

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/22/99**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Rindfleisch**

This file may be shown to any legislator: **NO**

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - handicapped ed.  
Education - state superintendent**

Extra Copies: **MJL**

**Pre Topic:**

ARC:.....Rindfleisch - Am #136,

**Topic:**

School for the Visually Handicapped

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 06/22/99 jkreye 06/22/99	jgeller 06/24/99		_____			
/1			kfollet 06/24/99	_____	lrb_docadmin 06/24/99		
/2	grantpr 06/24/99 grantpr 06/25/99	jgeller 06/24/99 jgeller 06/25/99	mclark 06/24/99	_____	ismith 06/24/99		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typist</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3		gilfokm 06/25/99	martykr 06/25/99	_____	lrb_docadmin 06/25/99		
/4			mclark 06/26/99	_____	lrb_docadmin 06/26/99		

FE Sent For:

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		14-6-25 KMG	MRC 6/25		MRC/STH 6/24		

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/3			martykr 06/25/99	_____ _____	lrb_docadmin 06/25/99		

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/2	grantpr 06/24/99	ygeller 06/24/99	mclark 06/24/99	_____	ismith 06/24/99		

*Handwritten notes:*  
m 6/25  
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Am 4/25

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	jkreye 06/22/99	<i>1/2 6/24 jlg</i>		_____			
/1			kfollet 06/24/99	_____	irb_docadmin 06/24/99		
FE Sent For:			<i>MRC 6/24</i>	<i>MRC/KJF 6/24</i>			<i>&lt;END&gt;</i>

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1?	grantpr	1 6/23 Jg	1GF 6/24	KF/KM 6/24			

FE Sent For:

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# To Be Drafted

ARC

Agency

Amendment#

ARC Analyst

LRB#

Tax Cut

65892

## Summary

In 1998, a Joint Legislative Council Committee was formed on Service for Visually Handicapped Students. The Committee was formed to make recommendations for the improvement in educational and related services provided to visually impaired children and adults in the state by public school districts, the Wisconsin School for the Visually Handicapped and other educational agencies.

In June of 1999, the committee submitted its recommendation to the Department of Public Instruction. Those recommendations include:

1. Changing the name of the Wisconsin School for the Visually Handicapped to the Wisconsin Center for the Blind and Visually Impaired (WCBVI).
2. Provide that WCBVI is to serve as a statewide educational resource center on visual impairments for the benefit of all Wisconsin children who have a visual impairment.
3. Require WCBVI to operate a school which is: free to state residents age 3 to 20 if their individualized education program (IEP) specifies the school as the appropriate placement; available to older state residents if any required fees are paid; and available under certain circumstances, to nonresidents if required fees are paid and space is available.
4. Specify that, pursuant to a pupil's IEP, the pupil may be placed at the school for less than a school term.
5. Specify that WCBVI's residential facilities must be available to all pupils received at the school, unless the WCBVI director determines that appropriate services are not available for an individual at the residential facilities.
6. Specify that other statewide services provided by WCBVI may include such services as: providing testing evaluation and assessment services to assist local school districts, CESAs and county children with disabilities education boards (CCDEBS); providing technical assistance and consultation services; developing and disseminating curriculum and instructional materials; providing inservice and other training to teachers and other staff; providing training, technical assistance and consultation services for parents and professionals; providing materials in Braille, large print and other appropriate formats; providing training about Braille codes and formats; loaning books and other materials from WCBVI's library; serving as a clearinghouse of information; assisting in providing assistive technology services; lending, renting or leasing technological materials and assistive technology devices to local school districts, CESAs and CCDEBs; providing assistance to teacher preparation programs; and coordinating and collaborating with other agencies and organizations.
7. Specify that WCBVI may provide instruction or services for children from birth to two years of age and their parents.
8. Require WCBVI to operate a library which may be used by all school age children in the state.
9. Require WCBVI to provide summer programs for children with a visual impairment.
10. Continue the requirement that an adult summer program be provided each year.
11. Allow WCBVI to use the house currently available for the WSVH superintendent's residence as a facility in which individuals receive instruction in and practice independent living skills.
12. Specify that in addition to providing services at WCBVI's facility at Janesville, WCBVI may provide services at any location in the state and may operate regional service satellites throughout the state to provide any service.
13. Specify that the State Superintendent may rent or lease space at WCBVI's facility at Janesville which is not required by WCBVI if the sue will not be inconsistent with the operation of WCBVI; and provide that the income from the rent or lease must be credited to WCBVI.
12. Provide that the State Superintendent is responsible for maintaining and governing WCBVI, but require the State Superintendent to appoint an individual who has training and experience in the education of students with a visual impairment as the WCBVI director.
14. Replace the three-member Council on Education of the Blind with a 17-member Blind and Visual Impairment Education Council.
15. Require the State Superintendent to seek the advice of and consult with this Council on issues related to persons who have a visual impairment.
16. Require the State Superintendent to prepare a transition plan.
17. Require the State Superintendent to consult with the proposed Blind and Visual Impairment Education Council in preparing the plan.
18. Require the State Superintendent to submit the plan to the Governor and Legislature no later than six months after the effective date.
19. Require that the Legislative Audit Bureau initiate an audit of WCBVI three years after the effective date.
20. Provide that WCBVI and the Wisconsin School for the Deaf are eligible to participate in the state school medical services program, thus permitting them to receive a portion of federal MA reimbursement for the costs incurred in providing those services.

This amendment would enact the recommendation of the Joint Legislative Council Committee.

## Fiscal Impact

None

## Statement of Intent

Request#

Tuesday, June 22, 1999





WPD-INSERTS NOT IN ORDER

PG.....  
see me for editing questions.  
joe

ARC:.....Rindfleisch - Am #136, School for the Visually Handicapped  
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION  
CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 133

JDOON

~~XXXXXXXXXX~~

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 28, line 6: after that line insert: insert 5-1 & then insert 5-2
- 3 2. Page 300, line 19: after that line insert: insert 6-22
- 4 3. Page 411, line 18: after that line insert: insert 9-18
- 5 4. Page 518, line 12: after that line insert: insert 10-1
- 6 5. Page 520, line 9: after that line insert: insert 10-10 + INSERT 10-10:J
- 7 6. Page 555, line 25: after that line insert: insert 11-1
- 8 7. Page 717, line 24: delete the material beginning with "School" and ending  
9 with "Handicapped" on line 25 and substitute: "Center for the Blind and Visually  
10 Impaired".

foc

1 8. Page 718, line 9: delete that line and substitute *g* "behalf of the Wisconsin  
2 Center for the Blind and Visually Impaired and the Wisconsin". ✓

3 9. Page 718, line 14: delete that line and substitute *g* "pars. (b) and (c) to the  
4 Wisconsin Center for the Blind and Visually Impaired and the". ✓

5 10. Page 718, line 22: delete that line and substitute *g* "administrative costs.  
6 If the Wisconsin Center for the Blind and Visually Impaired or the". ✓

7 11. Page 719, line 1: delete that line and substitute *g* "medical services that the  
8 Wisconsin Center for the Blind and Visually Impaired or the". ✓

9 12. Page 719, line 8: delete "School for the Visually Handicapped" and  
10 substitute "Center for the Blind and Visually Impaired". ✓

