first school year that begins after a school district is identified as an eligible school district under sub. (1m) of 2011 Wisconsin Act 32, section 9137 (3u) 2012, who has been teaching for at least the 5 consecutive years immediately preceding that July 1, and who does not satisfy the requirements under subd. 6. a. on that July 1, applies to the department on a form prepared by the department for a temporary, nonrenewable waiver from the requirements under subd. 6. a. The department shall promulgate rules to implement this subd. 6. c., including the form of the application and the process by which the waiver application will be reviewed. The application form shall require the applicant to submit a plan for satisfying the requirements under subd. 6. a., including the name of the accredited institution of higher education at which the teacher is pursuing or will pursue the bachelor's degree and the anticipated date on which the teacher expects to complete the bachelor's degree. No waiver granted under this subd. 6. c. is valid after July 31 of the 5th school year that begins after a school district is identified as an eligible school district under sub. (1m) of 2011 Wisconsin Act 32, section 9137 (3u).
Section 20. 118.60 (2) (a) 7. a. of the statutes is renumbered 18.60 (2) (a) 7. and amended to read:

118.60 (2) (a) 7. For a private school that was a first-time participant in the program under this section before April 10, 2014, and that is not accredited by an accrediting entity and was not operating as a private school on May 1, 2013, the private school obtains accreditation from an accrediting entity by December 31 of the 3rd school year following the first school year in which the private school began participating in the program under this section. If the private school is accredited under this subd. 7. a., the private school is not required to obtain preaccreditation under subd. 7. b. as a prerequisite to providing instruction under this section in additional grades or in an additional or new school.

Section 21. 118.60 (2) (a) 7. b. of the statutes is repealed.

Section 22. 118.60 (2) (a) 7. c. of the statutes is repealed.

Section 23. 118.60 (2) (ag) of the statutes is repealed.

Section 24. 118.60 (2) (ar) of the statutes is repealed.

Section 25. 118.60 (2) (bm) of the statutes is amended to read:

118.60 (2) (bm) No pupil who resides in a school district, other than an eligible school district or a 1st class city school district, may attend a participating private school under this section unless the pupil is a member of a family that has a total family income that does not exceed an amount equal to 1.85 times the poverty level, determined in accordance with criteria established by the director of the federal office of management and budget. In this paragraph and sub. (3m), family income includes income of the pupil's parents or legal guardians. The family income of the
pupil shall be verified as provided in par. (a) 1. b. A pupil attending a private school under this section whose family income increases may continue to attend a private school under this section.

**SECTION 26.** 118.60 (2) (bs) of the statutes is amended to read:

118.60 (2) (bs) In Beginning in the 2013–14 and 2014–15 2015–16 school years year, a private school may accept pupils who reside in a school district, other than an eligible school district or a 1st class city school district, under this section only if the private school is accredited by an accrediting entity to offer instruction in the grades in which pupils may attend the private school or the private school was operating as a private school on May 1, 2013.

****Note: Please confirm that this is consistent with DPI's intent. Please let me know if you would like to include a grandfather provision for private schools that were participating in the Racine parental choice program before April 10, 2014, that were eligible to participate under sub. (2) (a) 7., but are not yet accredited by an accrediting entity and were not operating as a private school on May 1, 2013. Also, please consider whether a grandfather provision might be necessary for private schools that began participating in the Racine parental choice program on or after April 10, 2014. These issues also apply to private school participating in the Milwaukee parental choice program.

**SECTION 27.** 118.60 (3) (a) 1. of the statutes is repealed and recreated to read:

118.60 (3) (a) 1. The private school may give preference in accepting applications from the following, in the order of preference listed:

a. Pupils who attended the private school under this section during the previous school year.

b. Sibling of pupils described in subd. 1. a.

c. Pupils who attended a different private school under this section or s. 119.23 during the previous school year.

d. Siblings of pupils described under subd. 1. c.
e. Siblings of pupils who have been accepted to attend the private school under this section but did not attend a private school under this section or s. 119.23 during the previous school year.

SECTION 28. 118.60 (3) (ar) 2. of the statutes is amended to read:

118.60 (3) (ar) 2. By May 1, 2014, and by May 1 of any school year thereafter, each private school that has received applications under subd. 1. shall report to the department the name of each pupil who has applied to attend the private school under this section, the total number of pupils that have applied to attend the private school under this section, the names of those applicants that have siblings who have also applied to attend the private school under this section, and the number of such sibling applicants any information the department determines is necessary to apply the priorities listed in subd. 6m.

****Note: This is my attempt to ensure that DPI has the information it needs to apply the priorities in subd. 6m. If you prefer to accomplish this in a different manner, please let me know.

SECTION 29. 118.60 (3) (ar) 3. b. of the statutes is amended to read:

118.60 (3) (ar) 3. b. Subject to subd. 7., if the total number of applicants exceeds the pupil participation limit established under sub. (2) (be) 2., the department shall allocate to those private schools that participated in the program in the preceding school year the same number of slots held by pupils participating in the program under this section in that school year. The department shall allocate the remaining slots to those private schools that received the most applications in the manner set forth under par. (ag) 3. b. If a pupil chosen by random drawing has a sibling that applied to the private school, the next available slot shall be filled by the sibling and shall fill the pupil slots in each private school in accordance with subd. 6m.
SECTION 30. 118.60 (3) (ar) 4. of the statutes is amended to read:

118.60 (3) (ar) 4. The department shall establish and maintain a waiting list for those applicants who were not selected in a random drawing conducted under subd. 3., b., and shall give preference to siblings to attend a private school under subd. 3., b.


