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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Education (SC-Ed)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Gigi Godwin (LRB) (August/2011)

Present: (7) Senators Lehman, Jauch, Erpenbach, Hansen,
Olsen, Grothman and Hopper.
Absent: (0) None.

Moved by Senator Hansen, seconded by Senator Lehman that
Senate Amendment 1 be recommended for adoption.

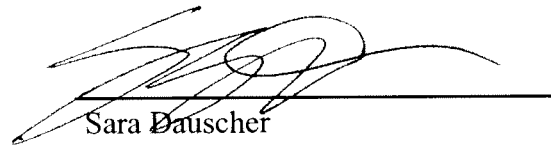
Ayes: (7) Senators Lehman, Jauch, Erpenbach, Hansen,
Olsen, Grothman and Hopper.
Noes: (0) None.

ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED,
Ayes 7, Noes 0

Moved by Senator Hansen, seconded by Senator Olsen that **Senate
Bill 595** be recommended for passage as amended.

Ayes: (6) Senators Lehman, Jauch, Erpenbach, Hansen,
Olsen and Hopper.
Noes: (1) Senator Grothman.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 1


Sara Dauscher
Committee Clerk



STATE SENATOR PAT KREITLOW

TESTIMONY BEFORE THE SENATE COMMITTEE ON EDUCATION

SENATE BILL 595 – ASSEMBLY 809 TRANSPORTATION TO PRIVATE SCHOOL STUDENTS MARCH 24, 2010

Good morning, Chairman Lehman and Committee members. Thank you for convening today to hold this hearing on Assembly Bill 809 relating to transportation provided by public school districts to private school students.

This bill was originally written to affect the transportation of private school students in three different ways; however, we have drafted an amendment that remove one of these provisions and changes another.

First: Notification of Private School Pupils that Need Transport

Private schools have to notify the area public school district of the number of children that will need transportation before the next school year begins. Current law says these names must submitted be to the public school district by May 15th of the preceding school year. This is a difficult expectation at such an early date. Most schools have not recessed for the summer, families have not moved and final enrollment choices are still being made.

This bill originally moved the notification date to July 15th, giving private schools a little more breathing room while giving the public schools a more accurate count of the private students they can expect to transport. The public school board may also extend the notification deadline.

The amendment we've drafted to this bill shifts the date to July 1st after Chairman Lehman shared some concerns he's heard from his local school district transportation directors, and we hope the amendment will have your support.

Second: Parent Contract for Private Pupil Transportation

Parents whose children attend private school may enter into a contract with their public school district to transport their own children to the private school. The family is then reimbursed from the public school district a certain amount for each child transported. (The school district would otherwise be obligated to provide bus service for that family.) This bill provides that, for the purposes of such parent contracts, if two or more pupils reside in the same household and attend the same private school, then a contract with the parent or guardian of the pupils will provide one reimbursement amount per family - not one per pupil as is currently the case.

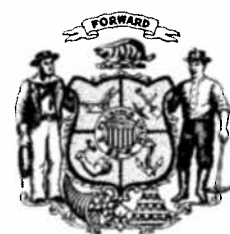
This legislation has been part of the education reform discussion for many years, and during the 2009-2011 Budget, a similar provision was put into place for the Milwaukee Public School district. This bill extends that provision to the rest of the state.

This bill does not remove a family's right to receive reimbursement for private school transportation. It does not limit a family in any way. It only closes a loophole that has already been closed in Milwaukee.

Third: Start Date for Transport of Private School Students

The final provision of this bill related to the fact that current law, with some exceptions, requires public school districts to provide transportation for students attending private schools even on those days that the public schools are not in session. Our initial goal was to address this situation by clarifying that a public school is obligated to provide transportation during the public school year. However, with the possibility of multiple public school districts serving a particular private school as well as other concerns, we ask your support for Senate Amendment 1 which removes this provision.

As we are doing with the other bills in this package, these are targeted measures that we feel will help school districts deal with challenges related to getting kids to school and balancing a budget as well as providing a quality education. Thank you for this hearing; I hope we have your support.