11 13. Page 1094, line 22: after that line insert: *insert 13-4* ✓

12 14. Page 1096, line 8: after that line insert: *insert 13-14* ✓

13 15. Page 1097, line 2: after that line insert: *insert 15-1* ✓

14 16. Page 1123, line 7: after that line insert: *insert 27-12* ✓

15 17. Page 1127, line 17: after that line insert: *insert 28-3* ✓

16 18. Page 1436, line 16: after that line insert: *insert 28-15* ✓

17 19. Page 1542, line 13: after that line insert: *insert 29-1* ✓

18 (END) ✓

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

1 ~~AN ACT to repeal 115.51 (1), 115.55 and 940.295 (1) (q); to renumber and~~  
2 ~~amend 115.53 (3); to amend 20.255 (1) (b), 20.255 (1) (c), 20.255 (1) (d), 20.255~~  
3 ~~(1) (gb), 20.255 (1) (gt), 20.866 (2) (zh) (title), 39.41 (1) (bm), 39.41 (1m) (c) 1.,~~  
4 ~~39.41 (1m) (f), 46.041 (1) (a), 49.45 (39) (a) 1., (am) and (b), 115.31 (1) (b),~~  
5 ~~subchapter III (title) of chapter 115 [precedes 115.51], 115.52, 115.53 (2), 115.53~~  
6 ~~(4) and (5), 115.54, 115.58, 121.05 (1) (a) 8. and 121.54 (3); to repeal and~~  
7 ~~recreate 15.377 (1), 115.37 and 940.295 (2) (j); and to create 20.255 (1) (gh),~~  
8 ~~20.255 (1) (gL), 20.255 (1) (gs), 115.51 (3) and (4), 115.525 and 115.53 (3) (b) of~~  
9 ~~the statutes; relating to: the Wisconsin School for the Visually Handicapped,~~  
10 ~~the council on the education of the blind, medical assistance reimbursement for~~  
11 ~~school medical services and making an appropriation.~~

---

***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the joint legislative council in the bill.



impairment. Under current law, the council on the education of the blind must make recommendations as to procedures and policies affecting any problem of children with visual impairments before DPI. The council must advise on such services, activities, programs, investigations and researches as in its judgment will contribute to the welfare of persons with visual impairments. The state superintendent must seek the advice of and consult with the council on problems and policy changes affecting persons with visual impairments in DPI's jurisdiction, and the council may initiate consultations with DPI.

The bill replaces the council on the education of the blind with the blind and visual impairment education council. The blind and visual impairment education council consists of the following 17 members, at least one of whom has been certified by the library of congress as a braille transcriber, appointed by the state superintendent for staggered three-year terms:

1. Three public members, at least one of whom has a visual impairment.
2. Three parents of a child who has a visual impairment.
3. Three persons who are members of an organization affiliated with persons who have a visual impairment.
4. Three teachers, one of whom is a vision teacher, one of whom is an orientation and mobility instructor and one of whom is licensed as a general education teacher.
5. One school board member.
6. One school district administrator.
7. One school district special education director.
8. One CESA representative.
9. One person affiliated with an institution of higher education with experience in vision education.

The state superintendent must seek the advice of and consult with the blind and visual impairment education council on issues related to persons who have a visual impairment. The state superintendent and the WCBVI director, or their designees, must attend meetings of the council.

The council must do all of the following:

1. Meet at least twice each year.
2. Advise the state superintendent on such statewide services, activities, programs, investigations and research as in its judgment will benefit pupils who have a visual impairment.
3. Make recommendations for the improvement of services provided by WCBVI.
4. Review the level and quality of services available to pupils in the state who have a visual impairment and make recommendations about those services.
5. Propose to the state superintendent ways to improve the preparation of teachers, instructors and other staff who provide services to pupils who have a visual impairment.
6. Propose to the state superintendent ways to improve coordination between DPI and other agencies in the provision of services to persons who have a visual impairment.
7. Review the transition plan for WCBVI prepared by the state superintendent described in item C., above.

In addition, the council may initiate consultations with DPI.

F. MA Reimbursement

The bill adds WSD and WCBVI to the list of entities that are eligible to participate in the state school medical services program. This will permit WSD and WCBVI to receive a portion of federal MA reimbursement for the costs incurred in providing those services.

SECTION 15.377 (1) of the statutes is repealed and recreated to read:

377(1)

INSERT  
S-1

1

1 15.377 (1) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL. (a) *Definition*. In  
2 this subsection, "visually impaired" has the meaning given in s. 115.51 (4).

3 (b) *Creation*. There is created a blind and visual impairment education council  
4 in the department of public instruction.

5 (c) *Members*. The blind and visual impairment education council shall consist  
6 of the following members, at least one of whom has been certified by the library of  
7 congress as a braille transcriber, appointed by the state superintendent for 3-year  
8 terms:

9 1. Three parents of children who are visually impaired.

10 2. Three persons who are members of an organization affiliated with persons  
11 who are visually impaired.

12 3. Three <sup>licensed</sup> teachers, one of whom is a teacher of the visually impaired, one of  
13 whom is an orientation and mobility ~~instructor~~ and one of whom is ~~licensed~~ as a  
14 general education teacher.

15 4. One school board member.

16 5. One school district administrator.

17 6. One school district special education director.

18 7. One cooperative educational service agency representative.

19 8. One person who has experience in educating the visually impaired and is  
20 affiliated with an institution of higher education.

21 9. Three other members, at least one of whom is visually impaired.

✓ or in educating teachers of the visually impaired

end of insert 5-1

~~NOTE. This provision creates a 17-member blind and visual impairment education council in DPI, appointed by the state superintendent. The duties of the council are set forth in SECTION . This council replaces the current council on the education of the blind which has 3 members who must have a visual impairment and who must have a recognized interest in and a demonstrated knowledge of the problems of children who have a visual impairment.~~

22  
INSERT  
6-22

SECTION 2. 20.255 (1) (b) of the statutes is amended to read:

250p ©

1           20.255 (1) (b) *General program operations; residential schools School for the*  
 2 *Deaf and Center for the Blind and Visually Impaired.* The amounts in the schedule  
 3 for the operation and maintenance of the Wisconsin schools School for the deaf Deaf  
 4 and the visually handicapped Wisconsin Center for the Blind and Visually Impaired,  
 5 the matching of federal funds, but not including expenses financed under par. (js).  
 6 ~~All moneys received in reimbursement for services rendered institutional employes,~~  
 7 ~~participants in institutes and training programs and visitors at the state schools for~~  
 8 ~~the deaf and the visually handicapped under s. 115.52 (6), except reimbursements~~  
 9 ~~credited under par. (js), shall be refunded to the appropriation made by this~~  
 10 ~~paragraph. Such reimbursements shall be accumulated in an account named~~  
 11 ~~“maintenance credits”.~~

NOTE: Amends the statute relating to the appropriation to DPI for general program operations and maintenance of WSD and WSVH, to reflect: (1) the renaming of WSVH to WCBVI; (2) the deletion of provisions in s. 115.52, stats., which relate to WSVH and the creation of s. 115.525, stats., relating to WCBVI; and (3) the crediting of any moneys received for rent or lease of space at WCBVI to this appropriation and allocating those rent or lease moneys to WCBVI.

This bill does not change the appropriations for WSD or WCBVI, other than crediting moneys received for renting or leasing space at WCBVI to this appropriation. (See s. 115.525 (6), as created by this bill.) The appropriations to DPI for WSD and WCBVI continue to be combined, as under current law with respect to WSD and WSVH.

