



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2448/1
KRP:amn

2019 SENATE BILL 431

September 17, 2019 - Introduced by Senator MARKLEIN, cosponsored by Representatives NOVAK, DUCHOW, HORLACHER, KNODL, MURPHY and SKOWRONSKI. Referred to Committee on Education.

- 1 **AN ACT** *to amend* 121.55 (1) (b) and 121.55 (3) (b) of the statutes; **relating to:**
2 a contract between a school board and a parent or guardian to transport a pupil
3 to and from school.

Analysis by the Legislative Reference Bureau

This bill requires that, if a school board contracts with a parent or guardian to transport a pupil to and from school, the contract must compensate the parent or guardian a total amount for all pupils residing in the household who attend the same school, rather than a per pupil amount.

Under current law, a school board is generally required to provide transportation to a public or private school pupil residing in the school district two miles or more from the pupil's school. Currently, a school board may meet its transportation obligation using a variety of methods, including by contract with the parent or guardian of the public or private school pupil. Current law also provides that, if the cost of transporting a private school pupil is more than 1.5 times a school district's average cost per pupil for bus transportation in the previous year (average cost), and the school district contracts with the pupil's parent or guardian to transport the pupil, the contract must provide for an annual payment for each pupil of not less than the greater of the following amounts (minimum contract amount): 1) \$5 multiplied by the distance in miles between the pupil's residence and the pupil's private school; and 2) the school district's average cost. Current law also provides that, if the school district is Milwaukee Public Schools, the board of school directors of MPS may pay the minimum contract amount for all pupils who reside in the same

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household and attend the same private school, rather than paying the minimum contract amount for each pupil in the household.

The bill provides that, for a contract between a school board and a parent or guardian to transport a pupil, the amount of compensation must be a single amount for all pupils residing in the household who attend the same school, rather than a per pupil amount. That requirement applies to transportation contracts for both public and private school pupils, and the requirement applies to the minimum contract amount applicable to the transportation of a private school pupil that costs more than 1.5 times a school district's average cost.

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.** 121.55 (1) (b) of the statutes is amended to read:

2 121.55 (1) (b) By contract with the parent or guardian of the pupil to be
3 transported. If the school board and the parent or guardian cannot agree upon the
4 amount of compensation, the department shall determine the amount of
5 compensation to be designated in the contract. If 2 or more pupils reside in the same
6 household and attend the same school, a contract under this paragraph shall provide
7 for an amount of compensation for all such pupils, rather than a per pupil amount.

8 **SECTION 2.** 121.55 (3) (b) of the statutes is amended to read:

9 121.55 (3) (b) Except as provided in par. (c), if 2 or more pupils reside in the
10 same household and attend the same private school, the contract under par. (a) ~~may,~~
11 ~~at the discretion of the school board of the school district operating under ch. 119,~~
12 shall provide for a total annual payment for all such pupils of not less than \$5 times
13 the distance in miles between the pupils' residence and the private school they
14 attend, or the school district's average cost per pupil for bus transportation in the
15 previous year exclusive of transportation for kindergarten pupils during the noon
16 hour and for pupils with disabilities, whichever is greater.