WISCONSIN CATHOLIC CONFERENCE

TESTIMONY IN OPPOSITION TO SENATE BILL 595: TRANSPORTATION SERVICES FOR PRIVATE SCHOOL PUPILS

Presented by Kim Wadas, Associate Director

March 25, 2010

My name is Kim Wadas and I am the Associate Director for Education and Health Care at the Wisconsin Catholic Conference. On behalf of Wisconsin's Catholic bishops, I strongly urge you to oppose Senate Bill 595.

This proposal would jeopardize safe transportation for school children across the state and unduly target Catholic school families and others who attend religious and independent schools.

Under Senate Bill 595, school districts are only required to provide transportation services to nonpublic school pupils during the public school district's term. The bill also allows school districts to fund transportation contracts for families with several children attending a religious or independent school as if the family had only one child attending. Finally, SB 595 extends the deadline by which nonpublic school authorities must provide information regarding pupils in need of transportation services from May 15 to July 15.

School districts in Wisconsin are required to provide transportation services to all students, both public and nonpublic. However, the attendance area for private schools does not always mirror that of public school districts. Many Catholic schools work with multiple school districts to arrange transportation services for their pupils. Limiting transportation services to a public school district's term would compel these private schools to meet the start and end dates of several different district terms at once, severely limiting the ability of a private school to determine its own calendar. In addition to logistical concerns, Wisconsin courts have recognized that as a matter of equal protection school districts cannot force private schools to comply with a district's calendar as a condition for receiving transportation services.

Current law also permits a school district to offer a parent transportation contract in lieu of busing services if the cost of busing a nonpublic student is 1.5 times the district's average cost per pupil. Under SB 595, school districts would be allowed to withdraw busing services for families who have two or more children attending the same nonpublic school building and offer them a single transportation contract in its place. The family would receive a contract amount equal to the average cost of busing one child in the district, or \$5 a mile, whichever is greater.

Larger families with less flexible work schedules, those who live in small towns and rural areas far from school, low-income families that do not own a vehicle, or families that pay per child for transit services would face a special burden. Without transportation services provided by the district, such families must look for alternative transportation options, such as paying for mass transit services from third party providers. Bus passes and other transit services are often sold

based on a per person rate. A family stipend would not meet the cost of these per student charges. Families would have to find transportation for four children on a budget for one.

These families, who may have already lost transportation services in lieu of parent contract payments, would suffer the additional hardship of seeing that contact amount diminish per child simply because they have a large family. The increased transportation costs could force these families to remove their children from private schools.

School districts receive state aid for transportation costs based on the number of pupils within the district. By allowing them to offer contracts on a per family basis, the provision fosters the unequal treatment of individual students and provides an incentive to districts to deny families traditional transportation services. This raises not only issues of safety and fairness, but is also unsound on environmental grounds.

Most children who attend Catholic schools and other nonpublic schools live on the same bus routes as public school children. Using buses on these routes reduces fuel consumption. Consider the case of one school bus transporting the children of five Catholic school families on the same bus route as used for public school students. Under the contract approach, five separate cars will have to make two round trips a day to transport the same 10 children. With fuel prices heading back to \$3 a gallon and government leaders urging us to find ways to reduce the use of gasoline, this idea is as bad for the environment as it is for families.

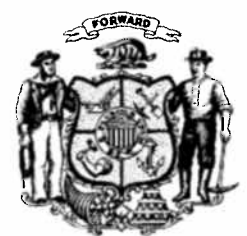
Families who send their children to religious and independent schools support their communities in a variety of ways and should not be limited in their choice of schools due to concerns over safe transportation. Rather than retreat from our state's commitment to safe transportation for all schoolchildren, we should elevate the importance of safe transportation by providing schools with the resources necessary to ensure that all kids have access to a safe learning environment.

For all these reasons, I urge you not to advance Senate Bill 595.

Thank you.