250  
250a (b)  
12 SECTION 3. 20.255 (1) (c) of the statutes is amended to read:

13           20.255 (1) (c) *Energy costs; School for the Deaf and Center for the Blind and*  
 14 *Visually Impaired.* The amounts in the schedule to be used at the schools Wisconsin  
 15 School for the deaf Deaf and visually handicapped the Wisconsin Center for the Blind  
 16 and Visually Impaired to pay for utilities and for fuel, heat and air conditioning, to  
 17 pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895, and  
 18 to repay to the energy efficiency fund loans made to the department under s. 16.847  
 19 (6).

NOTE: Amends the statute relating to the appropriation to DPI for energy costs of WSD and WSVH to reflect the renaming of WSVH to WCBVI.

250 r (3)

1

SECTION 6. 20.255 (1) (d) of the statutes is amended to read:

2

20.255 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse

3

s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing

4

the acquisition, construction, development, enlargement or improvement of

5

institutional facilities for individuals with hearing impairments and visual

6

impairments under s. 115.52, individuals with visual impairments under s. 115.525

7

and reference and loan library facilities under s. 43.05 (11).

NOTE: Amends the statute relating to the appropriation to DPI for payment of principal and interest on public debt incurred in financing certain costs for WSD, WSVH and reference and loan library facilities to reflect the deletion of provisions in s. 115.52, stats., which relate to WSVH and the creation of s. 115.525, stats., relating to WCBVI.

250 s (3)

8

SECTION 7. 20.255 (1) (gb) of the statutes is amended to read:

9

20.255 (1) (gb) *Residential schools School for the Deaf and Center for the Blind*

10

*and Visually Impaired; nonresident fees.* All moneys received from fees charged

11

nonresident pupils under s. 115.52 (3) for services provided at the residential schools

12

Wisconsin School for the Deaf under s. 115.52 (3) and for services provided by the

13

Wisconsin Center for the Blind and Visually Impaired under s. 115.525 (3) (a) 3.

NOTE: Amends the statute relating to the appropriation to DPI from fees charged to pupils at WSD or WSVH who are not residents of Wisconsin to reflect: (1) the renaming of WSVH to WCBVI; and (2) the deletion of provisions in s. 115.52, stats., which relate to WSVH and the creation of s. 115.525, stats., relating to WCBVI.

250 t (3)

14

SECTION 8. 20.255 (1) (gh) of the statutes is created to read:

15

20.255 (1) (gh) *School for the Deaf and Center for the Blind and Visually*

16

*Impaired; hospitalization.* All moneys received on account of hospitalization under

17

s. 115.53 (4) for the operation of the Wisconsin School for the Deaf and the Wisconsin

18

Center for the Blind and Visually Impaired.

19

SECTION 9. 20.255 (1) (gL) of the statutes is created to read:

250 u (3)

250 v (B)

1 20.255 (1) (gL) *Center for the Blind and Visually Impaired; leasing of space.*  
2 All moneys received from leasing space at the Wisconsin Center for the Blind and  
3 Visually Impaired under s. 115.525 (6) for the operation <sup>and maintenance</sup> of the center.

4 SECTION 8. 20.255 (1) (gs) of the statutes is created to read:

5 20.255 (1) (gs) *School for the Deaf and Center for the Blind and Visually*  
6 *Impaired; services.* All moneys received from services provided at the Wisconsin  
7 School for the Deaf under s. 115.52 (6) and at the Wisconsin Center for the Blind and  
8 Visually Impaired under s. 115.525 (5) for the operation and maintenance of the  
9 school and the center.

250 w (B)

10 SECTION 9. 20.255 (1) (gt) of the statutes is amended to read:

11 20.255 (1) (gt) ~~Residential schools~~ *School for the Deaf and Center for the Blind*  
12 *and Visually Impaired; pupil transportation.* The amounts in the schedule for the  
13 weekend transportation of pupils enrolled in the residential schools under subch. III  
14 of ch. 115 Wisconsin School for the Deaf under s. 115.52 <sup>or</sup> and the school operated by  
15 the Wisconsin Center for the Blind and Visually Impaired under s. 115.525 to and  
16 from their homes. All moneys received under s. 115.53 (6) shall be credited to this  
17 appropriation. " *end of insert 6-22*

NOTE: Amends the statute relating to the appropriation to DPI from payments received from local school districts for transporting pupils of WSD and WSVH to and from their homes on weekends to reflect: (1) the renaming of WSVH to WCBVI; and (2) the deletion of provisions in s. 115.52, stats., which relate to WSVH and the creation of s. 115.525, stats., relating to WCBVI

641 P (B)

18 SECTION 10. 20.866 (2) (zh) (title) of the statutes is amended to read:

19 20.866 (2) (zh) (title) *Public instruction; state schools school, state center and*  
20 *library facilities.* "

NOTE: Amends the title of the appropriation from the capital improvement fund for financing certain costs for institutional facilities for individuals with hearing impairments and individuals with visual impairments and reference and loan library

INSERT  
9-18



INSERT 10-1

facilities to reflect the renaming of WSVH to WCBVI. That appropriation currently reads as follows.

912h (2) (zh) From the capital improvement fund, a sum sufficient for the department of public instruction to acquire, construct, develop, enlarge or improve institutional facilities for individuals with hearing impairments and individuals with visual impairments and reference and loan library facilities. The state may contract public debt in an amount not to exceed \$7,367,700 for this purpose.

1 SECTION 11. 39.41 (1) (bm) of the statutes is amended to read:

2 39.41 (1) (bm) "Senior" means a pupil enrolled in the 12th grade in a public or  
3 private high school, the Wisconsin school School for the deaf and Deaf or the  
4 Wisconsin school for the visually handicapped school operated by the Wisconsin  
5 Center for the Blind and Visually Impaired.

912g (b) NOTE: See the note following SECTION.

6 SECTION 12. 39.41 (1m) (c) 1. of the statutes is amended to read:

7 39.41 (1m) (c) 1. For the Wisconsin school for the visually handicapped school  
8 operated by the Wisconsin Center for the Blind and Visually Impaired, designate the  
9 senior with the highest grade point average in all subjects as a scholar. = ✓

NOTE: See the note following SECTION.

10 SECTION 13. 39.41 (1m) (f) of the statutes is amended to read:

11 913mv (b) 39.41 (1m) (f) If 2 or more seniors from the Wisconsin school for the visually  
12 handicapped school operated by the Wisconsin Center for the Blind and Visually  
13 Impaired have the same grade point average and, except for the limitation of one  
14 designated senior, are otherwise eligible for designation under par. (c) 1., the  
15 executive secretary shall make the designation under par. (c) 1. of the senior who may  
16 be eligible for a higher education scholarship as a scholar and, if that senior does not  
17 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate  
18 one or more of the remaining seniors with the same grade point average as eligible  
19 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the  
20 scholarship may be awarded by the board. = ✓

see attached FNS-10-10-1

Insert 10-10 ✓

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11-1

~~NOTE: Current statutes provide for academic excellence higher education scholarships for one senior with the highest grade point average in his or her school (or additional seniors if the school has 500 or more pupils). Currently, the executive secretary of the higher educational aids board designates the senior at WSVH who has the highest grade point average and who is otherwise eligible for the designation as such a scholar. (Such scholars are then eligible for a higher education scholarship under certain circumstances.) SECTIONS to amend these provisions to reflect the renaming of WSVH to WCBVI.~~

✓ 999p ②

1 SECTION 46.041 (1) (a) of the statutes is amended to read:

2 46.041 (1) (a) Provide for the temporary residence and evaluation of children  
3 referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the  
4 institutions and services under the jurisdiction of the department, University of  
5 Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215,  
6 46.22 or 46.23, private child welfare agencies, schools the Wisconsin School for the  
7 deaf and visually handicapped, Deaf, the Wisconsin Center for the Blind and  
8 Visually Impaired and mental health facilities within the state at the discretion of  
9 the ~~superintendent~~ director of the institution providing services under this section. ∴

(end ins)

~~NOTE: Amends the statute relating to the children's consultation service program which must be established at the Mendota mental health institute or the Winnebago mental health institute, or both, to: (1) reflect the renaming of WSVH to WCBVI; and (2) clarify that it is the director of Mendota mental health institute or Winnebago mental health institute who has discretion about providing services.~~

10 SECTION 15. 49.45 (39) (a) 1., (am) and (b) of the statutes are amended to read:

11 49.45 (39) (a) 1. "School" means a public school described under s. 115.01 (1),  
12 the Wisconsin School for the Deaf, the Wisconsin Center for the Blind and Visually  
13 Impaired or a charter school, as defined in s. 115.001 (1). It includes school-operated  
14 early childhood programs for developmentally delayed and disabled 4-year-old and  
15 5-year-old children.

