



## 2009 ASSEMBLY BILL 772

February 24, 2010 – Introduced by Representative KESSLER. Referred to Committee on Rules.

1     **AN ACT** *to repeal* 119.23 (7) (am) 2.; *to renumber and amend* 62.51 (2), 118.51  
2           (5) (a) 4., 118.51 (5) (a) 6., 118.51 (6) and 118.51 (12) (a); *to consolidate,*  
3           *renumber and amend* 119.23 (7) (am) (intro.) and 1.; *to amend* 62.51 (1) (a),  
4           115.881 (1) and 121.84 (4) (b); and *to create* 62.51 (2) (b), 118.51 (5) (a) 4. b.,  
5           118.51 (5) (a) 6. b., 118.51 (12) (a) 2. and 119.03 of the statutes; **relating to:**  
6           creating an Office of School Standards and Licensure in the city of Milwaukee  
7           and requiring all public schools and certain private schools in the city of  
8           Milwaukee to obtain a license in order to operate.

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### *Analysis by the Legislative Reference Bureau*

#### *City of Milwaukee Office of School Standards and Licensure*

This bill establishes an Office of School Standards and Licensure (office) in the city of Milwaukee (city) headed by a person appointed by the mayor to serve at his or her pleasure. Under the bill, no school may be operated in the city unless an operating license has been issued for the school by the office. The bill defines “school” as a public school operated by the Board of School Directors of Milwaukee Public Schools (board or MPS), a charter school operating in the city, and a private school participating in the Milwaukee Parental Choice Program (MPCP).

Under the bill, the board, the governing body of each private school participating in the MPCP, and the operator of each charter school located in the city

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must apply to the office for an operating license. The bill establishes two classes of operating licenses that must be obtained from the office in the following order:

1. A provisional operating license. A provisional operating license may not be renewed.

2. A permanent operating license. A permanent license may be renewed.

Each operating license issued by the office, including a renewal of a permanent operating license, expires on the third July 1 following the date on which the license was issued.

Provisional operating licenses:

To obtain a provisional operating license, the applicant must submit a timely application and application fee to the office and demonstrate that it satisfies all of the following:

1. It has established a budget development and approval process and a system of fiscal management that meets standards established by the office.

2. It will operate the school in a building that meets the safety standards established by the office by rule.

3. It has developed a curriculum that meets standards of educational success established by the office by rule.

4. It has employees that meet standards of excellence established by the office by rule.

Permanent operating licenses:

To obtain a permanent operating license, the applicant must submit a timely application and application fee to the office and demonstrate that it satisfies all of the following:

1. It holds a valid provisional operating license and continues to satisfy all of the requirements for the provisional operating license.

2. At least 90 percent of the pupils who have attended the school for more than one school year have advanced at least one grade level for every year of enrollment.

3. It has implemented a policy governing the admission to the school of children with disabilities.

4. It enrolls at least the number of children with disabilities at the school as is required under the formula established in the bill. The formula takes into account the number of pupils enrolled in the school in each grade, the number of pupils enrolled in all schools licensed under the bill in each grade, and the number of children with disabilities enrolled in all schools licensed under the bill in each grade.

Duties of office:

The bill requires the office to do all of the following:

1. Make rules governing the implementation of the inspection and licensure program, including standards for budgeting and fiscal management of the school and the educational success of pupils enrolled in the school.

2. Upon receipt of an application for an operating license do all of the following:

a. Notify the state superintendent, the city common council, and the city mayor and make information provided by the applicant available for public inspection.

b. Inspect the school and records maintained by the applicant for the school.

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c. Hold a public hearing on the application and provide an opportunity for public testimony.

d. Submit a written decision to the applicant and provide a copy to the state superintendent, common council, and mayor.

3. Revoke, suspend, or deny an applicant's operating license if, after 60 days, the applicant has not corrected a severe or substantial violation of the standards upon which an operating license is issued.

4. Conduct scheduled and unscheduled inspections of each school for which an operating license may be or has been issued.

5. Annually submit a comprehensive written report detailing the policies, operations, revenues, and expenditures of the office and summarizing the licensing decisions of the office to the governor, the appropriate standing committees of the legislature, the state superintendent, the city common council, and the mayor of the city.

