

PUBLIC INSTRUCTION

Omnibus Motion  
[LFB Papers #505 through #524]

Motion:

Move to adopt the following items:

1. *State Support for K-12 Education and General School Aids Funding Level (Paper #505)*. Increase the per pupil adjustment under revenue limits by \$75 in 2013-14 and by another \$75 in 2014-15, which would increase school district revenue limit authority by an estimated \$34,000,000 in 2013-14 and \$96,000,000 in 2014-15. Provide an additional \$5,000,000 GPR in 2013-14 and \$36,000,000 GPR in 2014-15 in general school aids. Provide \$63,487,500 GPR in 2013-14 and \$126,975,000 GPR in 2014-15 to fund a \$75 per pupil categorical aid in 2013-14, with an additional \$75 in 2014-15. Create a GPR sum sufficient appropriation to make these payments, and provide that the current three-year rolling average pupil count under revenue limits would be used to calculate this per pupil aid to school districts. Specify that this per pupil aid would be paid on the fourth Monday in March.

[Under Item 1, there would be a \$75/\$75 per pupil adjustment under revenue limits, and an additional state funded \$75/\$75 per pupil categorical aid that would be outside of revenue limits.]

2. *Lottery and Gaming Credit Reestimate*. Increase the lottery and gaming credit by an estimated \$8,639,400 SEG in 2013-14 and \$114,000 in 2014-15 attributable to higher ticket sales in 2012-13 and adjustments previously approved by the Committee to administrative funding.

3. *General Aid Calculation for Consolidated School Districts (Paper #506)*. Adopt Alternative #A1, which approve the Governor's recommendation, as modified, to specify that: (a) the equalization aid formula factors for a consolidated district be increased by 10% in the sixth year after consolidation and by 5% in the seventh year after consolidation; and (b) that the special adjustment aid guarantee for a consolidated district in the sixth year after consolidation be set at an amount equal to 66% of the special adjustment aid received in the fifth year after consolidation as a result of the hold harmless provision related to the separate districts' aid payments, and that, in the seventh year after consolidation, the guarantee be set at 33% of that aid amount.

4. *Revenue Limit Adjustment for Uncounted Open Enrollment Pupils (Paper #507)*. Adopt Alternative #1 to specify that the revenue limit adjustment for uncounted open enrollment pupils be nonrecurring, including adjustments received by school districts in 2012-13.

5. *School Performance Incentive Grants (Paper #510)*. Adopt Alternatives A4, B4, and C4 to delete the Governor's recommendation. Delete \$64,000,000 GPR in 2014-15.

6. *Educator Effectiveness Evaluation System (Paper #511)*. Adopt Alternative 1, which would approve the Governor's recommendation.

7. *High Cost Transportation Aid*. Provide \$5,000,000 GPR annually and create a new high cost transportation categorical aid program. A school district would receive aid if it incurred in the prior year general transportation costs above 150% of the statewide per member average.

Using cost data from 2011-12, the average transportation cost per member was \$403, and 150% of that amount was approximately \$605. There were 128 districts that incurred costs above \$605 per member for transportation, totaling \$15,537,200. This provision would reimburse approximately 32% of costs above 150% of the statewide average per member.

8. *Milwaukee and Racine Parental Choice Programs -- Per Pupil Payments (Paper #515)*. Adopt the Governor's proposed payment amounts for 2013-14 and set the payments for 2014-15 at \$7,210 for a K-8 pupil and \$7,856 (same as AB 40) for a pupil in grades 9-12. Specify that, beginning in 2015-16, the maximum per pupil payments in a given year be set equal to the maximum payment in the previous school year plus the revenue limit per pupil adjustment, if positive, provided to public school districts in the current year plus the change in categorical aid funding per pupil, if positive, from the prior year to the current year.

Provide that, beginning in 2013-14, the 38.4% aid reduction provision for the Milwaukee program would be reduced by 3.2 percentage points per year, until that program would be fully state funded. This would establish a 12-year phase-out of the current aid reduction. Specify that the current 38.4% aid reduction would not apply to any school district in which a choice program was established after July 1, 2011.

As a result of these provisions, compared to the bill, increase GPR funding by \$3,673,600 2014-15. Reduce the district aid reductions by -\$7,112,000 in 2013-14 and -\$14,062,300 in 2014-15. Increase net GPR by \$7,112,000 in 2013-14 and \$17,735,900 in 2014-15.