16 (am) *Plan amendment.* No later than September 30, 1995, the department  
17 shall submit to the federal department of health and human services an amendment  
18 to the state medical assistance plan to permit the application of pars. (b) ~~to~~ and (c).

1 If the amendment to the state plan is approved, school districts and, cooperative  
2 educational service agencies and the department of public instruction on behalf of  
3 the Wisconsin School for the Deaf and the Wisconsin Center for the Blind and  
4 Visually Impaired claim reimbursement under pars. (b) ~~to~~ and (c). Paragraphs (b)  
5 ~~to~~ and (c) do not apply unless the amendment to the state plan is approved and in  
6 effect. The department shall submit to the federal department of health and human  
7 services an amendment to the state plan if necessary to permit the application of  
8 pars. (b) and (c) to the Wisconsin School for the Deaf and the Wisconsin Center for  
9 the Blind and Visually Impaired.

10 (b) *Payment for school medical services.* If a school district or a cooperative  
11 educational service agency elects to provide school medical services and meets all  
12 requirements under par. (c), the department shall reimburse the school district or the  
13 cooperative educational service agency for 60% of the federal share of allowable  
14 charges for the school medical services that it provides and for allowable  
15 administrative costs. If the Wisconsin School for the Deaf or the Wisconsin Center  
16 for the Blind and Visually Impaired elects to provide school medical services and  
17 meets all requirements under par. (c), the department shall reimburse the  
18 department of public instruction for 60% of the federal share of allowable charges for  
19 the school medical services that they provide and for allowable administrative costs.  
20 The department shall promulgate rules establishing a methodology for making  
21 reimbursements under this paragraph. All other expenses for the school medical  
22 services provided by a school district or a cooperative educational service agency  
23 shall be paid for by the school district or the cooperative educational service agency  
24 with funds received from state or local taxes. The school district, the Wisconsin  
25 School for the Deaf, the Wisconsin Center for the Blind and Visually Impaired or the

1 cooperative educational service agency shall comply with all requirements of the  
2 federal department of health and human services for receiving federal financial  
3 participation.

NOTE: This provision adds WSD and WCBVI to the list of entities that are eligible to participate in the state school medical services program. This will permit WSD and WCBVI to receive a portion of federal MA reimbursement for the costs incurred in providing eligible medical services.

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13-4

4 SECTION ~~115.31~~ <sup>2042g (b)</sup> 115.31 (1) (b) of the statutes is amended to read:

5 115.31 (1) (b) "Educational agency" means a school district, cooperative  
6 educational service agency, state correctional institution under s. 302.01, secured  
7 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,  
8 as defined in s. 938.02 (15g), the ~~Wisconsin school for the visually handicapped~~  
9 Wisconsin Center for the Blind and Visually Impaired, the ~~Wisconsin school~~ School  
10 ~~for the deaf~~ Deaf, the Mendota mental health institute, the Winnebago mental health  
11 institute, a state center for the developmentally disabled, a private school or a  
12 private, nonprofit, nonsectarian agency under contract with a school board under s.

13 118.153 (3) (c).

NOTE: Amends the definition of "educational agency" in the statutes relating to license or permit revocation, reports and criminal background investigations to reflect the renaming of WSVH to WCBVI. (This definitional change also affects ss. 118.19 (10) (a) and 973.135 (1) (a), stats., relating to criminal background investigations.)

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13-14

14 SECTION ~~115.37~~ 115.37 of the statutes is repealed and recreated to read:

15 <sup>2047g (b)</sup> 115.37 **Blind and visual impairment education council.** (1) In this  
16 section:

- 17 (a) "Council" means the blind and visual impairment education council.
- 18 (b) "Visually impaired" has the meaning given in s. 115.51 (4).
- 19 (2) The state superintendent shall seek the advice of and consult with the
- 20 council on issues related to persons who are visually impaired. The state

1 superintendent and the director of the Wisconsin Center for the Blind and Visually  
2 Impaired, or their designees, shall attend meetings of the council.

3 (3) The council shall do all of the following:

4 (a) Meet at least twice each year.

5 (b) Advise the state superintendent on such statewide services, activities,  
6 programs, investigations and research as in its judgment will benefit pupils who are  
7 visually impaired.

8 (c) Make recommendations for the improvement of services provided by the  
9 Wisconsin Center for the Blind and Visually Impaired.

10 (d) Review the level and quality of services available to pupils in the state who  
11 are visually impaired and make recommendations about those services.

12 (e) Propose to the state superintendent ways to improve the preparation of  
13 teachers, ~~instructors~~ and other staff who provide services to pupils who are visually  
14 impaired.

15 (f) Propose to the state superintendent ways to improve coordination between  
16 the department and other agencies in providing services to persons who are visually  
17 impaired.

18 (4) The council may initiate consultations with the department.

19 (5) The council shall have access to public files, public records and statistics  
20 kept in the department that relate to matters concerning children who are visually  
21 impaired. <sup>✓</sup> *end of insert 13-14*

NOTE: This SECTION repeals the provision which sets forth the duties of the council on the education of the blind, which is replaced by the blind and visual impairment education council. That statute currently provides as follows:

"115.37 Council on the education of the blind. The council on the education of the blind shall make recommendations as to procedures and policies affecting any problem of children with visual impairments before the department. The council shall advise on such services, activities, programs, investigations and researches as in its judgment will contribute to the welfare of persons with visual impairments. The state superintendent

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shall seek the advice of and consult with the council on problems and policy changes affecting persons with visual impairments in the department's jurisdiction, and the council may initiate consultations with the department. Notwithstanding any provision to the contrary, the council shall have access to files, records and statistics kept in the department which relate to matters concerning children with visual impairments."

This SECTION specifies the duties and authority of the newly created blind and visual impairment education council.

1 SECTION 10. Subchapter III (title) of chapter 115 [precedes 115.51] of the  
2 statutes is amended to read:

2053 b (b)

3 CHAPTER 115

4 SUBCHAPTER III

5 STATE SCHOOLS SCHOOL FOR THE

6 DEAF AND STATE CENTER FOR THE

7 BLIND AND VISUALLY IMPAIRED

NOTE: Amends the title to subch. III of ch. 115, stats., to reflect the renaming of WSVH to WCBVI.

8 SECTION 11. 115.51 (1) of the statutes is repealed.

2053 c (b)

NOTE: Repeals the definition of "blind" which applies in subch. III, ch. 115, stats. The current definition of "blind" in this subchapter is as follows: "Blind" includes persons with visual impairments, as determined by competent medical authority with the approval of the state superintendent". The term "blind" is not further defined; moreover, the term more often used in subch. III, ch. 115, stats. is "visual impairment" which is not defined. SECTION of this bill creates a definition of "visually impaired" and specifies that it includes individuals who are blind.