***Changes to Full-time Open Enrollment Program***

Under the Open Enrollment Program, a pupil may apply to attend a school in a school district other than the pupil's resident school district. Current law establishes permissible criteria for a nonresident school district to accept or reject applications from nonresident pupils, including the availability of space, classes, and programs in the nonresident district. Current law also permits a nonresident school district to determine whether to accept or reject a nonresident pupil based upon whether the special education and related services needs described in the individualized education program of a nonresident pupil who is a child with a disability are available for the pupil in the nonresident school district and also whether the nonresident pupil has been referred for evaluation but not yet evaluated by an individualized education program team to determine whether the child has a disability.

The bill eliminates the two criteria related to the special educational needs of children with disabilities from the list of permissible criteria for the acceptance or rejection of a nonresident pupil whose resident school district is MPS. The bill also requires MPS to limit the number of its resident pupils attending public school in other school districts under the Open Enrollment Program to the number of resident pupils attending public school in other school districts in the 2009-10 school year.

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:***

- 1           **SECTION 1.** 62.51 (1) (a) of the statutes is amended to read:
- 2           62.51 (1) (a) "Public office" means the following positions or their equivalent:
- 3           city engineer; city purchasing agent; commissioner of building inspection, of city

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1 development, of health or of public works; director of administration, of budget and  
2 management, of community development agency, of employee relations, of office of  
3 school standards and licensure, of telecommunications, or of safety; emergency  
4 management coordinator; employee benefits administrator; executive director of the  
5 commission on community relations; municipal port director; commissioner of  
6 assessments; director of liaison; city personnel director; executive director of the  
7 retirement board; executive director of the city board of election commissioners; city  
8 librarian; city labor negotiator; executive secretary of the board of fire and police  
9 commissioners; and supervisor of the central electronics board.

10 **SECTION 2.** 62.51 (2) of the statutes is renumbered 62.51 (2) (a) and amended  
11 to read:

12 62.51 (2) (a) In any 1st class city, the mayor shall appoint, subject to  
13 confirmation of the common council, a person to serve in the unclassified service in  
14 each public office. A public official serves at the pleasure of the mayor until the end  
15 of the mayoral term of office during which the public official is appointed unless  
16 reappointed and reconfirmed or until a successor is appointed and confirmed,  
17 whichever is later. The mayor shall make appointments under this subsection  
18 paragraph within 90 days after taking office or within 90 days after a vacancy in the  
19 public office occurs, whichever is later. The common council shall vote on  
20 confirmation of any appointment under this subsection paragraph within 45 days  
21 after that appointment.

22 **SECTION 3.** 62.51 (2) (b) of the statutes is created to read:

23 62.51 (2) (b) Notwithstanding par. (a), the person appointed to serve in the  
24 unclassified service in the office of school standards and licensure shall be appointed  
25 by the mayor without confirmation of the common council.

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1           **SECTION 4.** 115.881 (1) of the statutes is amended to read:

2           115.881 (1) A school board, board of control of a cooperative educational service  
3 agency, county children with disabilities education board, governing body of a  
4 private school that holds an operating license issued under s. 119.03, or operator of  
5 a charter school established under s. 118.40 (2r) may apply to the department for aid  
6 under this section if the applicant incurred, in the previous school year, more than  
7 \$30,000 of nonadministrative costs for providing special education and related  
8 services to a child and those costs were not eligible for reimbursement under s.  
9 115.88, 115.93, or 118.255, 20 USC 1400 et seq., or federal medicaid.

10           **SECTION 5.** 118.51 (5) (a) 4. of the statutes is renumbered 118.51 (5) (a) 4. a. and  
11 amended to read:

12           118.51 (5) (a) 4. a. ~~Whether~~ Except as provided in subd. 4. b., whether the  
13 special education or related services described in the child's individualized education  
14 program, under s. 115.787 (2), of an applicant who is a child with a disability are  
15 available in the nonresident school district or whether there is space available to  
16 provide the special education or related services identified in the child's  
17 individualized education program, including any class size limits, pupil-teacher  
18 ratios or enrollment projections established by the nonresident school board.

19           **SECTION 6.** 118.51 (5) (a) 4. b. of the statutes is created to read:

20           118.51 (5) (a) 4. b. A nonresident school board may not consider the criteria  
21 under subd. 4. a. if the application to the nonresident school district is received from  
22 a pupil who is a child with a disability and whose resident school district is the school  
23 district operating under ch. 119.

