2023 SENATE BILL 74

February 21, 2023 – Introduced by Senators CABRAL-GUEVARA, BALLWEG, NASS, STROEBEL, TOMCZYK and WANGGAARD, cosponsored by Representatives SORTWELL, ALLEN, ARMSTRONG, BEHNKE, BODDEN, BROOKS, GUSTAFSON, MURPHY, O'CONNOR, RETTINGER and TUSLER. Referred to Committee on Education.

AUTHORS SUBJECT TO CHANGE

1   AN ACT *to create* 118.60 (3) (am) and 119.23 (3) (am) of the statutes; **relating**

2   **to:** pupil applications to attend a private school participating in a parental

3   choice program.

Analysis by the Legislative Reference Bureau

This bill allows a private school participating in the Milwaukee Parental Choice Program, Racine Parental Choice Program, or the Wisconsin Parental Choice Program (parental choice program) to allow parents and guardians of pupils participating in a parental choice program to opt to use an automatic application process to attend the private school under the parental choice program in subsequent school years. If a parent or guardian opts to use an automatic application process offered by a private school, the parent or guardian is considered to have annually submitted an application to the private school for the pupil to attend the private school under the parental choice program, as required by law, until 1) the parent or guardian submits a notice to the private school to stop the automatic application process or 2) the pupil is enrolled in the highest grade offered by the private school. If the pupil is participating in the WPCP, an application submitted through an automatic application process is considered to be accepted by the private school during the WPCP application period.

Under current law, a private school participating in the WPCP is allowed to accept applications for the following school year between the first weekday in February and the third Thursday in April from pupils. Current law requires private schools participating in the WPCP to report the number of pupils who apply during

this application period to the Department of Public Instruction for DPI to determine whether accepted applications exceed school district pupil participation limits, and if necessary, implement the school district participation limits.

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

1   SECTION 1. 118.60 (3) (am) of the statutes is created to read:

2   118.60 **(3)** (am) A private school participating in a program under this section

3 may allow the parent or guardian of a pupil attending the private school under this

4 section to use an automatic application process under which the pupil is considered

5 to have annually applied to attend the private school under this section until the

6 pupil's parent or guardian submits a notice to the private school indicating that the

7 pupil will not attend the private school under this section in the following school year

8 or until the pupil is enrolled in the highest grade offered by the private school. If a

9 parent or guardian opts to use an automatic application process under this

10 paragraph, the parent or guardian is considered to have submitted an application

11 under par. (a) for each school year to which the automatic application process applies.

12 For pupils who reside in a school district, other than an eligible school district or a

13 1st class city school district, applications submitted through an automatic

14 application process are considered accepted by the private school within the

15 application period under par. (ar) 1.

16   SECTION 2. 119.23 (3) (am) of the statutes is created to read:

17   119.23 **(3)** (am) A private school participating in a program under this section

18 may allow the parent or guardian of a pupil attending the private school under this

19 section to use an automatic application process under which the pupil is considered

20 to have annually applied to attend the private school under this section until the

1   pupil's parent or guardian submits a notice to the private school indicating that the

2   pupil will not attend the private school under this section in the following school year

3   or until the pupil is enrolled in the highest grade offered by the private school. If a

4   parent or guardian opts to use an automatic application process under this

5   paragraph, the parent or guardian is considered to have submitted an application

6   under par. (a) for each school year to which the automatic application process applies.

7   **(END)**