9 SECTION 12. 115.51 (3) and (4) of the statutes are created to read:

10 115.51 (3) "Local educational agency" has the meaning given in s. 115.76 (10).

loss of vision or blindness as

11 (4) "Visually impaired" means the condition described in the rule promulgated

12 by the state superintendent to define "visual impairments" for the purposes of s.

13 115.76 (5) (a) 4.

2053 d (b)

NOTE: 1. Section 115.51 (3), stats., as created by this bill, defines "local educational agency" for the purposes of subch. III, ch. 115, stats., as follows: "Local educational agency", except as otherwise provided, means the school district in which the child with a disability resides, the department of health and family services if the child with a disability resides in an institution or facility operated by the department of health and family services, or the department of corrections if the child with a disability resides in a Type 1 secured correctional facility, as defined in s. 938.02 (19), or a Type 1 prison, as defined in s. 301.01 (5)."



2. Section 115.51 (4), stats., as created by this bill, does the following:
- a. Defines "visually impaired" for purposes of subch. III, ch. 115, stats., as a loss of vision at a level specified by the state superintendent in the administrative rule which defines visual impairment for purposes of the statute which defines "child with a disability" under the special education laws.
  - b. Specifies that "visual impairment" includes "blindness" as defined for purposes of the statute relating to vocational rehabilitation and specialized programs for persons with disabilities. Currently, that definition provides that: "Blind" means central visual acuity that does not exceed 20/200 in the better eye with correcting lenses or a visual field that subtends an angle no greater than 20 degrees."
  - c. Specifies that the loss of vision must be determined by a physician (medical doctor or osteopath) or optometrist.

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SECTION 11. 115.52 of the statutes is amended to read:

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**115.52 Wisconsin schools School for the visually handicapped and the deaf Deaf.** (1) The object of the Wisconsin school for the visually handicapped and the Wisconsin school School for the deaf Deaf is to afford persons with visual impairments and persons with hearing impairments a practical education and physical rehabilitation which may aid them to make a living, discharge their duties as citizens and secure to them all possible happiness.

(2) The state superintendent shall maintain and govern the school for the visually handicapped and the school School for the deaf Deaf. The state superintendent may fix the period of the school year at the schools school at not less than 38 weeks, prescribe the school terms and confer diplomas upon meritorious pupils who have completed the prescribed curricula.

(3) All the blind and the deaf residents of this state 6 to 20 years old, and for the duration of a school term all the blind or deaf residents of this state who become 21 years old during that school term, who are capable of receiving instruction shall be received and taught in the schools School for the Deaf free of charge. Like nonresident pupils also may be received upon payment in advance of the fees fixed by the state superintendent at an amount not less than \$75 per month, but no nonresident shall be received to the exclusion of a resident pupil. The state



1 superintendent also may admit pupils who are 21 years of age or older prior to the  
2 beginning of a school term upon the payment of fees fixed by the superintendent and  
3 upon the recommendation of the secretary of health and family services, the director  
4 of the technical college system or the superintendent of the school to which the pupil  
5 will be assigned School for the Deaf. All pupils shall equally and freely enjoy the  
6 benefits and privileges of the schools school and have the use of the library and books  
7 of instruction and receive board, lodging and laundry, without discrimination. The  
8 schools school may provide transportation for resident pupils.

9 (5) The state superintendent may grant approval for the maintenance of a  
10 summer school at the school School for the deaf Deaf whenever it will be to the  
11 advantage of persons with hearing impairments and may grant approval for the  
12 maintenance of a summer school at the school for the visually handicapped whenever  
13 it will be to the advantage of children with visual impairments. There shall be a  
14 summer school each year at the school for the visually handicapped for adults with  
15 visual impairments.

16 (6) The state superintendent may make charges for meals, living quarters,  
17 laundry and other services furnished to employes of the schools School for the Deaf  
18 and their families. The state superintendent also may make charges for services  
19 furnished to visitors at the schools school and participants in training programs and  
20 institutes.

21 (7) The Wisconsin school School for the deaf Deaf may provide instruction for  
22 preschool children with hearing impairments and their parents. The Wisconsin  
23 school for the visually handicapped may provide instruction for preschool children  
24 with visual impairments and their parents. Such instruction or treatment shall be





1 subject to the approval of, and shall comply with requirements established by, the  
2 department.

2053h(3)

NOTE: Does the following: (1) deletes from the statute on state schools all references to WSVH; and (2) leaves unchanged all provisions relating to WSD. Provisions relating to WSVH (as renamed) are included in s. 115.525, stats., as created by this bill.

3 SECTION 115.525 of the statutes is created to read:

4 115.525 Wisconsin Center for the Blind and Visually Impaired. (1)

5 DEFINITION. In this section, "center" means the Wisconsin Center for the Blind and  
6 Visually Impaired.

7 (1m) PURPOSE. The purpose of the center is to serve as a statewide educational  
8 resource relating to visual impairments to benefit all Wisconsin children who are  
9 visually impaired.

NOTE: Current law provides that the purpose of WSVH is to afford persons with visual impairments a "practical education and physical rehabilitation which may aid them to make a living, discharge their duties as citizens and secure to them all possible happiness".

This bill provides that the purpose of WCBVI is to serve as a resource to benefit all Wisconsin children who have a visual impairment by serving as a statewide educational resource relating to visual impairments.

10 (2) GOVERNANCE. The state superintendent shall maintain and govern the  
11 center. The state superintendent shall appoint an individual who has training and  
12 experience in educating pupils who are visually impaired to serve as the director of  
13 the center.

NOTE: The first sentence of this provision is identical to current law with respect to WSVH. The 2nd sentence was added to require the state superintendent to appoint an individual who has training and experience in the education of students with a visual impairment as the director of WCBVI.

14 (3) SERVICES. The center shall provide services that benefit children  
15 throughout the state who are visually impaired.

16 (a) School. 1. 'Residents 3 to 20 years old.' The center shall operate a school  
17 at which any resident of this state 3 to 20 years old who is visually impaired, and for



1 the duration of a school term any resident of this state who is visually impaired and  
2 becomes 21 years old during that school term, shall be received and taught free of  
3 charge if the individualized education program for the resident under s. 115.787 and  
4 the educational placement under s. 115.79 specify the school operated by the center  
5 as the appropriate placement.


NOTE: This provision requires WCBVI to operate a school which is available, free of charge, to residents of Wisconsin who have a visual impairment and who are 3 to 20 years old (or who become 21 years old during a school term). In contrast to current law with respect to WSVH, the bill specifies that the school operated by WCBVI is available only if the resident's IEP and educational placement implementing the IEP specify the school as the appropriate placement.

In contrast to current law with respect to WSVH which applies to residents 6 to 20 years old (or who become 21 years old during the school term), this bill provides that the provision of free schooling at the school operated by WCBVI also applies to children with a visual impairment who are 3 to 5 years old if the child's IEP and educational placement implementing the IEP specify the school operated by WCBVI as the appropriate placement.

6 2. 'Residents 21 years old or older.' The state superintendent may admit to the  
7 school operated by the center a resident of the state who is visually impaired and is  
8 21 years of age or older prior to the beginning of a school term upon the payment of  
9 fees fixed by the state superintendent and upon the recommendation of the secretary  
10 of health and family services, the director of the technical college system or the  
11 director of the center.

NOTE: This provision is identical to current law with respect to WSVH.