9. *Expansion of Parental Choice Program for Eligible School Districts (Paper #516)*. Delete the Governor's provision. Instead, specify that no more than 500 FTE pupils in 2013-14 and 1,000 FTE pupils in 2014-15 and in each year thereafter outside of MPS and RUSD would be able to attend a choice program substantially similar to the Racine parental choice program. Specify that a pupil's total family income could not exceed 185% of the federal poverty level to be eligible for the program. Specify that no more than 1% of the pupil membership of a newly eligible district could attend a participating choice school. Specify that the prior year attendance criteria under the Racine program would not apply to the expanded program. Provide that in order for a private school to participate in the 2013-15 biennium, it must have been in operation on May 1, 2013.

Specify that, for the 2013-14 school year, a private school must submit its intent to participate form to the Department by July 26, 2013. Provide that the Department must inform schools its receipt of the intent to participate form in writing and e-mail by July 31, 2013.

Specify that schools who have submitted the intent to participate form may accept student applications beginning August 1, 2013. By August 9, require each school to report to the

Department: (a) the number of pupils who have applied to attend the school under the parental choice program, and (b) the applicants who are siblings of pupils who have applied.

Provide that if the Department determines that the sum of the pupils reported under (a) by all private schools is no more than the pupil participation limit, it shall immediately notify the private schools that all pupils reported under (a) may attend a private school in the program in the current school year. Specify that those schools may continue to accept applications during the periods that apply to the existing program under current law. Provide that if the number of pupils applying in an application period would cause the total number of pupils in the program to exceed the cap, the Department would establish and administer a waiting list, with preference given to siblings, and administer a random draw to allocate the remaining seats, up to the limit, to pupils applying to the program.

Provide that if the Department determines that the sum of the pupils reported under (a) by all private schools is more than the pupil participation limit, it shall notify the 25 schools with the most applications that they may participate in the program. Provide that DPI allocate 10 seats to each of the 25 schools, and that pupils be selected for those 10 seats at each school by random drawing, with preference given to siblings. Specify that the other 250 seats be filled by random draw among the remaining pupils applying to those schools, with preference given to siblings.

In performing the calculations above, specify that the Department shall count a pupil who has applied to more than one private school only once, and that the Department shall count a school based on campus location rather than federal tax identification number, if the school requests that treatment.

Require the Department to maintain a waiting list for those pupils not selected in a random drawing. Require each private school to notify the Department whenever it determines that a pupil determine to be eligible to attend the private school will not be attending the school. Require the Department to select pupils on a random basis from the waiting list to fill the newly-available spaces, with preference given to siblings of accepted applicants.

Beginning in 2014-15, require a school to submit its intent to participate form to the Department by February 1. Specify that schools may accept applications from February 1 to April 20. Require schools to submit the number of applicants and sibling information to DPI by May 1. Provide that schools that participated in 2013-14 would initially be assigned the number of choice spots it had in the 2013-14 school year. Specify that the procedures above would apply to the distribution of the additional 500 seats in 2014-15. Provide that preference be given to students that attended a school through the parental choice program in the previous year and then preference shall be given to siblings.

Under item #7 above, there would be no school district aid reduction under the expanded program. As a result, compared to the bill, increase GPR funding by \$131,200 in 2014-15. Reduce the district aid reductions by -\$1,236,900 in 2013-14 and -\$2,762,900 in 2014-15. Increase net GPR by \$1,236,900 in 2013-14 and \$2,894,100 in 2014-15.

10. *Parental Choice Programs -- Certificate of Occupancy.* Modify the current law requirement for a certificate of occupancy to exempt the private school from this requirement if it submits a letter or form from the municipality within which the private school is located, or from the entity that issues occupancy permits, which state that it does not issue certificates of occupancy.

11. *Parental Choice Programs -- Building Usage Charge.* Modify the current law treatment of facilities costs for schools where the legal title to the building is held in the name of the parent organization or other related party, to eliminate the requirement that there be no other mechanism to include the private school's facilities costs in its cost calculation, before the school can include 10.5% of the fair market value of the school in its costs. Provide that the school may include an amount equal to 10.5% of the fair market value of any building additions or new building locations if it requests this from DPI. Specify that if a school was not permitted to include the 10.5% amount in 2012-13, then it can do so if the school so requests DPI.