SECTION 31. 118.60 (3) (ar) 6. of the statutes is amended to read:

118.60 (3) (ar) 6. A private school that has accepted a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, under this paragraph shall notify the department whenever the private school determines that a pupil will not attend the private school under this paragraph. The department shall fill any such available slot with a pupil selected at random from a waiting list established under subd. 4. in accordance with subd. 6m., if such a waiting list exists, but shall give preference to a sibling of a pupil who resides in a school district other than an eligible school district and who is attending the private school under this section.

***Note: Please confirm that this is consistent with DPI's intent.


SECTION 32. 118.60 (3) (ar) 6m. of the statutes is created to read:

118.60 (3) (ar) 6m. Beginning in the 2016-17 school year, the department shall allocate available pupil slots under this paragraph as follows, in the order of preference listed:

a. To pupils who attended the private school under this section during the previous school year.

b. To siblings of pupils described in subd. 1., a.
c. To pupils who attended a different private school under this section or s. 119.23 during the previous school year.

d. To siblings of pupils described under subd. 1c.

e. To pupils selected by random drawing. If a pupil chosen by random drawing has a sibling that applied to the private school, the next available slot shall be filled by the sibling.

***NOTE: Please confirm that this is consistent with DPI's intent. The preference for sibling of a pupil randomly selected to attend the private school exists under current law. Will the department have the necessary information about the applicants to administer this preference scheme?

SECTION 33. 118.60 (3m) (a) (intro.) of the statutes is renumbered 118.60 (3m) (a) and amended to read:

118.60 (3m) (a) A private school participating in the program under this section may not charge or receive any additional tuition payment for a pupil participating in the program under this section other than the payment the school receives under sub. (4) and, if applicable, sub. (4m), if either of the following applies:

SECTION 34. 118.60 (3m) (a) 1. of the statutes is repealed.

SECTION 35. 118.60 (3m) (a) 2. of the statutes is repealed.

***NOTE: This draft does not repeal the authority for a private school to charge certain fees. Okay?

SECTION 36. 118.60 (3m) (b) of the statutes is repealed.

SECTION 37. 118.60 (3m) (c) of the statutes is repealed.

SECTION 38. 118.60 (4) (a) of the statutes is amended to read:

118.60 (4) (a) Annually, on or before October 15, a private school participating in the program under this section shall file with the department a report stating its summer average daily membership equivalent and its summer choice average daily
membership-equivalent attendance for each day of summer school for the purpose of sub. (4m).

SECTION 39. 118.60 (4) (am) of the statutes is created to read:

118.60 (4) (am) 1. Annually by October 1, a private school participating in the program under this section shall submit to the department a membership report of the total number of pupils enrolled in the private school and the number of pupils enrolled in the private school who are participating in the program under this section on the 3rd Friday of September of the current school year.

2. Annually by February 1, a private school participating in the program under this section shall submit to the department a membership report of the total number of pupils enrolled in the private school and the number of pupils enrolled in the private school who are participating in the program under this section on the 2nd Friday of January of the current school year.

***NOTE: This requirement is based on PI 35.04 (6), which is necessary for the requirements based on PI 35.04 (9) (a). Okay?

SECTION 40. 118.60 (4) (bg) 3. (intro.) and 118.60 (4) (bg) 3. b. of the statutes are consolidated, renumbered 118.60 (4) (bg) 3. and amended to read:

118.60 (4) (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil’s parent or guardian of proof of the pupil’s enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil’s parent or guardian, from the appropriation under s. 20.255 (2) (fr), the lesser of the following: Except as provided in subd. 5., an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is
enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for
the current school year, if positive; and the change in the amount of statewide
categorical aid per pupil between the previous school year and the current school
year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 41. 118.60 (4) (bg) 3. a. of the statutes is repealed.

SECTION 42. 118.60 (4) (bg) 5. (intro.) of the statutes is amended to read:

118.60 (4) (bg) 5. (intro.) If the pupil described in subd. 3. is enrolled in a private
school that enrolls pupils under the program in any grade between kindergarten to
8 and also in any grade between 9 to 12, the state superintendent shall substitute
for the amount described in subd. 3. b. the amount determined under subd. 4. a. to
d., with the following modifications:

SECTION 43. 118.60 (4) (d) of the statutes is repealed.

SECTION 44. 118.60 (6m) (b) 3. of the statutes is repealed.

***Note: I believe this repeal addresses DPI reference to the requirement of a
private school participating in a PCP to provide continuing eligibility reports and grade
promotion reports and to submit certain test scores. Please confirm that this accurately
reflects DPI's intent.

SECTION 45. 118.60 (7) (ad) 1. of the statutes is repealed.

SECTION 46. 118.60 (7) (ad) 2. of the statutes is repealed.