12 3. 'Nonresidents.' A nonresident of this state, who is visually impaired, who  
13 either is 3 to 20 years old or becomes 21 years old during a school term, whose  
14 individualized education program under 20 USC 1414 (d) and educational placement  
15 specify the school operated by the center as the appropriate placement and who is  
16 capable of receiving instruction may be received at the school upon payment in  
17 advance of the fees fixed by the state superintendent, but no nonresident may be  
18 received to the exclusion of a resident pupil.



NOTE: This provision is similar to current law which allows for admission of nonresidents at WSVH and requires the state superintendent to fix fees for nonresidents. However, the bill: (1) does not include the provision in current law that the fees be not less than \$75 per month; (2) provides for admission of individuals from ages 3 to 20, rather than ages 6 to 20 as under current law with respect to WSVH; and (3) adds a requirement that the nonresident's IEP and educational placement must specify the school operated by WCBVI as the appropriate placement.

1           4. 'Pupil use of residential facilities.' Except as provided in sub. (4), the director  
2 of the center shall make the residential facilities at the center available to all pupils  
3 received at the school operated by the center.

NOTE: While the school operated by WCBVI may have pupils who are served only during the day, this reference to use of WCBVI's residential facilities by pupils at the school means that WCBVI operates a residential school. The bill provides that WCBVI's residential facilities must be available to all pupils received at the school operated by WCBVI unless the WCBVI director determines that appropriate services are not available for an individual at WCBVI's residential facilities. There is no similar provision in current law with respect to WSVH.

4           5. 'School term.' The state superintendent shall fix the period of the school term  
5 at the school operated by the center at not less than 38 weeks, prescribe the school  
6 sessions and confer diplomas upon meritorious pupils who have completed the  
7 prescribed curriculum. Pursuant to a pupil's individualized education program  
8 under s. 115.787, a pupil may be placed at the school for less than a school term.


NOTE: The first sentence of this provision is identical to current law with respect to WSVH. The 2nd sentence is added to make clear that short-term programs may be offered at the school operated by WCBVI.

9           6. 'Transportation.' The center may provide transportation for resident pupils  
10 at the school operated by the center.

NOTE: This provision is identical to current law with respect to WSVH.

11           (b) *Other statewide services.* The center may do any of the following:

12           1. Provide testing, evaluation and assessment services to assist local  
13 educational agencies, cooperative educational service agencies and county children  
14 with disabilities education boards.



1           2. Provide technical assistance and consultation services to entities such as  
2 local educational agencies, cooperative educational service agencies, county children  
3 with disabilities education boards and private schools.

4           3. Develop and disseminate curriculum and instructional materials.

5           4. Provide inservice and other training to teachers and other staff serving  
6 pupils who are visually impaired.

7           5. Provide training, technical assistance and consultation services for parents  
8 of children who are visually impaired and for professionals who work with children  
9 who are visually impaired.

10          6. Provide materials in braille, large print and other appropriate formats to  
11 children who are visually impaired.

12          7. Train teachers and braillists about braille codes and formats used by  
13 individuals who are visually impaired.

14          8. Loan books and other materials from the library described in par. (c) 2.

15          9. Serve as a clearinghouse for information about children who are visually  
16 impaired, including information related to library resources, adapted materials and  
17 current research.

18          10. Assist in providing assistive technology services, as defined in s. 115.76 (2),  
19 for pupils who are visually impaired.

20          11. Lend<sup>rent</sup> (or lease technological materials and assistive technology devices, as  
21 defined <sup>in</sup> s. 115.76 (1), to local educational agencies, cooperative educational service  
22 agencies and county children with disabilities education boards.

23          12. Facilitate the preparation of teachers of pupils who are visually impaired  
24 by providing assistance to teacher preparation programs.



1 13. Coordinate and collaborate with public and private agencies and  
 2 organizations that provide services to individuals who are visually impaired,  
 3 including the development of employment skills and opportunities.

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NOTE: Paragraph (b) 1. to 13. lists services which WCBVI may, but is not required to, provide. There is no similar provision in current law with respect to WSVH.

4 (c) *Additional services.* 1. 'Birth to 2 services.' The center may provide  
 5 instruction or services, or both, for children who are under the age of 2 and are  
 6 visually impaired and their parents. The instruction or services are subject to the  
 7 approval of, and shall comply with requirements established by, the department.

NOTE: Current law provides that WSVH may provide instruction or services for preschool children. This bill specifies that WCBVI may provide instruction or services to children with visual impairments from birth to 2 years of age and their parents. Preschool age children from 3 to 5 are covered in s. 115.525 (3) (a), as created by this bill. This bill also differs from current law in that it refers to "instruction or services", rather than "instruction or treatment".

8 2. 'Library.' Embossed, clear type or large type books acquired by the center  
 9 constitute a circulating collection for persons who are visually impaired. The  
 10 collection shall be kept at the center and be under the supervision of its director. All  
 11 school age children of the state who are visually impaired may use such books upon  
 12 compliance with criteria established by the director of the center and approved by  
 13 the state superintendent.

NOTE: Current s. 115.55, stats., includes a very similar provision with respect to WSVH. However, because SECTION of this bill repeals s. 115.55, stats., the bill includes provisions relating to the library in s. 115.525, stats., as created by this bill. In contrast to current s. 115.55, stats., proposed s. 115.525 (3) (c) 2., stats., refers to "criteria established" by the WCBVI director, rather than "rules made" by the WSVH superintendent.

14 3. 'Summer programs.' The center shall provide summer programs for children  
 15 who are visually impaired.

each year

NOTE: Under current law, the state superintendent is permitted, but not required, to grant approval for a summer school at WSVH. This bill requires that WCBVI provide summer programs for children with a visual impairment.



1           4. 'Adult summer program.' The center shall provide a summer program each  
2 year for adults who are visually impaired. The state superintendent may contract  
3 with other entities to provide this program.

~~NOTE: Current law requires that a summer school be provided each year at WSVH  
for adults with a visual impairment. This bill requires that a summer program be  
provided each year at WCBVI for adults with a visual impairment. The bill also provides  
that the state superintendent may contract with other entities to provide this program.~~

4           5. 'Independent living skills.' With the approval of the state superintendent,  
5 the center may use state-owned housing on the grounds of the center in Janesville  
6 as a facility in which individuals receive instruction in and practice independent  
7 living skills.

~~NOTE: This provision, which does not exist in current law, allows WCBVI to use,  
with the approval of the state superintendent, the house currently available for the  
WSVH superintendent's residence as a facility in which individuals receive instruction  
in and practice independent living skills. This bill does not provide an age limitation for  
such individuals.~~

8           (d) *Provision of services.* In addition to providing services at the center's facility  
9 in Janesville, the center may provide services at any location in the state and may  
10 operate regional satellite facilities throughout the state to provide services.

~~NOTE: This paragraph specifies that in addition to providing services at the  
WCBVI's facility at Janesville, WCBVI may provide services at any location in the state  
and may operate regional service satellites throughout the state to provide any service.~~

11           (4) **NONDISCRIMINATION.** All pupils at the center may equally and freely enjoy  
12 the benefits and privileges of the center, have the use of the library and books of  
13 instruction and receive board, lodging and laundry, without discrimination, except  
14 that the director of the center may determine that board, lodging and laundry may  
15 not be provided to an individual because appropriate services are not available for  
16 that individual at the center's residential facilities.

17           (5) **CHARGES.** The state superintendent may charge for meals, living quarters,  
18 laundry and other services furnished to employees of the center and their families.



