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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2023 Senate Bill 267**

**Senate Substitute  
Amendment 1**

### 2023 SENATE BILL 267

Senate Bill 267 creates a program to provide \$500,000 grants to recovery high schools. Recovery high schools are public, private, or tribal high schools designed for students in recovery from a substance use disorder that meet a number of specific criteria. Among other eligibility criteria for receiving a grant, a recovery high school must be physically separate from any other public, private, or tribal school; have a governing board of at least five members with specified qualifications; and employ a director who is responsible for daily operations.

The bill enumerates seven permissible uses for the grant funds: (1) to employ school staff; (2) to rent, or otherwise secure, a physical location for the recovery high school; (3) to purchase drug testing supplies; (4) to develop and implement an after-school and weekend sober activity program; (5) to transport students; (6) to fund legal and accounting services; and (7) to fund general administrative costs. Senate Bill 267 also requires a recovery high school that receives a grant to submit a report to the Department of Instruction (DPI) each year. The report must include an independent financial audit and a report of the school's operations that provides specified information. The bill allocates \$500,000 in each fiscal year 2023-24 and 2024-25 for recovery high school grants.

### SENATE SUBSTITUTE AMENDMENT 1

Senate Substitute Amendment 1 retains large portions of the original bill, but creates two separate grant programs for recovery high schools and modifies the eligibility requirements for these schools. The differences between Senate Bill 267 and the substitute amendment are outlined below.

#### Definition of a Recovery High School

The substitute amendment retains the definition of a recovery high school provided in the bill, except that it removes the requirement that the school be located in a physical location separate from any other school.

#### Operational Grants

The grant program created by Senate Bill 267 is largely retained in the substitute amendment as an operational grants program. However, the substitute amendment provides several modifications to school eligibility, requires additional information be included on a grant recipient's report to DPI, and changes how grant amounts are determined and administered.

## School Eligibility

The eligibility provisions under the bill are also included in the substitute amendment, but with the following changes:

- **Governing board membership.** The substitute amendment removes the membership requirement for the governing board. Under the substitute amendment, there are no requirements for the number of members of the governing board or that members have particular experiences or expertise; rather, the substitute amendment requires only that the recovery high school is overseen by a governing board.
- **Head of school.** Where the bill requires an eligible recovery high school to employ “a director who is responsible for the daily operations of the recovery high school,” the substitute amendment instead requires an eligible recovery high school to employ “an individual who is responsible for the daily operations of the recovery high school.”
- **Enrollment limits.** The substitute amendment removes the requirement that an eligible recovery high school limit enrollment based on the number of years the school has been in operation, and instead requires that the recovery high school demonstrate that its model is capable of supporting its anticipated enrollment.
- **Evidence-based programming.** The substitute amendment creates an eligibility requirement that the school provide evidence-based programming to students. Under the substitute amendment, evidence-based programming includes evidence-based peer-to-peer suicide prevention programming, smaller class sizes, and self-care planning.

## Reporting Requirement

The substitute amendment retains the reporting requirements set forth in the bill and requires one additional piece of information be included on a grant recipient’s report to DPI. Specifically, under the substitute amendment, a grant recipient must also report on how the grant funding it received was used to support the operations of the recovery high school.

## Grant Amounts and Administration

While the bill provides a grant of \$500,000 to each eligible recovery high school that applies for a grant, the substitute amendment does not specify the amount for grants. Instead, the substitute amendment requires a grant applicant to include, as part of its application, the grant amount it is requesting along with a proposed budget for how it will use the funds. If DPI does not award an applicant the full amount the applicant requested, DPI must provide the applicant with an explanation.

## Planning Grants

The substitute amendment creates a program through which DPI may award up to four planning grants in each school year to nonprofit organizations and public, private, and tribal schools that intend to establish a recovery high school.<sup>1</sup> An applicant for a planning grant must include as part of its application to DPI the grant amount requested and a proposed budget for how it will use the funds in the following school year. If DPI does not award an applicant the full amount the applicant requested, DPI must provide the applicant with an explanation.

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<sup>1</sup> In a school year where DPI determines that three or more recovery high schools are operating in Wisconsin, DPI may not award any planning grants.

A recipient of a planning grant under the substitute amendment may use the grant funds for any of the following:

- Hiring a consultant for planning the recovery high school.
- General program planning for the recovery high school.
- Curriculum and lesson planning.
- Mental health services planning.
- Any other costs incurred to develop a final plan for establishing a recovery high school.

Under the substitute amendment, each recipient of a planning grant must submit a report to DPI by August 1 following the school year it received the grant. This report must include an explanation of how the recipient used the grant funds and the status of the recipient's plan to establish a recovery high school. This status information may include a final plan for establishing a recovery high school or an explanation of why the recipient no longer intends to establish a recovery high school. Grant recipients are also required to return any unused funds to DPI.

## **Funding of Programs**

Instead of directly appropriating funds as under the bill, the substitute amendment requires DPI to request that the Joint Committee on Finance (JCF) provide \$500,000 in each year of the fiscal biennium in supplemental funding. The substitute amendment requires DPI to allocate a portion of the supplemental funding appropriation for planning grants depending on how many recovery high schools DPI determines are operating in Wisconsin in a given school year.

Specifically, in any school year that DPI determines there are fewer than three recovery high schools operating in Wisconsin, DPI must allocate \$300,000 for planning grants. In the school year beginning after DPI first determines that at least three recovery schools are operating in Wisconsin and in each school year thereafter, if DPI determines that fewer than three recovery high schools are operating in Wisconsin for that school year, DPI must allocate \$100,000 for planning grants.

## **BILL HISTORY**

Senate Substitute Amendment 1 was offered by Senator James on October 31, 2023. On November 8, 2023, the Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families adopted the substitute amendment on a vote of Ayes, 5; Noes, 0, and recommended passage of Senate Bill 267, as amended, on a vote of Ayes, 4; Noes, 1.

For a full history of the bill, visit the Legislature's [bill history page](#).

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