SECTION 47. 118.60 (7) (ad) 3. of the statutes is renumbered 118.60 (7) (ad) and
amended to read:

118.60 (7) (ad) The governing body of a private school participating in the
program under this section and accredited as that is required under subds. 1. and 2.
and sub. (2) (a) 7. to be accredited under sub. (2) (bs) shall ensure that the private
school continuously maintains accreditation from an accrediting entity as long as the
private school continues to participate in the program under this section.
### SECTION 48

118.60 (7) (am) (intro.) of the statutes is amended to read:

118.60 (7) (am) (intro.) Each private school participating in the program under this section is subject to uniform financial accounting standards established by the department generally accepted accounting principles. Annually by September 1 following a school year in which a private school participated in the program under this section, the private school shall submit to the department all of the following:

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### SECTION 49

118.60 (7) (am) 1. of the statutes is amended to read:

118.60 (7) (am) 1. An independent financial audit of the private school conducted by an independent certified public accountant, accompanied by the auditor’s statement that the report is free of material misstatements and fairly presents pupil costs under sub. (4) (bg). The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m), except that the audit shall include a schedule of the education costs of pupils attending the private school under this section and the balance held in a segregated fund for future educational purposes. The auditor shall conduct his or her audit, including determining sample sizes and evaluating financial viability, in accordance with the auditing standards established by the American Institute of Certified Public Accountants. The department may not require an auditor to comply with standards that exceed the scope of the standards established by the American Institute of Certified Public Accountants. If a private school participating in the program under this section also accepts pupils under s.
119.23, the private school may submit one comprehensive financial audit to satisfy
the requirements of this subdivision and s. 119.23 (7) (am) 1. The private school shall
include in the comprehensive financial audit the information specified under s.
119.23 (7) (am) 1.

**Note:** Under current law, there is no requirement that a private school
participating in a choice program maintain a segregated fund for future expenses. Also,
please note that this draft eliminates the alternative payment amount under sub. (4) (bg)
that is equal to the private school's operating and debt service cost per pupil. Therefore,
the references to financial information related to pupil costs and to records necessary to
make payments under sub. (4) are unclear. These issues also apply to the financial audit
required under s. 119.23. Please advise.

**SECTION 50.** 118.60 (7) (an) of the statutes is created to read:

118.60 (7) (an) Annually by December 15 for an enrollment report required to
be submitted by October 1 and annually by September 1 for an enrollment report
required to be submitted by February 1, each private school participating in the
program under this section shall submit to the department an independent audit of
the private school's enrollment report submitted under sub. (4) (am). The auditor
shall identify all of the following in the audit:

1. Ineligible pupils for whom the private school has received payment.
2. The amount received for each pupil identified under subd. 1.
3. Any pupils attending the private school who qualify to participate in the
program under this section but who are not participating in the program under this
section.

**Note:** Please confirm that this language is consistent with PI 35.04 (9) (a). Also,
please consider whether you would like this audit to be treated in same manner as the
financial audit under s. 118.60 (7) (am) for the following purposes: of the appropriation
for evaluating the private school financial information (s. 20.255 (1) (h)), (b) The reasons
for which the state superintendent may issue an order barring a private school from
participating in the parental choice program (s. 118.60 (10) (a)), (c) limitations on the rules
that DPI may promulgate (s. 118.60 (10) (a)), and (d) the list of information evaluated by
the full-time auditor funded with fees paid by private school participating in parental
choice programs (s. 119.23 (2) (a) 3). These same issues apply to the creation of s. 119.23
(7) (an).
SECTION 51. 118.60 (7) (em) 1. of the statutes is amended to read:

118.60 (7) (em) 1. Beginning in the 2013–14 school year, the governing body of each private school participating in the program under this section that is required to maintain accreditation under par. (ad) shall, subject to subd. 2., annually, by January 15, provide the department with evidence demonstrating that the private school remains accredited for the current school year as required under par. (ad). The governing body shall include as evidence of accreditation a letter prepared by an accrediting entity that confirms that the private school is accredited by that entity as of the date of the letter.

SECTION 52. 118.60 (8) of the statutes is repealed.

SECTION 53. 118.60 (9) of the statutes is amended to read:

118.60 (9) If any accrediting or pre-accrediting entity determines during the accrediting or pre-accrediting process that a private school does not meet all of the requirements under s. 118.165 (1), it shall report that failure to the department.

SECTION 54. 119.23 (1) (ab) 1. of the statutes is amended to read:

diocese or archdiocese within which a private school is located, and any other
organization recognized by the National Council for Private School Accreditation.

SECTION 55. 119.23 (1) (ah) of the statutes is repealed.

SECTION 56. 119.23 (1) (ai) of the statutes is repealed.

SECTION 57. 119.23 (1) (am) of the statutes is repealed.

SECTION 58. 119.23 (1) (ap) of the statutes is repealed.

SECTION 59. 119.23 (1) (b) of the statutes is repealed.

SECTION 60. 119.23 (1) (c) of the statutes is repealed.

SECTION 61. 119.23 (2) (a) (intro.) of the statutes is amended to read:

119.23 (2) (a) (intro.) Subject to pars. (ag) and (ar), any Any pupil in grades
kindergarten to 12 who resides within the city may attend any private school if all
of the following apply:

SECTION 62. 119.23 (2) (a) 1. a. of the statutes is amended to read:

119.23 (2) (a) 1. a. The pupil is a member of a family that has a total family
income that does not exceed an amount equal to 3.0 times the poverty level
determined in accordance with criteria established by the director of the federal
office of management and budget. In this subdivision and sub. (3m), family income
includes income of the pupil’s parents or legal guardians. The family income of the
pupil shall be verified as provided in subd. 1. b. A pupil attending a private school
under this section whose family income increases, including a pupil who attended a
private school under this section in the 2010–11 school year and whose family income
has increased, may continue to attend a private school under this section.