1 The state superintendent may charge for services furnished to visitors at the center  
2 and participants in training programs and institutes.

NOTE: This provision is identical to current law with respect to WSVH.

3 ~~RENTING OR LEASING OF SPACE.~~ (6) ~~RENTING OR LEASING OF SPACE.~~ The state superintendent may lease space at  
4 the center in Janesville that is not required by the center to any person if the state  
5 superintendent determines that the use will not be inconsistent with the operation  
6 of the center.

7 (7) AUDIT. In the 2002-03 fiscal year, the legislative audit bureau shall perform  
8 a performance evaluation audit of the center. The bureau shall submit copies of the  
9 audit report to the chief clerk of each house of the legislature for distribution to the  
10 appropriate standing committees under s. 13.172 (3) by June 30, 2003.

NOTE: This provision, which does not exist in current law, provides that the state  
superintendent may rent or lease space at WCBVI's facility at Janesville which is not  
required by WCBVI to any other entity if the state superintendent determines that the  
entity's use will not be inconsistent with the operation of WCBVI. As noted in SECTION  
, the income from the rent or lease must be credited to a DPI appropriation for general  
program operations of WSD and WCBVI and must be allocated to WCBVI.

11 SECTION ~~115.53~~. 115.53 (2) of the statutes is amended to read:

12 115.53 (2) Arrange for vocational, trade or academic training for any pupil in  
13 either ~~state school~~ the school operated by the Wisconsin Center for the Blind and  
14 Visually Impaired or the Wisconsin School for the Deaf qualified to take such  
15 training advantageously, in either a public school or technical college or a private  
16 business establishment in Janesville or Delavan. The public school and the technical  
17 college shall be paid the regular tuition for full-time attendance and proportionally  
18 for part-time attendance by the school district responsible for the provision of a free  
19 appropriate public education under subch. V.

20 SECTION ~~115.53~~. 115.53 (3) of the statutes is renumbered 115.53 (3) (a) and  
21 amended to read:

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1 2053M (B) 115.53 (3) (a) Arrange for otological <sup>plain</sup> or ophthalmic examination of any pupil or  
 2 prospective pupil of the schools Wisconsin School for the Deaf. The examination shall  
 3 be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

4 SECTION ~~115.53~~. 115.53 (3) (b) of the statutes is created to read:

5 115.53 (3) (b) Arrange for ophthalmic <sup>or otological</sup> examination of any pupil or prospective  
 6 pupil of the school operated by the Wisconsin Center for the Blind and Visually  
 7 Impaired. The examination shall be paid from the appropriation in s. 20.255 (1) (b),  
 8 (gh), (gL) or (gs). 2053M (B)

9 SECTION ~~115.53~~. 115.53 (4) and (5) of the statutes are amended to read:

10 115.53 (4) Apply to the board of directors of the University of Wisconsin  
 11 Hospitals and Clinics Authority for admission to the University of Wisconsin  
 12 Hospitals and Clinics of any pupil ~~in~~ at the state schools Wisconsin School for the  
 13 Deaf or the school operated by the Wisconsin Center for the Blind and Visually  
 14 Impaired.

15 (a) The application shall be accompanied by the report of a physician appointed  
 16 by the ~~appropriate school superintendent of the Wisconsin School for the Deaf or the~~  
 17 director of the Wisconsin Center for the Blind and Visually Impaired and shall be in  
 18 the same form as reports of other physicians for admission of patients to such  
 19 hospital.

20 (b) The net cost of hospital treatment shall be at the rate established under s.  
 21 233.40 (1) and shall be ~~chargeable to~~ paid from the appropriation ~~for operating the~~  
 22 patient's school under s. 20.255 (1) (b), (gh) or (gs) if the patient is a pupil at the  
 23 Wisconsin School for the Deaf or from the appropriation under s. 20.255 (1) (b), (gh),  
 24 (gL) or (gs) if the patient is a pupil at the school operated by the Wisconsin Center  
 25 for the Blind and Visually Impaired. The state superintendent likewise may





1 authorize payment for the expense of transporting patients to and from the hospital.  
 2 The state superintendent shall make payments for the treatment to the University  
 3 of Wisconsin Hospitals and Clinics Authority. Funds collected by the state  
 4 superintendent on account of the hospitalization shall be deposited in credited to the  
 5 appropriation under s. 20.255 (1) (b) (gh) for the school or center concerned.

6 (5) Arrange for visits by members of the staff of either ~~school~~ the Wisconsin  
 7 School for the Deaf or the Wisconsin Center for the Blind and Visually Impaired to  
 8 other public schools or to families of ~~blind or~~ deaf children or children who are  
 9 visually impaired, whenever it appears to the state superintendent that such visits  
 10 will be of advantage to ~~blind or deaf~~ such children.

NOTE: Amends the powers of the state superintendent with respect to WSD and  
 WSVH to reflect the renaming of WSVH to WCBVI. This section also changes a reference  
 from the appropriation for operating the patient's school to the appropriation under s.  
 20.255(1)(b), stats., relating to WSD and WCBVI. The latter is not a substantive change.

2053P ©

11 SECTION ~~26~~. 115.54 of the statutes is amended to read:

12 **115.54 Compulsory education.** If it appears, by affidavit, to any circuit  
 13 judge that any ~~blind or~~ deaf child or child who is visually impaired between the ages  
 14 of 6 and 21 is deprived of a suitable education by the failure of the person having the  
 15 care and custody of the child to provide a suitable education, the judge shall order  
 16 the person to bring the child before the judge. If the material allegations of the  
 17 affidavit are denied, the judge shall subpoena witnesses and hear testimony. If the  
 18 allegations are admitted or established, the judge may order the child sent to the  
 19 ~~school~~ Wisconsin School for the visually handicapped or for the deaf Deaf, the school  
 20 operated by the Wisconsin Center for the Blind and Visually Impaired or to some  
 21 class or other school for instruction, but the order shall may not make a direct charge  
 22 for the class or school against any county.

20539(8)

NOTE: Amends the statute relating to compulsory education to reflect the renaming of WSVH to WCBVI.

1

SECTION 115.55 of the statutes is repealed.

NOTE: Repeals the provision in current law relating to a library for persons with visual impairments. That statute currently provides as follows:

"115.55 Library for persons with visual impairments. Embossed, clear type or large type text books acquired by the school for the visually handicapped shall constitute a circulating collection for persons with visual impairments. The collection shall be kept at the school and be under the supervision of its superintendent. All school age children with visual impairments of the state may use such books upon compliance with rules made by the superintendent and approved by the state superintendent."

Provisions relating to a library at WCBVI are included in s. 115.525 (3)(c) 2., stats., as created by this bill.

20531(8)

2

SECTION 115.58 of the statutes is amended to read:

3

115.58 Park grounds. The state superintendent may permit the city of

4

Janesville to use portions of the grounds of the state school for the visually

5

handicapped Wisconsin Center for the Blind and Visually Impaired at Janesville,

6

which abut on the Rock river, for purposes of operating a city park. Any construction

7

on such grounds is subject to prior approval by the state superintendent. Any

8

agreement pursuant hereto shall be cancelable at the option of either party without

9

liability. Any such grounds so used by the city of Janesville shall be supervised by

10

the city and shall be subject to the ordinances of the city of Janesville applicable to

11

city parks. END OF INSERT IS - 1

INSERT  
27-12

NOTE: Amends the statute relating to allowing the state superintendent to permit the city of Janesville to use portions of the WSVH grounds as a city park to reflect the renaming of WSVH to WCBVI.

