



State of Wisconsin
2003 - 2004 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 746**

January 14, 2004 - Offered by COMMITTEE ON EDUCATION REFORM.

1 **AN ACT to amend** 118.40 (2r) (c) 1. and 121.08 (4) (a) 1.; **to repeal and recreate**
2 118.40 (2r) (c) 2.; and **to create** 118.40 (2r) (g) and 121.05 (1) (a) 9m. of the
3 statutes; **relating to:** eligibility to attend an independent charter school and
4 payments made to independent charter schools.

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

5 **SECTION 1.** 118.40 (2r) (c) 1. of the statutes is amended to read:
6 118.40 (2r) (c) 1. ~~Only pupils~~ Pupils who reside ~~in~~ outside the school district
7 in which a charter school established under this subsection is located may attend the
8 charter school only if there is space available after pupils who are residents of the
9 school district and pupils described under subd. 2. are accommodated.

10 **SECTION 2.** 118.40 (2r) (c) 2. of the statutes is repealed and recreated to read:
11 118.40 (2r) (c) 2. If a private school participating in the program under s. 119.23
12 is converted to a charter school under this subsection, a pupil who attended the

1 private school and the pupil's siblings may attend the converted charter school even
2 though the pupil or the sibling resides outside the school district in which the charter
3 school is located.

4 **SECTION 3.** 118.40 (2r) (g) of the statutes is created to read:

5 118.40 (2r) (g) 1. Annually, the department shall determine all of the following:

6 a. For each school district, the number of pupils who reside in the school district
7 and who are attending a charter school established under this subsection in another
8 school district.

9 b. The sum of the amount paid per pupil under par. (e) 1. in the previous school
10 year and the increase in the per pupil amount paid to private schools under s. 119.23
11 (4) (b) 2. in the current school year as compared to the previous school year.

12 2. The department shall decrease each school district's state aid payment under
13 s. 121.08 by an amount equal to the number determined under subd. 1. a. multiplied
14 by the amount determined under subd. 1. b. If the state aid payment under s. 121.08
15 is insufficient to cover the reduction, the department shall decrease other state aid
16 payments made by the department to the school district by the remaining amount.

17 3. The department shall ensure that the aid reduction under subd. 2. lapses to
18 the general fund.

19 **SECTION 4.** 121.05 (1) (a) 9m. of the statutes is created to read:

20 121.05 (1) (a) 9m. Notwithstanding subd. 9., pupils residing in the school
21 district but attending a charter school established under s. 118.40 (2r) in another
22 school district.

23 **SECTION 5.** 121.08 (4) (a) 1. of the statutes is amended to read:

24 121.08 (4) (a) 1. Add the amounts paid under s. 118.40 (2r) (e) in the current
25 school year.

