

1999 DRAFTING REQUEST

Bill

Received: 03/10/99

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Suzanne Jeskewitz (608) 266-3796

By/Representing: rebecca larson

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters:

Subject: Education - handicapped ed.

Extra Copies: PG, GMM

Pre Topic:

No specific pre topic given

Topic:

Definition of parent for special education purposes

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Required</u>
/1	mlief 05/5/99	chanaman 05/5/99	jfrantze 05/5/99	_____	lrb_docadmin 05/5/99	lrb_docadminLocal 06/21/99

FE Sent For:

G 07-14-99

<END>

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1?	mlief	cmu 5/5	5/5	5/5			

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STRATEGIC GOAL 3: HIGH STANDARDS AND ACCOUNTABILITY

A. Alternative Certification

Allow alternative teacher certification for journeymen skilled trade workers to teach in their trade.

B. Flexibility in Local Funding

Revise the treatment of state school aid so that school district allocations to schools up to 3 percent of the school district operating budget would be irrevocable and aidable.

C. Aid Loss Due to Choice and Charter Schools

Provide for a direct state payment from state funds for the tuition of students in the Milwaukee Parental Choice Program and the full cost of operating schools chartered by entities other than school districts.

D. MPS Borrowing

Authorize MPS to incur and repay both short- and long-term debt. Under current law, MPS is the only school district in the state that does not have the authority to repay debt with an irrevocable tax levy.

E. Expulsion from Choice or Charter School

Allow MPS to honor the expulsion of a pupil from a private school participating in the Milwaukee Parental Choice Program or a school converted to a charter school by another entity. This provision would make the treatment of expelled students consistent with current law for public school pupils, as no school board is required to enroll a pupil during the term of their expulsion from another school district.

F. Definition of Parent

The definition of "parent" in Chapter 115, Subchapter V-Children with Disabilities, does not include foster parents. Amend the definition to add foster parents. This addition will authorize foster parents to act on behalf of a student with disabilities.

Probably should add "treatment foster parent" too

Perhaps should also add "operator of group home or child caring institution in which child is placed"

Definition of Parent

- This provision will help the MPS Special Services division to better serve exceptional education students.

There are situations like an IEP meeting when a parent is not available but the foster parent is. This will help the IEP planning process.

- Foster parents can sign permission slips for field trips, it only makes sense that they should be included in the exceptional education process.

3/9/99 TC w / Rebecca + Michay Biel

- I explained that broadens the def of "parent" for all purposes in special ed. Subchapter could produce legal conflicts or lead to abuses. Sent by fax a "hit" list of "parent" to Michay so that she could review to see contexts it appears.

She will get back to me w/instructions.

Tc from

4/12 Becky - Rep Ierhewitz's office

- When parent is unknown
- And reasonable attempt have ←

Pat Yable - 414-475-8139

4/12 - TC to Pat Yable - left message to call me

- Include change to "foster" parent for all the subchapter of.
- DHS to def "reus. efforts"
- She will call GMM about some options + call me tomorrow.

4/19 - Called Pat Yable b/c she hadn't called be back. At meeting, left message to call me.

4/26 - Called again. Pat out of office until Thursday. I asked her that she call me.

5/5 Called Rebecca, explained that Pat had not returned my call + suggested I do a draft that just changes def to incl. "foster" parent. She said OK. -- would send w.m. day Biel for her review.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-2463/1

MJL:.....

cmf

1999 BILL

To editing 5/5
Due 5/7

1 AN ACT ^{sen cut} relating to: modifying the definition of a parent of a child with a
2 disability and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a parent for special education purposes is defined, among other things, as a biological parent of a child with a disability (CWD), an adoptive parent of a CWD or a legal guardian of a CWD. This bill expands the definition of parent to include a foster parent of a CWD if the biological or adoptive parents or the legal guardian of the CWD have died or if the local educational agency (generally a school district) cannot locate the biological or adoptive parents or the legal guardian of the CWD after reasonable efforts.

For further information see the *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:

3 SECTION 1. 115.76 (12) of the statutes is amended to read:

4 115.76 (12) "Parent" means a biological parent; a husband who has consented
5 to the artificial insemination of his wife under s. 891.40; a male who is presumed to
6 be the child's father under s. 891.41; a male who has been adjudicated the child's

BILL

1 father under subch. VIII of ch. 48, under ss. 767.45 to 767.51, by final order or
2 judgment of an Indian tribal court of competent jurisdiction or by final order or
3 judgment of a court of competent jurisdiction in another state; an adoptive parent;
4 a legal guardian; a person acting as a parent of a child; a person appointed as a
5 sustaining parent under s. 48.428; a foster parent of the child if the child's biological
6 or adoptive parents or the child's legal guardian have died or if the local educational
7 agency cannot locate the child's biological or adoptive parents or the child's legal
8 guardian after reasonable efforts, as determined by the department by rule; or a
9 person assigned as a surrogate parent under s. 115.792 (1) (a) 2. "Parent" does not
10 include any person whose parental rights have been terminated; the state or a county
11 or a child welfare agency if a child was made a ward of the state or a county or child
12 welfare agency under ch. 880 or if a child has been placed in the legal custody or
13 guardianship of the state or a county or a child welfare agency under ch. 48 or ch. 767;
14 or an American Indian tribal agency if the child was made a ward of the agency or
15 placed in the legal custody or guardianship of the agency.

History: 1997 a. 164, 237.

(END)