



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2277/3
TKK:cjs

2015 ASSEMBLY BILL 283

July 8, 2015 – Introduced by Representatives POPE, SINICKI, GENRICH, CONSIDINE, BARNES, MASON, JORGENSEN, SPREITZER, BERCEAU, KOLSTE, RIEMER, OHNSTAD, GOYKE, MEYERS, DOYLE, WACHS and ZAMARRIPA, cosponsored by Senators HARRIS DODD, MILLER, C. LARSON and VINEHOUT. Referred to Committee on Education.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to repeal* 118.60 (2) (bs); *to amend* 118.60 (1) (bn) 1. a., 118.60 (2) (a)
2 (intro.), 118.60 (3) (b), 118.60 (3) (c), 119.23 (1) (ai) 1. a., 119.23 (2) (a) (intro.)
3 and 119.23 (3) (b); and *to create* 118.60 (2) (a) 9., 118.60 (2) (d), 119.23 (2) (a)
4 9. and 119.23 (2) (d) of the statutes; **relating to:** the requirements for
5 participation in a parental choice program and the percentage of pupils who
6 may attend a private school under such a program.

Analysis by the Legislative Reference Bureau

This bill provides that a private school may participate in a parental choice program (PCP) only if it has been in operation for the attendance of pupils for at least two school years. This requirement does not apply to any private school participating in or otherwise eligible to participate in a PCP on the effective date of the bill. The bill also provides that no more than 49 percent of a private school's enrollment may consist of pupils attending the private school under a parental choice program. This requirement does not apply to a private school participating in a PCP on the effective date of the bill. These provisions are effective July 1, 2016.

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

ASSEMBLY BILL 283**SECTION 1**

1 **SECTION 1.** 118.60 (1) (bn) 1. a. of the statutes is amended to read:

2 118.60 (1) (bn) 1. a. The school has been in continuous operation in this state
3 for less than ~~12~~ 24 consecutive months.

4 **SECTION 2.** 118.60 (2) (a) (intro.) of the statutes is amended to read:

5 118.60 (2) (a) (intro.) Subject to pars. (ag) ~~and~~, (ar), and (d), any pupil in grades
6 kindergarten to 12 who resides within an eligible school district may attend any
7 private school under this section and, subject to pars. (ag), (ar), (be), (bm), and ~~(bs)~~
8 (d), any pupil in grades kindergarten to 12 who resides in a school district, other than
9 an eligible school district or a 1st class city school district, may attend any private
10 school under this section if all of the following apply:

11 **SECTION 3.** 118.60 (2) (a) 9. of the statutes is created to read:

12 118.60 (2) (a) 9. The private school has been in operation for the attendance of
13 pupils for at least 2 school years. This requirement does not apply to a private school
14 that is participating in the program under this section or under s. 119.23 on the
15 effective date of this subdivision [LRB inserts date], or that, subject to sub. (2) (ar),
16 has complied with sub. (2) (ag) prior to the effective date of this subdivision [LRB
17 inserts date].

18 **SECTION 4.** 118.60 (2) (bs) of the statutes is repealed.

19 **SECTION 5.** 118.60 (2) (d) of the statutes is created to read:

20 118.60 (2) (d) No more than 49 percent of a private school's enrollment may
21 consist of pupils attending the private school under this section or s. 119.23. This
22 requirement does not apply to a private school that is participating in the program
23 under this section or under s. 119.23 on the effective date of this paragraph [LRB
24 inserts date], so long as the private school continues to participate in one of those
25 programs.

ASSEMBLY BILL 283

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

2 118.60 **(3)** (b) If a participating private school rejects an applicant who resides
3 within an eligible school district because the private school has too few available
4 spaces, the applicant may, subject to sub. (2) (d), transfer his or her application to a
5 participating private school that has space available. An applicant rejected under
6 this paragraph may, subject to sub. (2) (d), be admitted to a private school
7 participating in the program under this section for the following school year,
8 provided that the applicant continues to reside within an eligible school district. The
9 department may not require, in that following school year, the private school to
10 submit financial information regarding the applicant or to verify the eligibility of the
11 applicant to participate in the program under this section on the basis of family
12 income.

13 **SECTION 7.** 118.60 (3) (c) of the statutes is amended to read:

14 118.60 **(3)** (c) If a participating private school rejects an applicant who resides
15 in a school district, other than an eligible school district or a 1st class city school
16 district, because the private school has too few available spaces, the applicant may,
17 subject to sub. (2) (d), transfer his or her application to a participating private school
18 that has space available. An applicant rejected under this paragraph may, subject
19 to sub. (2) (be) ~~and~~, (bm), and (d), be admitted to a private school participating in the
20 program under this section for the following school year.

21 **SECTION 8.** 119.23 (1) (ai) 1. a. of the statutes is amended to read:

22 119.23 **(1)** (ai) 1. a. The school has been in continuous operation in this state
23 for less than ~~12~~ 24 consecutive months.

24 **SECTION 9.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 283**SECTION 9**

1 119.23 (2) (a) (intro.) Subject to pars. (ag) ~~and~~, (ar), and (d), any pupil in grades
2 kindergarten to 12 who resides within the city may attend any private school if all
3 of the following apply:

4 **SECTION 10.** 119.23 (2) (a) 9. of the statutes is created to read:

5 119.23 (2) (a) 9. The private school has been in operation for the attendance of
6 pupils for at least 2 school years. This requirement does not apply to a private school
7 that is participating in the program under this section or under s. 118.60 on the
8 effective date of this subdivision ... [LRB inserts date], or that, subject to sub. (2) (ar),
9 has complied with sub. (2) (ag) prior to the effective date of this subdivision ... [LRB
10 inserts date].

11 **SECTION 11.** 119.23 (2) (d) of the statutes is created to read:

12 119.23 (2) (d) No more than 49 percent of a private school's enrollment may
13 consist of pupils attending the private school under this section or s. 118.60. This
14 requirement does not apply to a private school that is participating in the program
15 under this section or under s. 118.60 on the effective date of this paragraph ... [LRB
16 inserts date], so long as the private school continues to participate in one of those
17 programs.

18 **SECTION 12.** 119.23 (3) (b) of the statutes is amended to read:

19 119.23 (3) (b) If the private school rejects an applicant because it has too few
20 available spaces, the applicant may, subject to sub. (2) (d), transfer his or her
21 application to a participating private school that has space available. An applicant
22 rejected under this paragraph may, subject to sub. (2) (d), be admitted to a private
23 school participating in the program under this section for the following school year,
24 provided that the applicant continues to reside within the city. The department may
25 not require, in that following school year, the private school to submit financial

ASSEMBLY BILL 283

1 information regarding the applicant or to verify the eligibility of the applicant to
2 participate in the program under this section on the basis of family income.

3 **SECTION 13. Effective date.**

4 (1) This act takes effect on July 1, 2016.

5 (END)