

**ASSEMBLY AMENDMENT 117,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55**

June 29, 2001 – Offered by Representatives LASSA and MILLER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 916, line 1: after that line insert:

3 “**SECTION 2666p.** 115.88 (1m) (a) of the statutes is amended to read:

4 115.88 **(1m)** (a) If, upon receipt of the plan under s. 115.77 (4), the state
5 superintendent is satisfied that the special education program has been maintained
6 during the preceding school year in accordance with law, the state superintendent
7 shall certify to the department of administration in favor of each county, cooperative
8 educational service agency and school district maintaining such special education
9 program a sum equal to 63% of the amount expended by the county, agency and
10 school district during the preceding year for salaries of personnel enumerated in sub.
11 (1), including the salary portion of any authorized contract for physical or
12 occupational therapy services, except as provided in par. (b). and other expenses

1 approved by the state superintendent as ~~costs eligible for reimbursement.~~ The
2 department of administration shall pay such amounts to the county, agency and
3 school district from the appropriation under s. 20.255 (2) (b).

4 **SECTION 2666pm.** 115.88 (1m) (am) of the statutes is amended to read:

5 115.88 **(1m)** (am) If the operator of a charter school established under s. 118.40
6 (2r) operates a special education program and the state superintendent is satisfied
7 that the operator of the charter school is complying with 20 USC 1400 to 1491o, the
8 state superintendent shall certify to the department of administration in favor of the
9 operator of the charter school a sum equal to 63% of the amount that the operator
10 of the charter school expended during the previous school year for salaries of
11 full-time or part-time licensed teachers, licensed coordinators of special education,
12 licensed school social workers, licensed school psychologists, paraprofessionals,
13 licensed consulting teachers to work with any teacher of regular education programs
14 who has a child with a disability in a class and any other personnel, except as
15 provided under par. (b). as determined by the state superintendent. ~~Certified costs~~
16 ~~under this paragraph are eligible for reimbursement~~ The department of
17 administration shall pay such amounts to the operator of the charter school from the
18 appropriation under s. 20.255 (2) (b). The state superintendent may audit costs
19 under this paragraph and adjust reimbursement to cover only actual, eligible costs.

20 **SECTION 2666pr.** 115.88 (1m) (b) of the statutes is created to read:

21 115.88 **(1m)** (b) Salaries of licensed school psychologists and licensed school
22 social workers shall be reimbursed at 51% without regard to whether they are
23 employed in a program for children with disabilities. The school district, county
24 children with disabilities education board or cooperative educational service agency

1 shall include in the plan under s. 115.77 (4) any information required by the state
2 superintendent relating to use of a school psychologist or school social worker.”.

3 **2.** Page 916, line 8: after “equal to” insert “63% of”.

4 **3.** Page 916, line 9: delete lines 9 and 10 and substitute “transportation as
5 ~~costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and~~
6 ~~(br).~~ Pupils for whom aid is paid under this”.

7 **4.** Page 916, line 11: after “or (4).” insert “The department of administration
8 shall pay such amounts to the county, agency, or school district from the
9 appropriation under s. 20.255 (2) (b).”.

10 **5.** Page 916, line 16: after that line insert:

11 “**SECTION 2668b.** 115.88 (2m) of the statutes is amended to read:

12 115.88 **(2m)** OTHER TRANSPORTATION AID. If the operator of a charter school
13 established under s. 118.40 (2r) transports children with disabilities and the state
14 superintendent is satisfied that the operator of the charter school is complying with
15 20 USC 1400 to 1491o, the state superintendent shall certify to the department of
16 administration in favor of the operator of the charter school a sum equal to 63% of
17 the amount that the operator of the charter school expended during the previous
18 school year for transportation under this subsection ~~as costs eligible for~~
19 ~~reimbursement.~~ The department of administration shall pay such costs from the
20 ~~appropriations~~ appropriation under s. 20.255 (2) (b). The state superintendent may
21 audit costs under this subsection and adjust reimbursement to cover only actual,
22 eligible costs.