12. *Parental Choice Programs -- Summer School Payment.* Delete the current law calculation of the payment for summer school and, instead, provide that qualifying schools would receive an amount equal to 5% of the maximum per pupil payment for that grade under the program for each qualifying pupil. Specify that to qualify: (a) a school would have to offer a minimum of 19 summer days of instruction with 270 minutes of instruction per day; and (b) a pupil would have to attend at least 15 days of summer instruction.

13. *Parental Choice Programs -- Reserve Funds.* Allow choice schools to accumulate up to 15% of their annual educational costs as a reserve, and specify that these moneys would be treated as an allowable educational expense.

14. *Parental Choice Programs -- Annual Financial Reports.* Specify that if a choice school accepts pupils under more than one choice program, it would only have to have one audit and submit one financial report to the state.

15. *Parental Choice Programs -- Calculation of Educational Costs.* Specify that a choice school would not have to determine educational costs separately for K-8 and high school pupils, but rather educational costs for all choice program pupils.

16. *Parental Choice Programs -- Teacher's Aide Proof of High School Diploma.* Specify that a degree or educational credential higher than a high school diploma would satisfy the requirement that a teacher's aide have a high school diploma, declaration of equivalency of high school graduation, or general educational development certificate of high school equivalency.

17. *Parental Choice Programs -- Additional Accrediting Agency.* Add the Wisconsin Association of Christian Schools to the list of statutorily-recognized accrediting agencies for the parental choice programs.

18. *Parental Choice Programs -- Student Priority.* Modify an AB 40 provision that would allow a private school participating in the choice program to give preference in accepting applications to pupils who attended the school in the prior school year, regardless of whether they were choice pupils, to allow this preference only for choice pupils.

19. *Parental Choice Programs -- Maintaining School Accreditation.* Require a private school in a parental choice program that has achieved accreditation to ensure that it continuously maintains accreditation from a statutorily-approved accreditation agency for as long as the school continues to participate in the program. Require a choice school to immediately notify DPI if its accreditation status with one of the statutorily-approved agencies changes.

Beginning in the 2013-14 school year, require a choice school to provide evidence demonstrating that the school remains accredited for the current year to DPI annually by January 15. Require the school to include as evidence of accreditation a letter prepared by one of the statutorily-approved accrediting agencies that confirms that the school is accredited by that agency as of the date of that letter. Specify that, if the State Superintendent determines that a school has not complied with these requirements, he or she may issue an order barring a choice school from participating in the program in the subsequent school year (consistent with the accreditation penalty provisions under current law). Require DPI to notify a choice school of receipt and approval of accreditation status within ten days after receiving the required information.

Require a choice school that would have been required to have achieved accreditation to demonstrate that its accreditation status is current with the above-described letter within 30 days of the effective date of the bill. Require the State Superintendent to issue an order barring a school's participation in the program in the current school year if the school does not provide that letter within the required time frame. Specify that this one-time requirement would not apply to new schools entering the program for the first time, schools that are preaccredited and in the three-year window to attain accreditation, and schools that had previously been exempt from the general accreditation requirement because it was approved for scholarship funding by PAVE.

Provide that, if the State Superintendent determines that a choice school has failed to continuously maintain accreditation, that a choice school has withdrawn from the accreditation process, or that a choice school's accreditation has been revoked by one of the statutorily-approved agencies, he or she must issue an order barring the school's participation in the program at the end of the current school year. Require the State Superintendent to immediately notify the parent or guardian of each pupil attending the school of the order. Provide that a school whose participation in the program has been barred under this provision may not participate in the program until the school demonstrates to the satisfaction of the Department that it has obtained accreditation from a statutorily-approved accrediting agency other than the agency with which the school failed to continuously maintain accreditation or, if the school's accreditation was revoked, other than the agency that revoked its accreditation.

20. *Special Needs Scholarships (Paper #517).* Adopt Alternative 4, which would delete the provision. Reduce estimated funding by \$6,946,000 GPR in 2013-14 and \$13,903,500 GPR in 2014-15, and reduce the related aid reduction correspondingly.

21. *Independent "2r" Charter School Program Reestimate (Paper #518).* Approve the modification to reestimate payments under the current law (Milwaukee/Racine) program, based on projected enrollments of 8,100 pupils in 2013-14 and 8,700 pupils in 2014-15. Reduce estimated funding by \$3,887,500 GPR in 2013-14 and \$6,997,500 GPR in 2014-15. Reduce the related proportional aid reduction by corresponding amounts.