SECTION 63. 119.23 (2) (a) 1. b. of the statutes is amended to read:
119.23 (2) (a) 1. b. The private school or the pupil’s parent or guardian submits to the department of public instruction the names, addresses, social security numbers, and other state and federal tax identification numbers, if any, of the pupil’s parents or legal guardians that reside in the same household as the pupil, whether and to whom the parents or legal guardians are married, the names of all of the other members of the pupil’s family residing in the same household as the pupil, and the school year for which family income is being verified under this subd. 1. b. The department of revenue shall review the information submitted under this subd. 1. b. and shall verify the eligibility or ineligibility of the pupil to participate in the program under this section on the basis of family income. In this subdivision, “family income” means federal adjusted gross income of the parents or legal guardians residing in the same household as the pupil for the tax year preceding the school year for which family income is being verified under this subd. 1. b. or, if not available, for the tax year preceding the tax year preceding the school year for which family income is being verified under this subd. 1. b. Family income for a family in which the pupil’s parents are married or in which the pupil’s legal guardians are married shall be reduced by $7,000 before the verification is made under this subd. 1. b. The department of revenue may take no other action on the basis of the information submitted under this subd. 1. b. If the department of revenue is unable to verify family income or to verify whether the pupil is eligible or ineligible to participate in the program under this section on the basis of family income, the department of revenue shall notify the department of public instruction of this fact and the department of public instruction shall utilize an alternative process, to be established by the department of public instruction, to determine whether the pupil is eligible to participate in the program under this section on the basis of family
income. The department of public instruction may not request any additional verification of income from the family of a pupil once the department of revenue has verified that the pupil is eligible to participate in the program under this section on the basis of family income. The department of public instruction shall establish a procedure for determining family income eligibility for those pupils for whom no social security number or state or federal tax identification number has been provided.

***Note: Please see the embedded note following s. 118.60 (2) (a) 1. b.

**SECTION 64.** 119.23 (2) (a) 3. of the statutes is amended to read:

119.23 (2) (a) 3. Except as provided in sub. (2) par. (ag) 1., the private school notified the state superintendent of its intent to participate in the program under this section or in the program under s. 118.60, and paid the nonrefundable annual fee set by the department, by February December 1 of the previous school year. The notice shall specify the number of pupils participating in the program under this section and in the program under s. 118.60 for which the school has space. The department shall by rule set the fee charged under this subdivision at an amount such that the total fee revenue covers the costs of employing one full-time auditor to evaluate the financial information submitted by private schools under sub. (7) (am) and (d) 2. and 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

***Note: Please see the embedded note following s. 118.60 (2) (a) 1. b.

**SECTION 65.** 119.23 (2) (a) 3. of the statutes is amended to read:

119.23 (2) (a) 3. Except as provided in sub. (2) (ag) 1., the The private school notified the state superintendent of its intent to participate in the program under this section or in the program under s. 118.60, and paid the nonrefundable annual
fee set by the department, by February December 1 of the previous school year. The
notice shall specify the number of pupils participating in the program under this
section and in the program under s. 118.60 for which the school has space. The
department shall by rule set the fee charged under this subdivision at an amount
such that the total fee revenue covers the costs of employing one full-time auditor
to evaluate the financial information submitted by private schools under sub. (7)
(\textit{am}) and (d) 2. and 3. and under s. 118.60 (7) (am) and (d) 2. and 3.

\section{66.} 119.23 (2) (a) 4m. of the statutes is created to read:

119.23 (2) (a) 4m. The private school is a nonprofit organization.

\section{67.} 119.23 (2) (a) 6. a. of the statutes is amended to read:

119.23 (2) (a) 6. a. Except as provided in subd. 6. c., all of the private school's
teachers have a teaching license issued by the department or a bachelor's degree or
a degree or educational credential higher than a bachelor's degree, including a
masters or doctorate, from an accredited institution of higher education.

\section{68.} 119.23 (2) (a) 6. b. of the statutes is amended to read:

119.23 (2) (a) 6. b. All of the private school's administrators have at least a
bachelor's degree from an accredited institution of higher education or a teaching
license or administrator's license issued by the department.

\section{69.} 119.23 (2) (a) 7. a. of the statutes is amended to read:

119.23 (2) (a) 7. a. Subject to subd. 7. c. and d., for a private school participating
in the program under this section on July 1, 2009, the private school achieves
accreditation by an accrediting entity by December 31 of the 3rd school year following
the first school year that begins after June 30, 2006, in which it participates in the
program under this section. If the private school is accredited as provided under this
subd. 7. a., the private school is not required to obtain preaccreditation under subd. 
7. bg. as a prerequisite to providing instruction under this section in additional
grades or in an additional or new school.

SECTION 70. 119.23 (2) (a) 7. b. of the statutes is amended to read:

119.23 (2) (a) 7. b. Subject to subd. 7. c. and d., for a private school that was a
first-time participant in the program under this section before April 10, 2014, and
that is not accredited by an accrediting entity and was not operating as a private
school on May 1, 2013, the private school obtains accreditation from an accrediting
entity by December 31 of the 3rd school year following the first school year in which
the private school began participating in the program under this section. If the
private school is accredited under this subd. 7. b., the private school is not required
to obtain preaccreditation under subd. 7. bg. as a prerequisite to providing
instruction under this section in additional grades or in an additional or new school.