23 **SECTION 2668bL.** 115.88 (3) of the statutes is amended to read:

1 115.88 (3) BOARD AND LODGING AID. There shall be paid the amount expended
2 for board and lodging and transportation between the boarding home and the special
3 education program of nonresident children enrolled under s. 115.82 (1) in the special
4 education program. The department shall certify the full amount to the department
5 of administration ~~in favor of each~~ which shall pay such amount from the
6 appropriation under s. 20.255 (2) (b) to the school district, cooperative educational
7 service agency, county children with disabilities education board, state agency of
8 another state or private, nonsectarian special education service which operates the
9 special education program while providing board, lodging and transportation ~~an~~
10 ~~amount equal to the amount expended for such board and lodging and transportation~~
11 ~~as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).~~

12 **SECTION 2668bp.** 115.88 (6) of the statutes is amended to read:

13 115.88 (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. ~~The department shall~~
14 ~~certify to the department of administration, in favor of each school district, an~~
15 ~~amount equal to the amount expended for salaries~~ From the appropriation under s.
16 20.255 (2) (b) there shall be paid the full cost of salary and travel expenses, as in
17 amounts determined in advance by the state superintendent, to school districts for
18 providing special education outside the school district of employment, ~~as eligible for~~
19 ~~reimbursement from the appropriation under s. 20.255 (2) (b).~~

20 **SECTION 2668bt.** 115.88 (8) of the statutes is amended to read:

21 115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in
22 a public special education program located in another state and the state
23 superintendent is satisfied that the program in which the child is enrolled complies
24 with this subchapter, the state superintendent shall certify to the department of
25 administration in favor of the school district in which the child resides or the school

1 district attended by the child under s. 118.51 a sum equal to the percentage of the
2 approved costs under subs. (1) and (2) of the amount expended by the school district
3 during the preceding year for the additional costs associated with the child's special
4 education program ~~as costs eligible for reimbursement.~~ The department of
5 administration shall pay the amount to the school district from the appropriation
6 under s. 20.255 (2) (b).”.

7 **6.** Page 917, line 16: delete lines 16 to 22 and substitute:

8 “**SECTION 2668np.** 115.882 of the statutes is repealed and recreated to read:

9 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
10 shall be used first for the purposes of s. 115.88 (4) and (8m). If the amount
11 appropriated under s. 20.255 (2) (b) is insufficient to pay the full amount of other
12 eligible costs, the amount shall be prorated among the eligible entities.

13 **SECTION 2668nq.** 115.93 of the statutes is renumbered 115.93 (1) and amended
14 to read:

15 115.93 **State aid. (1)** If Except as provided under sub. (3), if upon receipt of
16 the reports under s. 115.92 (2) the state superintendent is satisfied that the school
17 age parents program has been maintained during the preceding school year in
18 accordance with the rules under s. 115.92 (3), the state superintendent shall certify
19 to the department of administration in favor of each school district maintaining the
20 program a sum equal to 63% of the amount expended by the school district during
21 the preceding school year for salaries of teachers and instructional aides, special
22 transportation and other expenses approved by the state superintendent ~~as costs~~
23 eligible for reimbursement. The department of administration shall pay such
24 amounts to the school district from the appropriation under s. 20.255 (2) (b).

1 **SECTION 2668nr.** 115.93 (3) of the statutes is created to read:

2 115.93 **(3)** Subject to s. 115.882, if the appropriation under s. 20.255 (2) (b) in
3 any year is insufficient to pay the full amount of aid under sub. (1), state aid
4 payments shall be prorated among the entitled school districts.”.

5 **7.** Page 918, line 19: after that line insert:

6 “**SECTION 2679g.** 118.255 (4) of the statutes is amended to read:

7 118.255 **(4)** If the state superintendent is satisfied that the health treatment
8 services program has been maintained during the preceding school year in
9 accordance with law, the state superintendent shall certify to the department of
10 administration in favor of each school board, cooperative educational service agency,
11 and county children with disabilities education board maintaining such health
12 treatment services, an amount equal to 63% of the amount expended for items listed
13 in s. 115.88 (1m) by the school board, cooperative educational service agency, and
14 county children with disabilities education board during the preceding year for these
15 health treatment services ~~as costs eligible for reimbursement from the appropriation~~
16 ~~under s. 20.255 (2) (b).~~ The department of administration, upon such certification
17 shall distribute the amounts to the appropriate school board, cooperative
18 educational service agency and county children with disabilities education board.”.

19 **8.** Page 1402, line 13: after that line insert:

20 “(16m) SPECIAL EDUCATION AID. The treatment of sections 115.88 (1m) (a), (am),
21 and (b), (2), (2m), (3), (6), and (8), 115.882, 115.93, and 118.255 (4) of the statutes and
22 the creation of section 115.93 (3) of the statutes first apply to state aid paid in the
23 2002–03 school year.”.

24

(END)