

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: **06/23/2001**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing: **Susan McMurray**

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

Drafter: **grantpr**

May Contact:

Addl. Drafters:

Subject: **Education - handicapped ed.**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Rep.Black@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

RN 88: Special education funding

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 06/23/2001	wjackson 06/28/2001		_____			
/1			jfrantze 06/29/2001	_____	lrb_docadmin 06/29/2001	lrb_docadmin 06/29/2001	

FE Sent For:

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: **06/23/2001**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**

By/Representing: **Susan McMurray**

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

Drafter: **grantpr**

May Contact:

Addl. Drafters:

Subject: **Education - handicapped ed.**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Rep.Black@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

RN 88: Special education funding

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>
1?	grantpr	1 wlj 6/28	6/29	6/29			

FE Sent For:

<END>

Assembly Democrat Budget Amendment Requests

Request Number: 88
(not LRB number)

Agency: DPI

Description: Restore statutory language requiring state to pay for 63% of special education costs incurred by school districts

Attachments:

Cost (if known):

Contact person: Susan McMurray, 266-7521, Representative Black's Office

- no need to include funding.

PB

2001

Date (time) needed _____

LRB b 1670 / 1

**ADC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

PG : WJ : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

~~#. Page , line :~~

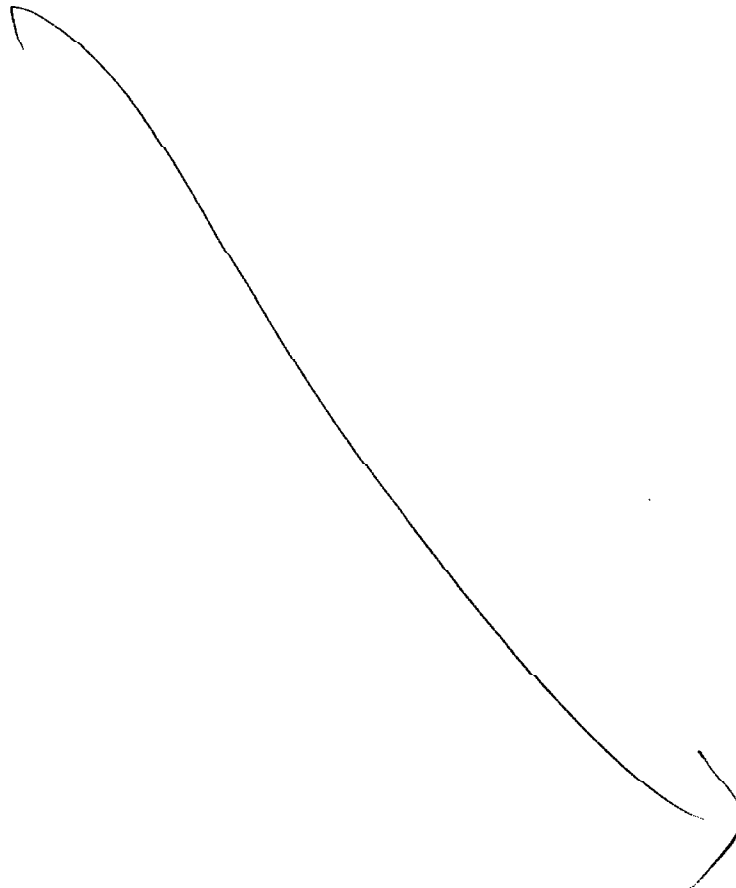
~~#. Page , line :~~

~~#. Page , line :~~

~~#. Page , line :~~

~~#. Page , line :~~

~~#. Page , line :~~



SENATE BILL 342

SECTION 1

* Page 916, line 1: after that line insert

1 SECTION 1. 115.88 (1m) (a) of the statutes, as affected by 1999 Wisconsin Act

2 is amended to read:

3 115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state
4 superintendent is satisfied that the special education program has been maintained
5 during the preceding school year in accordance with law, the state superintendent
6 shall certify to the department of administration in favor of each county, cooperative
7 educational service agency and school district maintaining such special education
8 program a sum equal to 63% of the amount expended by the county, agency and
9 school district during the preceding year for salaries of personnel enumerated in sub.
10 (1), including the salary portion of any authorized contract for physical or
11 occupational therapy services, except as provided in par. (b), and other expenses
12 approved by the state superintendent as costs eligible for reimbursement. The
13 department of administration shall pay such amounts to the county, agency and
14 school district from the appropriation under s. 20.255 (2) (b).