SECTION 71. 119.23 (2) (a) 7. bg. of the statutes is repealed.

SECTION 72. 119.23 (2) (a) 7. br. of the statutes is repealed.

SECTION 73. 119.23 (2) (a) 7. d. of the statutes is amended to read:

119.23 (2) (a) 7. d. For a private school that was approved for scholarship
funding for the 2005–06 school year by Partners Advancing Values in Education and
is participating in the program under this section on November 19, 2011, the private
school achieves accreditation by an accrediting entity by December 31, 2015. If the
private school is accredited as provided under this subd. 7. d., the private school is
not required to obtain preaccreditation under subd. 7. bg. as a prerequisite to
providing instruction under this section in additional grades or in an additional or new school.

**SECTION 74.** 119.23 (2) (a) 7. e. of the statutes is amended to read:

119.23 (2) (a) 7. e. For a private school that is accredited by the Institute for the Transformation of Learning at Marquette University and that is participating in the program under this section on April 10, 2014, the private school achieves accreditation by an accrediting entity under sub. (1) (ab) 1. by December 31, 2014. If the private school is accredited as provided under this subd. 7. e., the private school is not required to obtain preaccreditation under subd. 7. bg. as a prerequisite to providing instruction under this section in additional grades or in an additional or new school.

**SECTION 75.** 119.23 (2) (ag) of the statutes is repealed.

**SECTION 76.** 119.23 (2) (ar) of the statutes is repealed.

**SECTION 77.** 119.23 (2) (bs) of the statutes is created to read:

119.23 (2) (bs) Beginning in the 2015–16 school year, a private school may accept pupils under this section only if the private school is accredited by an accrediting entity or by the Transformation of Learning at Marquette University under par. (a) 7. c., or was operating as a private school on May 1, 2013.

***Note:** Please see the embedded note following s. 118.60 (2) (bs). Also, does it work for this requirement to take effect in the 2015–16 school year?

**SECTION 78.** 119.23 (3) (a) (intro.) of the statutes is amended to read:

119.23 (3) (a) (intro.) The pupil or the pupil’s parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. If more than one pupil from the same
family applies to attend the same private school, the pupils may use a single
application. Within 60 days after receiving the application, the private school shall
notify each applicant, in writing, whether his or her application has been accepted.
If the private school rejects an application, the notice shall include the reason. A
private school may reject an applicant only if it has reached its maximum general
capacity or seating capacity. The state superintendent shall ensure that the private
school determines which pupils to accept on a random basis, except that the private
school may give preference in accepting applications to any of the following in order
of preference listed:

SECTION 78. 119.23 (3) (a) 1. of the statutes is amended to read:

119.23 (3) (a) 1. Pupils who attended the private school under this section
during the previous school year prior to the school year for which the application is
being made.

SECTION 80. 119.23 (3) (a) 2. of the statutes is amended to read:

119.23 (3) (a) 2. Siblings of pupils who attended the private school during the
school year prior to the school year for which the application is being made and to
siblings of pupils who have been accepted to the private school for the school year for
which the application is being made described in subd. 1.

SECTION 81. 119.23 (3) (a) 3. of the statutes is amended to read:

119.23 (3) (a) 3. Pupils who attended another a different private school under
this section or s. 118.60 during the previous school year prior to the school year for
which the application is being made.
SECTION 82. 119.23 (3) (a) 4. of the statutes is created to read:
119.23 (3) (a) 4. Siblings of pupils described in subd. 3.

SECTION 83. 119.23 (3) (a) 5. of the statutes is created to read:
119.23 (3) (a) 5. Siblings of pupils who have been accepted to attend the private school under this section but did not attend a private school under this section or s. 118.60 during the previous school year.

SECTION 84. 119.23 (3m) (a) (intro.) of the statutes is renumbered 119.23 (3m) (a) and amended to read:
119.23 (3m) (a) (intro.) A private school participating in the program under this section may not charge or receive any additional tuition payment for a pupil participating in the program under this section other than the payment the school receives under sub. (4) and, if applicable, sub. (4m), if either of the following applies:

SECTION 85. 119.23 (3m) (a) 1. of the statutes is repealed.

SECTION 86. 119.23 (3m) (a) 2. of the statutes is repealed.

SECTION 87. 119.23 (3m) (b) of the statutes is repealed.

SECTION 88. 119.23 (3m) (c) of the statutes is repealed.

SECTION 89. 119.23 (4) (a) of the statutes is amended to read:
119.23 (4) (a) Annually, on or before October 15, a private school participating in the program under this section shall file with the department a report stating its summer average daily membership equivalent and its summer choice average daily membership-equivalent attendance for each day of summer school for the purpose of sub. (4m).

SECTION 90. 119.23 (4) (am) of the statutes is created to read:
119.23 (4) (am) 1. Annually by October 1, a private school participating in the program under this section shall submit to the department a membership report of the total number of pupils enrolled in the private school and the number of pupils enrolled in the private school who are participating in the program under this section on the 3rd Friday of September of the current school year.

2. Annually by February 1, a private school participating in the program under this section shall submit to the department a membership report of the total number of pupils enrolled in the private school and the number of pupils enrolled in the private school who are participating in the program under this section on the 2nd Friday of January of the current school year.