24           **SECTION 7.** 118.51 (5) (a) 6. of the statutes is renumbered 118.51 (5) (a) 6. a. and  
25 amended to read:

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1           118.51 (5) (a) 6. a. ~~Whether~~ Except as provided in subd. 6. b., whether the child  
2 pupil has been referred to his or her resident school board under s. 115.777 (1) or  
3 identified by his or her resident school board under s. 115.77 (1m) (a) but not yet  
4 evaluated by an individualized education program team appointed by his or her  
5 resident school board under s. 115.78 (1).

6           **SECTION 8.** 118.51 (5) (a) 6. b. of the statutes is created to read:

7           118.51 (5) (a) 6. b. A nonresident school board may not consider the criteria  
8 under subd. 6. a. if the application to the nonresident school district is received from  
9 a pupil whose resident school district is the school district operating under ch. 119.

10          **SECTION 9.** 118.51 (6) of the statutes is renumbered 118.51 (6) (a) and amended  
11 to read:

12          118.51 (6) (a) ~~A school board may~~ Beginning in the 2010-11 school year, the  
13 school district operating under ch. 119 shall limit the number of its resident pupils  
14 attending public school in other school districts under this section ~~in the 1998-99~~  
15 ~~school year to 3% of its membership. In each of the 7 succeeding school years, a school~~  
16 ~~board may limit to~~ the number of its resident pupils attending public school in other  
17 school districts ~~to an additional 1% of its membership~~ under this section in the  
18 2009-10 school year.

19          **(b)** If more than the maximum allowable number of resident pupils apply to  
20 attend public school in other school districts in any school year under this section,  
21 the school board of school directors shall determine which pupils will be allowed to  
22 attend public school in other school districts on a random basis, except that the school  
23 board of school directors shall give preference to pupils who are already attending  
24 public school in the school district to which they are applying under this section and  
25 to siblings of such pupils.

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1           **SECTION 10.** 118.51 (12) (a) of the statutes is renumbered 118.51 (12) (a) 1. and  
2 amended to read:

3           118.51 **(12)** (a) 1. If Except as provided in subd. 2., if the individualized  
4 education program for a pupil, developed or revised under s. 115.787 after ~~a child~~  
5 the pupil begins attending public school in a nonresident school district under this  
6 section, requires special education or related services that are not available in the  
7 nonresident school district or if there is no space available to provide the special  
8 education or related services identified in the ~~child's~~ pupil's individualized education  
9 program, including any class size limits, pupil-teacher ratios or enrollment  
10 projections established by the nonresident school board, the nonresident school  
11 board may notify the ~~child's~~ pupil's parent and the ~~child's~~ pupil's resident school  
12 board that the special education or related service is not available in the nonresident  
13 school district. If such notice is provided, the ~~child~~ pupil shall be transferred to his  
14 or her resident school district, which shall provide an educational placement for the  
15 ~~child~~ pupil under s. 115.79 (1) (b).

16           **SECTION 11.** 118.51 (12) (a) 2. of the statutes is created to read:

17           118.51 **(12)** (a) 2. Subdivision 1. does not apply to a pupil attending school in  
18 a nonresident school district whose resident school district is the school district  
19 operating under ch. 119.

20           **SECTION 12.** 119.03 of the statutes is created to read:

21           **119.03 Office of school standards and licensure. (1) DEFINITIONS.** In this  
22 section:

23           (a) "Administrator" means all of the following:

24           1. The superintendent of schools.

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1           2. The superintendent, supervising principal, executive director, or other  
2 person who acts as the administrative head of any school required to be licensed  
3 under this section.

4           (b) “Applicant” means any of the following:

5           1. The board.

6           2. The operator of a charter school operating in the city.

7           3. The governing body of a private school participating in the program under  
8 s. 119.23.

9           (c) “Child with a disability” has the meaning given in s. 115.76 (5).

10          (d) “Director” means the director of the office.

11          (e) “Office” means the office of school standards and licensure.

12          (f) “School” means a public school operated by the board, a charter school  
13 operating in the city, and a private school participating in the program under s.  
14 119.23.

15          **(2) OPERATING LICENSE REQUIRED; CLASSES AND RENEWAL OF OPERATING LICENSES.**

16          (a) Beginning in the 2011–12 school year, no person may operate a school without  
17 a valid operating license issued by the office for that school.