WISCONSIN STATE LEGISLATURE





School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Senate Committee on Education
FROM: John Forester, Director of Government Relations
DATE: March 25, 2010
RE: Senate Bill 595 – Transport of Private School Students

The School Administrators Alliance (SAA) strongly supports Senate Bill 595, relating to the transportation of private school students. Simply put, this bill is an efficiency measure that would allow school districts to reduce school transportation costs and redirect the savings to instructional programming and student services. At the same time, under SB 595, school districts would continue to fulfill their obligations to provide transportation for private school students.

Current law, with some exceptions, requires school districts to provide transportation for students attending private schools even on those days that the public schools are not in session – clearly an inefficient use of taxpayer resources. Many private schools begin their school year prior to the September 1 public school start date, forcing public schools to transport private school students prior to the beginning of the public school year. SB 595 would change current law so that public school districts are required to transport private school students only during the school term of the school district.

Also under current law, a school board, under certain circumstances may fulfill its obligation to transport a private school pupil by contracting with the pupil's parent or guardian. The contract must provide for an annual payment **for each pupil** of at least \$5 times the number of miles between the pupil's residence and the private school, or the district's average cost per pupil for bus transportation, whichever is greater.

A provision adopted in the 2009-11 budget provides that in the Milwaukee Public Schools (MPS), if two or more pupils reside in the same household and attend the same private school, the contract may, at the discretion of the school board, provide for a **total annual payment for all of the pupils instead of for each of the pupils**. SB 595 extends this "one trip, one payment" provision to all school districts.

We urge your support of SB 595. If you should have any questions regarding the SAA's support for SB 595, please call me at (608) 242-1370.

4797 Hayes Road, 2nd Floor • Madison, WI 53704 • (608) 242-1370 • Fax (608) 242-1290 • www.wsaa.org

An Alliance of:

Association of Wisconsin
School Administrators

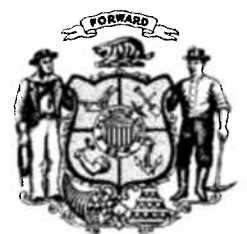
Wisconsin Association of
School District Administrators

Wisconsin Association of
School Business Officials

Wisconsin Council for
Administrators of Special Services



WISCONSIN STATE LEGISLATURE



To: Senate Committee on Education
From: Jennifer Kammerud, Legislative Liaison
Date: March 25, 2010
Re: **2009 Senate Bill 595**

The purpose of this memo is to express the department's opposition to the provision in Senate Bill 595 (SB 595) that changes the requirement to transport private school students.

Under SB 595 if a private school is in session outside of the public school district's school term, the public school district is not required to provide transportation on those dates. The department can not support taking away a means for a student to get to school regardless of whether that is a public or private school.

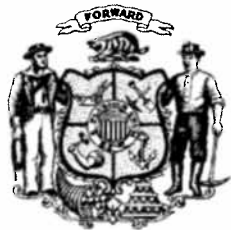
In the 2009-10 school year public school districts transported 40,040 private school students. Under current law, school districts are required to provide transportation services to public and private school pupils enrolled in regular education programs if the pupil resides more than two miles from the nearest public school they are entitled to attend. State pupil transportation categorical aid is based on a flat annual amount per transported pupil. Payments are based upon the distance a pupil travels to school from home.

<i>Mileage</i>	<i>Current Rate</i>
0-2 miles (hazardous)	\$15
2-5 miles	\$35
5-8 miles	\$55
8-12 miles	\$110
Over 12 miles	\$220

Furthermore, under PI 27 there already exists the ability of a public school district to request a waiver from the September 1 school start date for excessive costs related to private school transportation. Districts that apply for a waiver under this provision [PI 27.03(5)(d)] must provide sufficient documentation to establish that the district has made a good faith effort to work with the private school to coordinate a school start date on or after September 1.