**SECTION 91.** 119.23 (4) (bg) 3. (intro.) and 119.23 (4) (bg) 3. b. of the statutes are consolidated, renumbered 119.23 (4) (bg) 3. and amended to read:

119.23 (4) (bg) 3. In the 2015–16 school year and in each school year thereafter, upon receipt from the pupil’s parent or guardian of proof of the pupil’s enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil’s parent or guardian, from the appropriation under s. 20.255 (2) (fu), the lesser of the following: Except as provided in subd. 5., an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide
categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

**SECTION 92.** 119.23 (4) (bg) 3. a. of the statutes is repealed.

**SECTION 93.** 119.23 (4) (bg) 5. (intro.) of the statutes is amended to read:

119.23 (4) (bg) 5. (intro.) If the pupil described in subd. 3. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also in any grade between 9 to 12, the state superintendent shall substitute for the amount described in subd. 3. b. the amount determined under subd. 4. a. to d., with the following modifications:

**SECTION 94.** 119.23 (4) (d) of the statutes is repealed.

**SECTION 95.** 119.23 (6m) (b) 3. of the statutes is repealed.

**SECTION 96.** 119.23 (7) (ad) 1. of the statutes is repealed.

**SECTION 97.** 119.23 (7) (ad) 2. of the statutes is repealed.

**SECTION 98.** 119.23 (7) (ad) 3. of the statutes is renumbered 119.23 (7) (ad) and amended to read:

119.23 (7) (ad) The governing body of a private school participating in the program under this section and accredited as required under subds. 1. and 2. and sub. (2) (a) 7. that was not operating as a private school on May 1, 2003, shall ensure that the private school continuously maintains accreditation from an accrediting entity as long as the private school continues to participate in the program under this section.

**SECTION 99.** 119.23 (7) (am) (intro.) of the statutes is amended to read:
119.23 (7) (am) (intro.) Each private school participating in the program under this section is subject to uniform financial accounting standards established by the department generally accepted accounting principles. Annually by September 1 following a school year in which a private school participated in the program under this section, the private school shall submit to the department all of the following:

NOTE: Please see the embedded note following s. 118.30 (7) (am) (intro.).

SECTION 100. 119.23 (7) (am) 1. of the statutes is amended to read:

119.23 (7) (am) 1. An independent financial audit of the private school conducted by an independent certified public accountant, accompanied by the auditor's statement that the report is free of material misstatements and fairly presents pupil costs under sub. (4) (eg). The audit under this subdivision shall be limited in scope to those records that are necessary for the department to make payments under subs. (4) and (4m), except that the audit shall include a schedule of the education costs of pupils attending the private school under this section and the balance held in a segregated fund for future educational purposes. The auditor shall conduct his or her audit, including determining sample sizes and evaluating financial viability, in accordance with the auditing standards established by the American Institute of Certified Public Accountants. The department may not require an auditor to comply with standards that exceed the scope of the standards established by the American Institute of Certified Public Accountants. If a private school participating in the program under this section also accepts pupils under s. 118.60, the private school may submit one comprehensive financial audit to satisfy the requirements of this subdivision and s. 118.60 (7) (am) 1. The private school shall
include in the comprehensive financial audit the information specified under s. 118.60 (7) (am) 1.

***NOTE: Please see the embedded note following s. 118.30 (7) (am) 1.


SECTION 101. 119.23 (7) (an) of the statutes is created to read:

119.23 (7) (an) Annually, by December 15 for an enrollment report required to be submitted by October 1 and by September 1 for an enrollment report required to be submitted by February 1, each private school participating in the program under this section shall submit to the department an independent audit of the private school's enrollment report submitted under sub. (4) (am). The auditor shall identify all of the following in the audit:

1. Ineligible pupils for whom the private school has received payment
2. The amount received for each such pupil identified under subd. 1.
3. Any pupils attending the private school who qualify to participate in the program under this section but who are not participating in the program under this section.

***NOTE: Please see the note following the creation of s. 118.60 (7) (an).

SECTION 102. 119.23 (7) (em) 1. of the statutes is amended to read:

119.23 (7) (em) 1. Beginning in the 2013–14 school year, the governing body of each private school participating in the program under this section that is required to maintain accreditation under par. (ad) shall, subject to subd. 2., annually, by January 15, provide the department with evidence demonstrating that the private school remains accredited for the current school year as required under par. (ad). The governing body shall include as evidence of accreditation a letter prepared by an
accrediting entity that confirms that the private school is accredited by that entity as of the date of the letter.

SECTION 103. 119.23 (8) of the statutes is repealed.

SECTION 104. 119.23 (9) of the statutes is amended to read:

119.23 (9) If any accrediting or preaccrediting entity determines during the accrediting or preaccrediting process that a private school does not meet all of the requirements under s. 118.165 (1), it shall report that failure to the department.