18          (b) The office may issue the following licenses:

19           1. A provisional operating license. A provisional operating license may not be  
20 renewed.

21           2. A permanent operating license. A permanent operating license may be  
22 renewed as provided under sub. (5).

23          **(3) PROVISIONAL OPERATING LICENSES.** (a) The office shall issue a provisional  
24 operating license to operate a school if the office determines that all of the following  
25 apply:



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1           1. The applicant submits an application for a provisional operating license for  
2 the school to the office, together with the information required under par. (b) and any  
3 supporting documentation required by the office and the administrative fee required  
4 under sub. (7).

5           2. The applicant satisfies the requirements under par. (b).

6           3. If the applicant operated a school during the 2009-10 school year, the  
7 applicant submits the application to the office no later than the first day of the 13th  
8 month beginning after the effective date of this subdivision ... [LRB inserts date].

9           4. If the applicant did not operate a school during the 2009-10 school year, the  
10 applicant submits the application to the office at least 180 days before the applicant  
11 intends to operate the school.

12           (b) An applicant under this subsection shall submit clear and convincing  
13 evidence to the office that all of the following are satisfied:

14           1. The applicant has established a budget development and approval process,  
15 a system of fiscal management, an organizational structure, a management system,  
16 and a process for receiving, depositing, investing, managing, spending, accounting  
17 for, and auditing resources for the school that meets the standards established by the  
18 office by rule.

19           2. The applicant will operate the school in a building that meets the safety  
20 standards established by the office by rule and will utilize facilities and equipment,  
21 including vehicles, that meet the safety standards established by the office by rule.

22           3. The applicant has developed a curriculum that meets the standards of  
23 educational success established by the office by rule.

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1           4. a. For an applicant under par. (a) 3., the applicant has selected and employs  
2 administrators, teachers, and staff for the school that meet the standards of  
3 excellence established by the office by rule.

4           b. For an applicant under par. (a) 4., the applicant has selected and will employ  
5 administrators, teachers, and staff for the school that meet the standards of  
6 excellence established by the office by rule.

7           (c) A provisional operating license issued under this subsection expires on the  
8 3rd July 1 following the date on which the license was issued or on the date on which  
9 a permanent operating license is issued for the school under sub. (4), whichever  
10 occurs first.

11           **(4) PERMANENT OPERATING LICENSE.** The office shall issue a permanent operating  
12 license to operate a school if the office determines that all of the following apply:

13           (a) The applicant holds a valid provisional operating license for the school and  
14 one of the following applies:

15           1. For a provisional operating license issued to an applicant who operated a  
16 school during the 2009–10 school year, the applicant has been operating the school  
17 under the license for at least 12 months but not more than 36 months.

18           2. For a provisional operating license issued to an applicant who did not operate  
19 a school in the 2009–10 school year, the applicant has been operating the school  
20 under the license for at least 24 months but not more than 36 months.

21           (b) The applicant submits an application for a permanent operating license for  
22 the school to the office, together with the information required under par. (c) and any  
23 supporting documentation required by the office and the administrative fee required  
24 under sub. (7).

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1 (c) The applicant submits clear and convincing evidence to the office that all  
2 of the following are satisfied:

3 1. a. Except as provided in subd. 1. b., the applicant continues to satisfy the  
4 requirements under sub. (3) (b).

5 b. For an applicant that did not operate a school in the 2009–10 school year, the  
6 applicant continues to satisfy the requirements under sub. (3) (b) 1. to 3. and satisfies  
7 the requirements under sub. (3) (b) 4. a.

8 2. At least 90 percent of the pupils who have attended the school for more than  
9 one school year have advanced at least one grade level for every year of the pupil's  
10 enrollment in the school. To determine whether the requirement under this  
11 subdivision has been satisfied, the office shall review the educational performance  
12 of the pupils on the examinations administered as required under s. 118.30 and on  
13 other measures established by the office by rule.

14 3. The applicant has implemented a policy governing the admission to the  
15 school of children with disabilities that satisfies the standards established by the  
16 office by rule.

17 4. The applicant enrolls at least the number of children with disabilities  
18 determined as follows:

19 a. Determine the number of pupils enrolled in the school in each grade in the  
20 previous school year.

21 b. Determine the number of pupils enrolled in all schools licensed under this  
22 section in each grade in the previous school year.