12

SECTION 121.05 (1) (a) 8. of the statutes is amended to read:

13

121.05 (1) (a) 8. Pupils enrolled in a residential school operated by the state the

14

Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the

15

Blind and Visually Impaired under subch. III of ch. 115 for whom the school district

16

is paying tuition under s. 115.53 (2) determined by multiplying the total number of

17

periods in each day in which the pupils are enrolled in the local public school by the

2131d(8)

1 total number of days for which the pupils are enrolled in the local public school and  
 2 dividing the product by 1,080. *end of insert 27-12*

INSERT  
28-3

NOTE: Under current law, a school district's annual school district report to DPI includes information on the number of pupils as of certain dates, including, on a proportional basis, pupils enrolled in WSD or WSVH who are attending classes in a local school (e.g., Delavan or Janesville) for which the pupil's home school district is paying tuition. This SECTION amends this provision to reflect the renaming of WSVH to WCBVI.

3 SECTION 11. 121.54 (3) of the statutes is amended to read:

4 *2142M* 121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board  
 5 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),  
 6 to any public or private elementary or high school, to the ~~Wisconsin school for the~~  
 7 ~~visually handicapped school operated by the Wisconsin Center for the Blind and~~  
 8 Visually Impaired or the Wisconsin school School for the deaf Deaf or to any special  
 9 education program for children with disabilities sponsored by a state tax-supported  
 10 institution of higher education, including a technical college, regardless of distance,  
 11 if the request for such transportation is approved by the state superintendent.  
 12 Approval shall be based on whether or not the child can walk to school with safety  
 13 and comfort. Section 121.53 shall apply to transportation provided under this  
 14 subsection. *✓*

NOTE: Amends the statute relating to requiring a school board to provide transportation to WSVH or other schools, to reflect the renaming of WSVH to WCBVI.

15 SECTION 32. 940.295 (1) (q) of the statutes is repealed.

16 *3176M* SECTION 33. 940.295 (2) (j) of the statutes is repealed and recreated to read:

17 *3176N* 940.295 (2) (j) The Wisconsin School for the Deaf under s. 115.52 and the  
 18 Wisconsin Center for the Blind and Visually Impaired under s. 115.525. *✓*

NOTE: The preceding 3 SECTIONS amend the statutes relating to the crime of abusing or neglecting patients or residents, which currently applies to patients or residents of certain types of facilities, including WSD and WSVH, to reflect the renaming of WSVH to WCBVI.

INSERT  
28-15

19 SECTION 34. Nonstatutory provisions.

INSERT 29-1

2c

CS  
WISCONSIN CENTER FOR THE BLIND AND VISUALLY IMPAIRED CS

1 " (2c) TRANSITION PLAN. The state superintendent of public instruction shall  
 2 prepare a transition plan ~~for the implementation of this act.~~ <sup>that sets</sup> The plan shall set forth  
 3 specific funding and staffing recommendations for the operation of the Wisconsin  
 4 Center for the Blind and Visually Impaired and describe the appropriate steps for  
 5 phasing in the appropriate program modifications. The state superintendent shall  
 6 consult with the blind and visual impairment education council in the preparation  
 7 of the plan. The blind and visual impairment education council shall review the plan.  
 8 The state superintendent shall submit the plan to the governor no later than the first  
 9 day of the 7th month beginning after the effective date of this subsection. The state  
 10 superintendent shall also simultaneously submit a copy of the plan to the legislature  
 11 under section 13.172 of the statutes.

NOTE: This provision requires the state superintendent to prepare, in consultation with the blind and visual impairment education council, a transition plan for the implementation of the act. The plan must be submitted to the governor no later than the first day of the 7th month after the effective date of this act. A copy of the plan also must be submitted to the legislature at the same time.

2cc

12 (2c) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL. Notwithstanding the  
 13 length of term specified in section 15.377 (1) (c) of the statutes, as affected by this act,  
 14 the initial members of the blind and visual impairment education council appointed  
 15 under section 15.377 (1) (c) 4. and 7. of the statutes, as affected by this act, one of the  
 16 members appointed under section 15.377 (1) (c) 1. of the statutes, as affected by this  
 17 act, one of the members appointed under section 15.377 (1) (c) 2. of the statutes, as  
 18 affected by this act, one of the members appointed under section 15.377 (1) (c) 3. of  
 19 the statutes, as affected by this act, and one of the members appointed under section  
 20 15.377 (1) (c) 9. of the statutes, as affected by this act, shall serve for terms expiring  
 21 on July 1, 2000; the initial members appointed under section 15.377 (1) (c) 5. and 8.  
 22 of the statutes, as affected by this act, one of the members appointed under section

1 15.377 (1) (c) 1. of the statutes, as affected by this act, one of the members appointed  
 2 under section 15.377 (1) (c) 2. of the statutes, as affected by this act, one of the  
 3 members appointed under section 15.377 (1) (c) 3. of the statutes, as affected by this  
 4 act, and one of the members appointed under section 15.377 (1) (c) 9. of the statutes,  
 5 as affected by this act, shall serve for terms expiring on July 1, 2001, and the initial  
 6 member appointed under section 15.377 (1) (c) 6. of the statutes, as affected by this  
 7 act, one of the members appointed under section 15.377 (1) (c) 1. of the statutes, as  
 8 affected by this act, one of the members appointed under section 15.377 (1) (c) 2. of  
 9 the statutes, as affected by this act, one of the members appointed under section  
 10 15.377 (1) (c) 3. of the statutes, as affected by this act, and one of the members  
 11 appointed under section 15.377 (1) (c) 9. of the statutes, as affected by this act, shall  
 12 serve for terms expiring on July 1, 2002.

one of ins- 29-1

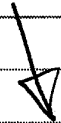
VEND

(2.cd) RULE. In promulgating a rule  
 defining "visual impairment" under  
 section 121.26(5)(a)4. of the statutes, the  
 state superintendent of public instruction

13

5-2:1

# Page 63, line 2: delete "University  
"School for the Visually Handicapped"  
and substitute "Wisconsin Center for  
the Blind and Visually Impaired".



5-27

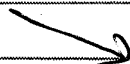
# Page 127, line 11 <sup>✓</sup> - delete "residential  
schools" and substitute "School for the  
Deaf and Center for the Blind and  
Visually Impaired".

# Page 127, line 12: after "costs" <sup>✓</sup>  
insert "; School for the Deaf and Center  
for the Blind <sup>d</sup> and Visually Impaired". <sup>✓</sup>

# Page 128, line 1: delete "Residential  
schools" and substitute "School for  
the Deaf and Center for the Blind <sup>d</sup>  
and Visually Impaired".

~~# Page 128, line~~

# Page 128, line 2: after that  
line insert:



5-2 : 2

\$sched " (g<sub>L</sub>) Center for the Blind and

Visually Impaired;

leasing of space PR-C -u- -u-

\$sched (g<sub>S</sub>) School for the Deaf

and Center for the

Blind and Visually

Impaired; services PR-C -u- -u-".

~~REVISION~~  
# Page 128, line 3: delete "Residential schools"  
and substitute "School for the Deaf and  
Center for the Blind and Visually Impaired".

(end ins 5-2)



10-10.1

# Page 541, line 19: delete

"School for the Visually" and substitute

"Madison Center for the Blind and  
Visually Impaired".

# Page 541, line 20: delete "Handicapped".

(end ins)

\* INSERT A (insert into Insert 15-1)

~~AAA~~

text: treat 14. Provide other statewide service that  
relate to the education of children who  
are visually impaired.

(end insert A)