SECTION 105. 119.46 (1) of the statutes is amended to read:

119.46 (1) As part of the budget transmitted annually to the common council under s. 119.16 (8) (b), the board shall report the amount of money required for the ensuing school year to operate all public schools in the city under this chapter, to repair and keep in order school buildings and equipment, to make material improvements to school property, and to purchase necessary additions to school sites. The report shall specify the amount of net proceeds from the sale or lease of city-owned property used for school purposes deposited in the immediately preceding school year into the school operations fund as specified under s. 119.60 (2m) (c) or (5). The amount included in the report for the purpose of supporting the Milwaukee Parental Choice Program under s. 119.23 shall be reduced by the amount of aid received by the board under s. 121.136 and the amount specified in the notice received by the board under s. 121.137 (2). The common council shall levy and collect a tax upon all the property subject to taxation in the city, which shall be equal to the amount of money required by the board for the purposes set forth in this subsection, at the same time and in the same manner as other taxes are levied and
collected. Such taxes shall be in addition to all other taxes which the city is
authorized to levy. The taxes so levied and collected, any other funds provided by law
and placed at the disposal of the city for the same purposes, and the moneys deposited
in the school operations fund under s. 119.60 (1), (2m) (c), and (5), shall constitute
the school operations fund.

SECTION 106. 121.08 (4) (b) (intro.) and 121.08 (4) (b) 1. of the statutes are
consolidated, renumbered 121.08 (4) (b) and amended to read:

121.08 (4) (b) The amount of state aid that the school district operating under
ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also
be reduced by the amount calculated as follows: Multiply the amounts
paid under s. 119.23 (4) and (4m) in the 2009–10 school year by 41.6 percent, and
multiply the amounts paid under s. 119.23 (4) and (4m) in the 2010–11 to 2012–13
school years by 38.4 percent. Beginning in the 2013–14 school year, multiply the
amounts paid under s. 119.23 (4) and (4m) in the current school year by a percentage
determined by subtracting 3.2 percentage points from the percentage that was
applied under this subdivision in the previous school year. This subdivision
paragraph does not apply after the 2024–25 school year.

SECTION 107. 121.08 (4) (b) 2. of the statutes is repealed.

SECTION 108. 121.08 (4) (b) 3. of the statutes is repealed.

SECTION 109. 121.137 of the statutes is repealed.

SECTION 110. 121.90 (2) (am) 4. of the statutes is repealed.

SECTION 9334. Initial applicability; Public Instruction.

(1) APPLICATIONS TO PARTICIPATE IN A PARENTAL CHOICE PROGRAM. The treatment
3., 4., and 5. of the statutes first applies to applications to participate in a program under section 118.60 of the statutes or section 119.23 of the statutes in the 2016–17 school year.

**Note:** I assumed that applications for the 2015–16 school year will have already been settled by the time the budget is adopted and made provisions related to that process first applicable to the 2016–17 year. Okay? Please let me know if there are other changes in this draft that should not apply to the 2015–16 school year.

**SECTION 9434. Effective dates; Public Instruction.**

(1) **First class city school tax levy aid.** The treatment of sections 20.255 (2) (ac), 121.08 (4) (b) (intro.), 1., 2., and 3., 121.137, 121.90 (2) (am)4. of the statutes takes effect on July 1, 2006.
This provision is affected because the definition of “eligible district” now includes the cross-reference to the 2011 budget. However, in reviewing this provision it came to my attention that the provision requires a private school applying to the Racine parental choice program to notify DPI and pay a fee by Aug 1, 2011. The inclusion of the Aug 1, 2011 date suggests that private schools cannot satisfy this provision after that date. In other words, no new private schools can qualify to participate in the Racine program. Is this consistent with current practice?

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SECTION 1. 118.60 (6m) (a) 3. of the statutes is amended to read:

118.60 (6m) (a) 3. A notice stating whether the private school is an organization operated for profit or not for profit. If the private school is a nonprofit organization, the private school shall also provide the applicant with a copy of the certificate issued under section 501 (c) (3) of the Internal Revenue Code verifying that the private school is a nonprofit organization that is exempt from federal income tax.


END INS 13-13

SECTION 2. 119.23 (6m) (a) 3. of the statutes is amended to read:

119.23 (6m) (a) 3. A notice stating whether the private school is an organization operated for profit or not for profit. If the private school is a nonprofit organization, the private school shall also provide the applicant with a copy of the certificate issued under section 501 (c) (3) of the Internal Revenue Code verifying that the private school is a nonprofit organization that is exempt from federal income tax.


END INS 26-11
Hi Fern,

We’d like to remove some of the provisions in this draft — could you redraft with the following edits:

- Remove requirement that private schools participating in the program be non-profit programs.
- Modify the date by which schools must annually register in the program from February 1 to January 10 (originally draft had date of December 1).
- Remove administrative rule provisions related to enrollment audit requirements from statute.
- Remove requirement that new private schools must have been in existence as of May 1, 2013 or by fully accredited to participate in choice programs.
- Remove changes to list of eligible accrediting agencies.
- Remove provision that allows parents to access DOR directly in online student applications to determine income eligibility for the program.
- Reinstate preaccreditation provisions and new school requirements.
- Reinstate provision that allow high schools to charge tuition to voucher students.
- Reinstate provision that requires DPI to certify districts eligible to participate in choice program.
- Reinstate requirement that 6.6% aid reduction to MPS be paid directly to the City of Milwaukee and the City pays the same amount to MPS.

I’ve attached DPI’s original drafting request and crossed out the provisions that are no longer needed, but please do not discuss any of these changes with DPI. Feel free to call me if anything is unclear.

Thanks, Fern!!