22. *Independent "2r" Charter School Per Pupil Payment Amount (Paper #519)*. Adopt Alternative 4, which would delete the Governor's recommendation. Instead, increase the per pupil payment from \$7,775 in 2012-13 to \$7,925 in 2013-14 and \$8,075 in 2014-15, which would represent annual increases of \$150. (Based on reestimated pupil enrollments, the per pupil payment change would increase estimated funding by \$1,215,000 GPR in 2013-14 and \$2,610,000 GPR in 2014-15). As a change to AB 40, funding would increase by \$552,800 GPR in 2013-14 and \$1,112,400 GPR in 2014-15, and increase the related aid reduction by corresponding amounts.

Beginning in 2015-16, provide that the "2r" charter school per pupil payment, be set equal to the payment amount in the prior year plus the revenue limit per pupil adjustment, if positive, provided to public school districts in the current year plus the change in categorical aid funding per pupil, if positive, from the prior year to the current year.

23. *UW-Milwaukee "2r" Charter Schools*. Provide that UW-Milwaukee could sponsor charter schools anywhere within Milwaukee County or in an adjacent county. Provide that students residing in Milwaukee County, or in any adjacent county, would be permitted to attend any independent "2r" charter school located in Milwaukee County or in an adjacent county.

24. *Charter School Oversight Board (Paper #520)*. Adopt Alternatives A3 and C4, which would delete the provision. Reduce estimated funding by \$3,965,500 GPR in 2014-15 and reduce the related aid reduction correspondingly.

25. *Contract Provisions for Independent "2r" Charter Schools (Paper #521)*. Adopt Alternative 3, which would delete the provision.

26. *Contract Requirements for School District Sponsored Charter Schools (Paper #522)*. Adopt Alternatives A4, B3, and C3, which would delete the provision.

27. *Expand Part-Time Open Enrollment Program to Course Options Program (Paper #523)*. Adopt Alternative #1, which would include the Governor's recommendation.

28. *Pupils Enrolled in Home-Based Private Educational Programs (Paper #524)*. Adopt Alternative #1, which would approve the Governor's recommendation, with the change requested by DOA.

29. *Charter School Authorizing Entity Duties*. -- Delete the AB 40 provision relating to authorizing entity duties (Item 10).

30. *Charter School Governing Boards*. -- Delete the AB 40 provision relating to governing boards (Item 12).

31. *Charter School Admissions*. -- Delete the AB 40 provision relating to charter school admissions (Item 13).

32. *Converting Public Schools to Charter Schools*. -- Delete the AB 40 provision relating to converting public schools to charter schools (Item 15).

33. *Open Enrollment Per Pupil Transfer Amount.* Provide that the full-time open enrollment per pupil transfer amount in 2013-14 and 2014-15 would equal the prior year amount plus \$150. Beginning in 2015-16, modify the aid transfer amount under the full-time open enrollment program to be equal to the transfer amount in the prior year plus the revenue limit per pupil adjustment, if positive, provided to public school districts in the current year plus the change in categorical aid funding per pupil, if positive, from the prior year to the current year.

34. *Work Based Learning Program School.* Create a work based learning program for any school in Wisconsin that meets certain criteria, for students in grades 9 through 12. Define a work based learning school as a school in which 100% of students enrolled participate in a program that provides occupational training and work based learning experiences. Specify that a private school participating in the Milwaukee parental choice program would be permitted to operate a work based learning program, and the student's earnings would not be counted toward family income for the purpose of determining eligibility for the choice program. Provide that participation would be determined through a signed agreement between the school, the student, and the student's parent or guardian.

Provide that a work based learning program would be required to meet the following criteria: (a) students must work a minimum of 280 hours each school year, for a total of 40 to 50 days per year and no more than two days per week, and no more than 8 nor less than 6 hours per day; (b) school hours of instruction could not be substituted for hours during which a student works; (c) the school would be required to provide transportation to and from the work place which must be free of charge to the student; (d) employers must comply with state child labor laws, and a student must meet federal labor law requirements for age and immigration status; (e) students must work with an employer that provides occupational training and work based learning experiences; (f) the employer must provide a work place mentor, who must provide necessary supervision; (g) an employer would be required to provide a minimum of 30 hours of training to the student while employed; (h) the employer and mentor must provide a year-end evaluation to the student; and (i) the student could be required, upon application for the program, to demonstrate employability through an interview process, teacher recommendations, or demonstration of previous work, internship, or volunteer experience.

