

1991 Assembly Bill 461

Date of enactment: **April 13, 1992**
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1991 WISCONSIN ACT 164

AN ACT *to renumber* 115.80 (4); *to amend* 115.28 (7) (c) and 118.31 (1); and *to create* 115.80 (4) (b), 115.85 (1) (d) and 118.19 (4) of the statutes, **relating to:** the licensure of teachers of the visually impaired, instruction in braille and granting rule-making authority.

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

SECTION 1. 115.28 (7) (c) of the statutes is amended to read:

115.28 (7) (c) ~~License, certify~~ Subject to s. 118.19 (4), license and make rules for the examination, and ~~licensing and certification~~ of persons, including teachers, employed by special education programs, as defined in s. 115.76 (10).

SECTION 2. 115.80 (4) of the statutes is renumbered 115.80 (4) (a).

SECTION 3. 115.80 (4) (b) of the statutes is created to read:

115.80 (4) (b) The individualized education program of each child with exceptional educational needs as a result of a visual handicap shall indicate whether the child needs to be taught braille. If the individualized education program indicates that the child does not need to be taught braille, it shall also indicate the reason.

SECTION 4. 115.85 (1) (d) of the statutes is created to read:

115.85 (1) (d) Beginning in the 1995-96 school year, no child with exceptional educational needs as a result of a visual handicap may be denied the opportunity to receive instruction in reading and writing braille.

SECTION 5. 118.19 (4) of the statutes is created to read:

118.19 (4) Beginning July 1, 1995, the state superintendent may not issue or renew a license to teach the visu-

ally impaired unless the applicant demonstrates, based on criteria established by the state superintendent by rule, that he or she is proficient in reading and writing braille and in teaching braille. In promulgating rules under this subsection, the state superintendent shall take into consideration the standard used by the librarian of congress for certifying braille transcribers.

SECTION 6. 118.31 (1) of the statutes is amended to read:

118.31 (1) In this section, "corporal punishment" means the intentional infliction of physical pain which is used as a means of discipline. "Corporal punishment" includes, but is not limited to, paddling, slapping or prolonged maintenance of physically painful positions, when used as a means of discipline. "Corporal punishment" does not include actions consistent with an individualized education program developed under s. 115.80 (4) (a) or reasonable physical activities associated with athletic training.

SECTION 7. Nonstatutory provisions. In promulgating the rules required under section 118.19 (4) of the statutes, as created by this act, the state superintendent of public instruction shall consult with school boards, school district administrators, teacher organizations, professional organizations relating to the visually impaired and advocacy groups for the blind, including organizations primarily composed of blind adults, blind students and parents of blind students.

SECTION 8. Initial applicability. The treatment of section 115.80 (4) (b) of the statutes first applies to individualized education programs prepared on July 1, 1995.