Megan

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DEPARTMENT OF PUBLIC INSTRUCTION

2015-17 BIENNIAL BUDGET

DRAFTING REQUEST TO THE LEGISLATIVE REFERENCE BUREAU

☒ Draft for Possible 2015-17 Budget Bill Introduction (Agency Decision Item No. 7002)

Subject: Choice Programs

Brief Description of Intent:

Under current law, the State Superintendent must pay a school participating in the Milwaukee, Racine or Wisconsin Parental Choice Programs, the lesser of an amount equal to the private school's operating and debt service cost per pupil that is related to educational programming or a set statutory amount. Under current law, a private school participating in any of the Parental Choice Programs is required to submit to the Department an independent financial audit of the school's per pupil cost conducted by an independent certified public accountant. The Department requests both that the set statutory amount be paid (instead of a private school being paid the lesser of the set statutory amount and the private school’s operating and debt service cost per pupil) and that the private school be required to submit a GAAP audit that includes a schedule showing educational costs and the fund balance held in a segregated fund for future educational purposes.

Under current law, criteria is outlined for whether a school district is deemed eligible to participate in the Racine Parental Choice Program. Under current law, the Department is required to certify a list of districts eligible to participate on November 15 of the second year of the fiscal biennium. The Department requests these requirements (s. 118.60 (1) (am) and (1m), Wis. Stats.) be eliminated.

Under current law a private school participating in the Milwaukee and Racine Parental Choice Programs must accept pupils on a random basis except that the private school may give preference in accepting applications to pupils who attended the private school previously; siblings of those pupils; and pupils who attended a different school under the Parental Choice Programs. The Department requests specifying the following preferences: (1) continuing choice students applying to the same school; (2) siblings of continuing choice students that received a seat; (3) continuing choice students applying at a different school; (4) siblings of continuing choice students applying at a different school that receive a seat; and (5) siblings of students accepted to the school. The Department requests that these preferences be used in administering the Wisconsin Parental Choice Program random selection. Schools in the Milwaukee Parental Choice Program and Racine Parental Program may grant these preferences.
Under current law, there is no requirement for private schools in the Milwaukee, Racine, or Wisconsin Parental Choice Programs to be non-profit organizations. The Department requests that private schools participating in any of the three Parental Choice Programs be non-profit organizations.

Under current law, a private school must notify the State Superintendent of its intent to participate in any of the Parental Choice Programs by February 1 of the previous school year. The Department requests that the date by which schools must annually register to participate in the program be changed from February 1 to December 4. Use January 10 instead.

Under current law, a private school participating in any of the Parental Choice Programs must annually file with the Department a report stating its summer average daily membership equivalent and its summer choice average daily membership equivalent by October 15. The Department requests the due date for the summer school report be changed from October 15 to October 1, which is the same deadline for public schools. Additionally, some prior summer school provisions in ss. 119.23 and 118.60, Wis. Stats., are no longer applicable due to the prior budget changes to summer school funding. The Department requests these provisions be removed.

Under current law, a teacher must have a bachelor’s degree from an accredited institution of higher education. An administrator must have at least a bachelor’s degree. A copy of the bachelor’ degree must be provided to the school. The Department requests the list of allowable teacher and administrator credentials be expanded to include a DPI issued educator license.

Currently under ss. 119.23 and 118.60, Wis. Stats., there are no audit requirements for the private school’s enrollment report. The Department requests the requirements from PI-35.04 (9) (a), Wis. Adm. Code., be added in statute.

Under current law, the requirement to be in operation on May 1, 2013 sunsets after 2014-15 for the Wisconsin Parental Choice Program. The Department requests that new private schools have to be in existence as of May 1, 2013 or be fully accredited to participate in Parental Choice Programs in the future. If this request is accepted, the preaccreditation provisions in ss. 119.23 and 118.60, Wis. Stats and the recently enacted new school requirements (ss. 119.23 (2) (ag) and 118.60 (2) (ag), Wis. Stats.) could be deleted.
Under ss. 119.23 (1) (ab) and 118.6 (1) (ab), Wis. Stats., accrediting agencies are listed for the Parental Choice Programs. The Department requests modification of the statutory list of eligible accrediting agencies to remove the National Council of Private School Accreditation and only list the following specific organizations that are members of NCPSA: Accrediting Association of Seventh-Day Adventist Schools, Association of Waldorf Schools of North America, National Accreditation Board of Merkos L'Inyonei Chinuch and North American-Christ Church School Accrediting Agency.

Under current law, a private school participating in any of the Parental Choice Programs may submit student information to determine student income eligibility for the Parental Choice Programs to the Department of Revenue. The Department requests that parents be allowed to access the Department of Revenue directly in the online student application to determine income eligibility for the program.

Under current law, private schools are required to provide continuing eligibility reports and grade promotion reports; submit test scores from additional tests not required under state law, and participate in Pupil Assignment Council Meetings. The Department requests these requirements be removed.

Under current law, high schools are allowed to charge tuition to voucher students. The Department requests this provision be eliminated.

Under current law, 6.6 percent of the aid reduction to Milwaukee Public Schools related to the Milwaukee Parental Choice Program is required to be paid directly to the City of Milwaukee and then the City is required to pay that same amount back to Milwaukee Public Schools. The Department requests this requirement (s. 121.137, Wis. Stats.) be eliminated.

Related Stat. Citations:

Modify ss. 118.60 and 119.23, Wis. Stats., accordingly.