WISCONSIN STATE LEGISLATURE



Archdiocese of Milwaukee

Association of Christian
Schools International

Christian Schools International

Diocese of Green Bay

Diocese of La Crosse

Diocese of Madison

Diocese of Superior

Lutheran Church Missouri
Synod North Wisconsin District

Lutheran Church Missouri
Synod South Wisconsin District

Wisconsin Association of
Independent Schools

Wisconsin Conference of
Seventh Day Adventists

Wisconsin Evangelical Lutheran
Synod – Northern District

Wisconsin Evangelical Lutheran
Synod – Western District

Wisconsin Evangelical Lutheran
Synod – Southeastern District

Contact WCRIS

PO Box 7035
Madison, WI 53707

PHONE 608/204-0795

wcris.staff@gmail.com

www.wcris.org

TO: Senate Education Committee

FROM: Matt Kussow, Ex Dir

RE: SB 595

DATE: March 25, 2010

WCRIS is a non-profit association representing over 800 Catholic, Lutheran, Christian, Seventh Day Adventists and independent schools across Wisconsin. The association is currently opposed to the majority of the provisions contained in SB 595.

WCRIS appreciates the efforts on behalf of the authors to work with our members on the provisions in this bill. Regarding the changes proposed to the May 15 reporting deadline, the efforts relate to a problem private schools have recently experienced with the interpretation of this section of the statutes. The May 15 requirement was implemented several decades ago to provide school districts with an estimate of the number of private school students eligible for bussing services in the next term. As the DPI website clearly indicates, it was not meant to exclude students who enroll or transfer to a private school after the prescribed date.

This school term, the Milwaukee Public School District has denied services to private school students who enrolled after May 15. Despite a constitutional requirement to provide similar services to all WI students, MPS has reserved this treatment for private school students only.

WCRIS is asking the authors of SB 595 to amend the current language to stipulate that any date required for the report does not exclude transfer students who enroll in a private school.

SB 595 also eliminates the requirement for school districts to provide bussing services to private schools before and after their school terms. While we understand the additional costs of this provision, the attendance areas of private schools do not always match up with school district boundaries, and in fact, often overlap several different districts. Although our schools strive to accommodate, differing start dates and times create an extremely complicated transportation network. Furthermore, the elimination of this requirement creates an expensive, inefficient, and sometimes unsafe environment for our students.

And finally, regarding the provisions relating to parent contracts, WCRIS believes this change unfairly targets our larger families and will encourage public school districts to over-utilize the parent-contract option. In many cases, this is already an extremely vulnerable student population due to the cost of multiple tuitions. Slashing their transportation stipends will ultimately force some families to forego the private school of their choice. For families forced to rely on public transit, there is clearly an added cost for multiple riders. In most cases, transportation benefits are the only taxpayer funded service private schools receive. WCRIS supports safe, reliable and equitable services for all Wisconsin students.

Thank you for your consideration of our concerns with SB 595.

Private School: Enrollment Statistics

Archdiocese of Milwaukee

Association of Christian
Schools International

Christian Schools International

Diocese of Green Bay

Diocese of La Crosse

Diocese of Madison

Diocese of Superior

Lutheran Church Missouri
Synod North Wisconsin District

Lutheran Church Missouri
Synod South Wisconsin District

Wisconsin Association of
Independent Schools

Wisconsin Conference of
Seventh Day Adventists

Wisconsin Evangelical Lutheran
Synod – Northern District

Wisconsin Evangelical Lutheran
Synod – Western District

Wisconsin Evangelical Lutheran
Synod – Southeastern District

Number of students attending a religious or independent school in WI:

2009-10:	126,812
2008-09:	130,800
2007-08:	133,606
2006-07:	133,419
2005-06:	135,033

Average “per pupil” spending in WI public schools (most current info):

2009-10:	N/A
2008-09:	N/A
2007-08:	\$11,894
2006-07:	\$11,413
2005-06:	\$10,989

Total cost to the state to educate every student currently enrolled in a religious or independent school in the public school system:

\$1,508,301,928

(2009-10 enrollment numbers multiplied by the most recent per/pupil cost data)

Contact WCRIS

PHONE 608/204-0795

wcris.staff@gmail.com

www.wcris.org