23 c. For each grade in all schools licensed under this section, determine the  
24 number of pupils identified in subd. 4. b. that are children with disabilities.

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1           d. For each grade operated by the school, multiply the number of pupils  
2 identified in subd. 4. a. by the ratio of the number of pupils in that grade identified  
3 under subd. 4. c. to the number of pupils in that grade identified under subd. 4. b.

4           e. Add the numbers of pupils determined under subd. 4. d. in each grade  
5 operated by the school.

6           f. Multiply the sum determined under subd. 4. e. by 50 percent.

7           (d) A permanent operating license issued under this subsection expires on the  
8 3rd July 1 following the date on which the license was issued or on the date on which  
9 a renewal of that license is issued under sub. (5), whichever comes first.

10           **(5) RENEWAL; NOTICE.** (a) The office shall renew a permanent operating license  
11 issued under sub. (4) if the office determines that all of the following apply:

12           1. The applicant submits an application for a renewal of the permanent  
13 operating license, together with any supporting documentation required by the office  
14 and the administrative fee required under sub. (7) to the office no later than 180 days  
15 before the expiration of the operating license.

16           2. The applicant continues to satisfy the requirements under sub. (4) (c).

17           (b) A renewal of a permanent operating license issued under this subsection  
18 expires on the 3rd July 1 following the date on which the renewal license was issued.

19           (c) The office shall give a notice of renewal to each holder of a permanent  
20 operating license at least 30 days prior to the expiration date of the operating license.  
21 Notice may be mailed to the last address provided to the office by the holder of the  
22 operating license or may be given by electronic transmission. Failure to receive a  
23 notice of renewal is not a defense in any proceeding against the holder for operating  
24 a school without an operating license.

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1           **(6) EFFECT OF DENIAL, SUSPENSION, REVOCATION, OR NONRENEWAL OF AN OPERATING**  
2 LICENSE. (a) An applicant whose application for an operating license for a school or  
3 whose application for renewal of a permanent operating license for a school is denied  
4 may reapply to the office for a provisional operating license under sub. (3).

5           (b) If any operating license held by an applicant has expired before the  
6 applicant has obtained a permanent operating license or the renewal of that license,  
7 the applicant may not operate the school until the applicant has obtained an  
8 operating license for the school.

9           (c) An applicant whose operating license has been denied, suspended, revoked,  
10 or has not been renewed shall work with the office, the board, and the department  
11 to provide for the temporary or permanent transfer of pupils to other schools that  
12 hold a valid license issued by the office or to schools not required to be licensed under  
13 this section.

14           **(7) ADMINISTRATIVE FEE.** The office shall charge a fee, to be determined by the  
15 office by rule, to each applicant for an operating license for a school or the renewal  
16 of an operating license for a school. The fee shall be based upon the costs to provide  
17 the review and conduct the inspections required under sub. (8) (a), conduct the  
18 inspections required under sub. (8) (e) and (f), and administer the program under this  
19 section, and shall take into account the number of pupils enrolled in the school in the  
20 preceding school year.

21           **(8) DUTIES OF THE OFFICE.** The office shall do all of the following:

22           (a) Upon receipt of an application under subs. (3) to (5):

23           1. Submit a written notice of the application to the state superintendent, the  
24 common council, the mayor, and, if the applicant is operating the school at the time

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1 the application is received, parents of pupils enrolled in the school. The office shall  
2 publish the written notice as a class 1 notice under ch. 985.

3 2. Provide access to information submitted by the applicant in connection with  
4 the application for licensure on the Internet Web site maintained by the office and,  
5 upon request of a party, in writing.

6 3. Request an evaluation by the city comptroller of the applicant's compliance  
7 with or likelihood of compliance with the financial and budgetary standards  
8 established by rule under par. (d) 1.

9 4. Undertake any inspections of the school premises and of records maintained  
10 by the applicant for the school necessary to evaluate the application for licensure.

11 5. Hold a public hearing on the application for an operating license and provide  
12 an opportunity for persons attending the hearing to present testimony on the  
13 applicant, the school, and the application for licensure.

14 6. Submit to the applicant, in writing, the decision of the office to grant or deny  
15 the operating license. The office shall provide a copy of the decision to the state  
16 superintendent, the common council, and the mayor, and shall make the written  
17 decision available on the Internet Web site maintained by the office and, upon  
18 request, in writing.