35. *National Forest Income.* Specify that, beginning with payments received in fiscal year 2013-14, federal National Forest Income (NFI) payments received by DNR would be provided to school districts that contain national forest lands within their boundaries based on the proportion of national forest lands within the school district, rather than being distributed to towns. In addition, provide \$2,500,000 SEG from the forestry account of the conservation fund in fiscal year 2013-14 to be distributed by DNR to towns that were eligible to receive National Forest Income payments during fiscal year 2012-13, based on the proportion of national forest land located in the town.

36. *County Library Levy Exemption for Joint Libraries.* Notwithstanding current law requirements, municipalities participating in a joint library are exempt from the county library levy, provided the municipal library levy is maintained at no less than the average of the last three years.

37. *Energy Efficiency Revenue Limit Adjustment.* Provide that the current law revenue limit exception for energy efficiency measures would apply to debt service on a state trust fund

loan, rather than only bonds and notes as under current law. Specify that the revenue limit exception would apply to the amount of debt service paid in the calendar year that begins on January 1 of the school year in which the school district's revenue limit is increased, rather than the debt service paid during that school year as under current law. Require that any measured utility costs avoided as a result of a project authorized by a school district resolution after the effective date of the budget bill be applied to retire the bonds or notes issued to finance the project.

38. *Community Service Levy (Fund 80)*. Modify current law governing the community service levy as follows:

a. Prohibit a school district from levying more for community service activities in 2013-14 and 2014-15 than it did in 2012-13;

b. Require a school district using the community service levy in 2013-14 and 2014-15 to identify in the budget summary for its annual meeting the expenditures that will be funded from that levy and a statement of how they meet the allowable criteria for use of the community service fund, and require a school district to post the 2013-14 information on its web site within 60 days of the effective date of the bill;

c. Require a district to submit the information under (b) to DPI within 10 days of the annual meeting and require DPI to post this information on its web site within 10 days;

d. Specify that, if a district modifies the amount levied for community service activities in the November setting of the levy, that the district publish any updated information under (b) in the minutes of that school board meeting, and that the same timelines under (c) be followed for the reporting of that information; and

e. Require DPI to submit a report to the Joint Committee on Finance by December 1, 2014 on school district use of the community service levy.

39. *School Accountability Report Cards*. Modify the date by which school accountability reports, or school report cards, must be issued from June 30 to September 30.



<u>Item</u>	<u>Purpose</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2013-15</u>	
1	General Aid	\$5,000,000	\$36,000,000	\$41,000,000	GPR
	Per Pupil Categorical Aid	63,487,500	126,975,000	190,462,500	GPR
2	Lottery and Gaming Credit	8,639,400	114,000	8,753,400	SEG
5	Delete Incentive Grants	0	-64,000,000	-64,000,000	GPR
7	High Cost Transportation Aid	5,000,000	5,000,000	10,000,000	GPR
8	Milwaukee and Racine Choice Programs	0	3,673,600	3,673,600	GPR
		-7,112,000	-14,062,300	-21,174,300	GPR-Lapse
		7,112,000	17,735,900	24,847,900	Net GPR
9	Expansion of Choice	0	131,200	131,200	GPR
		-1,236,900	-2,762,900	-3,999,800	GPR-Lapse
		1,236,900	2,894,100	4,131,000	Net GPR
20	Special Needs Scholarship	-6,946,000	-13,903,500	-20,849,500	GPR
		-6,946,000	-13,903,500	-20,849,500	GPR-Lapse
		0	0	0	Net GPR
21	Independent "2r" Charter School Reestimate	-3,887,500	-6,997,500	-10,885,000	GPR
		-3,887,500	-6,997,500	-10,885,000	GPR-Lapse
		0	0	0	Net GPR
22	Independent "2r" Charter School Per Pupil	552,800	1,112,400	1,665,200	GPR
		552,800	1,112,400	1,665,200	GPR-Lapse
		0	0	0	Net GPR
24	Charter School Oversight Board	0	-3,965,500	-3,965,500	GPR
		0	-3,965,500	-3,965,500	GPR-Lapse
		0	0	0	Net GPR
35	National Forest Income	<u>2,500,000</u>	<u>0</u>	<u>2,500,000</u>	SEG
	Totals	\$63,206,800	\$84,025,700	\$147,232,500	GPR
		<u>-18,629,600</u>	<u>-40,579,300</u>	<u>-59,208,900</u>	GPR-Lapse
		\$81,836,400	\$124,605,000	\$206,441,400	Net GPR
		\$11,139,400	\$114,000	\$11,253,400	SEG