19 (b) Ensure that each applicant that applies for and holds an initial or renewed  
20 permanent operating license enrolls in the school at least the number of children  
21 with disabilities determined for the school under sub. (4) (c) 4.

22 (c) Suspend, revoke, or deny an applicant's operating license for a school if the  
23 office determines, based upon clear and convincing evidence, that the applicant has  
24 committed a severe or substantial violation of the standards upon which an

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1 operating license is issued and the applicant fails to correct the violation or make  
2 substantial progress towards correcting the violation in 60 days.

3 (d) Promulgate rules for the administration of the inspection and licensure  
4 program under this section, including all of the following:

5 1. Standards for a budget development and approval process, a system of fiscal  
6 management, an organizational structure, a management system, and a process for  
7 receiving, depositing, investing, managing, spending, accounting for, and auditing  
8 resources to be implemented and maintained by an applicant seeking an operating  
9 license under this section. The office shall collaborate with the city comptroller to  
10 establish the standards required under this subdivision.

11 2. Standards of educational success to be incorporated into the curriculum of  
12 an applicant's school.

13 3. Standards of excellence for teachers, administrators, and staff at the school.  
14 The office shall collaborate with the deans and faculty of education at the University  
15 of Wisconsin-Milwaukee, Marquette University, and Alverno College, and with  
16 other educational experts to establish the standards required under this subdivision.  
17 The standards under this subdivision shall require each administrator to hold, at  
18 minimum, a bachelor's degree.

19 4. Educational performance measures applicable to whether a pupil has  
20 advanced to the next grade level.

21 5. Standards governing the admission of children with disabilities to a school  
22 licensed under this section. The standards shall prohibit an applicant from refusing  
23 to enroll a child with a disability or to provide a free appropriate public education,  
24 as defined in s. 115.76 (7), for the child with a disability.

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1           6. Conditions under which an operating license issued under this section may  
2 be suspended or revoked, the duration of a suspension or revocation, and the  
3 conditions that must be satisfied by an applicant for the reinstatement of the  
4 operating license.

5           7. A definition of a substantial violation of the standards upon which an  
6 operating license is issued.

7           8. A definition of a severe violation of the standards upon which an operating  
8 license is issued.

9           (e) Establish a schedule for the inspection of each school for which an operating  
10 license may be or has been issued under this section.

11           (f) Periodically conduct unscheduled inspections of each school for which an  
12 operating license has been issued under this section. The office may establish  
13 criteria governing the rationale for conducting an unscheduled inspection.

14           (g) Annually submit a comprehensive written report detailing the policies,  
15 operations, revenues, and expenses of the office and summarizing the licensing  
16 decisions of the office to all of the following:

- 17           1. The governor.
- 18           2. The appropriate standing committees of the legislature.
- 19           3. The state superintendent.
- 20           4. The common council.
- 21           5. The mayor.

22           **SECTION 13.** 119.23 (7) (am) (intro.) and 1. of the statutes are consolidated,  
23 renumbered 119.23 (7) (am) and amended to read:

24           119.23 (7) (am) ~~Each private school participating in the program under this~~  
25 ~~section is subject to uniform financial accounting standards established by the~~



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1 department. Annually by September 1 following a school year in which a private  
2 school participated in the program under this section, the private school shall submit  
3 to the department all of the following: 1. An an independent financial audit of the  
4 private school conducted by a certified public accountant, accompanied by the  
5 auditor's statement that the report is free of material misstatements and fairly  
6 presents pupil costs under sub. (4) (b) 1. The audit under this subdivision shall be  
7 limited in scope to those records that are necessary for the department to make  
8 payments under subs. (4) and (4m).

9 **SECTION 14.** 119.23 (7) (am) 2. of the statutes is repealed.

10 **SECTION 15.** 121.84 (4) (b) of the statutes is amended to read:

11 121.84 (4) (b) If a pupil attends school in a school district outside the pupil's  
12 school district of residence under par. (a), s. 118.51 (12), (14), (16) and (17) apply to  
13 the pupil as if the pupil were attending school in a nonresident school district under  
14 s. 118.51. If the pupil is ~~rejected as a result of s. 118.51 (12) (a)~~, prohibited from  
15 attending as a result of s. 118.51 (12) (b) 1. or transferred as a result of s. 118.51 (12)  
16 (b) 2., s. 118.51 (9) applies.

17 (END)