15 SECTION 2. 115.88 (1m) (am) of the statutes, as created by 1999 Wisconsin Act

16 is amended to read:

17 115.88 (1m) (am) If the operator of a charter school established under s. 118.40
18 (2r) operates a special education program and the state superintendent is satisfied
19 that the operator of the charter school is complying with 20 USC 1400 to 1491o, the
20 state superintendent shall certify to the department of administration in favor of the
21 operator of the charter school a sum equal to 63% of the amount that the operator
22 of the charter school expended during the previous school year for salaries of
23 full-time or part-time licensed teachers, licensed coordinators of special education,
24 licensed school social workers, licensed school psychologists, paraprofessionals,
25 licensed consulting teachers to work with any teacher of regular education programs

SENATE BILL 342

1 who has a child with a disability in a class and any other personnel, except as
 2 provided under par. (b), as determined by the state superintendent. ~~Certified costs~~
 3 ~~under this paragraph are eligible for reimbursement~~ The department of
 4 administration shall pay such amounts to the operator of the charter school from the
 5 appropriation under s. 20.255 (2) (b). The state superintendent may audit costs
 6 under this paragraph and adjust reimbursement to cover only actual, eligible costs.

7 SECTION ^{2666 PR} 115.88 (1m) ^{STE} (b) of the statutes is created to read:

8 115.88 (1m) (b) Salaries of licensed school psychologists and licensed school
 9 social workers shall be reimbursed at 51% without regard to whether they are
 10 employed in a program for children with disabilities. The school district, county
 11 children with disabilities education board or cooperative educational service agency
 12 shall include in the plan under s. 115.77 (4) any information required by the state
 13 superintendent relating to use of a school psychologist or school social worker. ✓

14 SECTION 4. 115.88 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
 15 amended to read:

16 115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)
 17 the state superintendent is satisfied that the transportation of children with
 18 disabilities has been maintained during the preceding year in accordance with the
 19 law, the state superintendent shall certify to the department of administration in
 20 favor of each county, cooperative educational service agency or school district
 21 transporting such pupils an amount equal to 63% of the amount expended for such
 22 transportation ~~as costs eligible for reimbursement from the appropriations under s.~~
 23 ~~20.255 (2) (b) and (br)~~. Pupils for whom aid is paid under this subsection shall not
 24 be eligible for aid under s. 121.58 (2) or (4). The department of administration shall
 25 pay such amounts to the county, agency or school district from the appropriations

↓ # Page 916, line 8¹ after "equal to"
insert "63% of" ✓ ①

↓ # Page 916, line 9¹ delete ~~that~~ lines 9 and 10
substitute "transportation ~~as costs eligible for~~
~~reimbursement from the appropriations under~~
~~s. 255 (2) (b) and (b)1~~. Pupils for whom aid
is paid under this ✓ ①

Page 916, line 11: after "or (4)."
insert
"The department of administration shall
pay such amounts to the county, ^{an} agency ^{or}
school district ^{from} the appropriation ^{under}
s. 255 (2) (b) ① ①"

SENATE BILL 342

SECTION 4

1 ~~under s. 20.255 (2) (b) and (br). This subsection applies to any child with a disability~~
 2 ~~who requires special assistance in transportation, including any such child~~
 3 ~~attending regular classes who requires special or additional transportation. This~~
 4 ~~subsection does not apply to any child with a disability attending regular or special~~
 5 ~~classes who does not require any special or additional transportation~~

Page 916, line 16: alter that line insert

6 ✓ SECTION 5. 115.88 (2m) of the statutes, ~~as created by 1999 Wisconsin Act 9,~~ is
 7 amended to read: 2668b Ⓞ

8 115.88 (2m) OTHER TRANSPORTATION AID. If the operator of a charter school
 9 established under s. 118.40 (2r) transports children with disabilities and the state
 10 superintendent is satisfied that the operator of the charter school is complying with
 11 20 USC 1400 to 1491o, the state superintendent shall certify to the department of
 12 administration in favor of the operator of the charter school a sum equal to 63% of
 13 the amount that the operator of the charter school expended during the previous
 14 school year for transportation under this subsection as ~~costs eligible for~~
 15 reimbursement. The department of administration shall pay such costs from the
 16 appropriations appropriation under s. 20.255 (2) (b). The state superintendent may
 17 audit costs under this subsection and adjust reimbursement to cover only actual,
 18 eligible costs. 2668b Ⓞ

19 SECTION 6. 115.88 (3) of the statutes, ~~as affected by 1999 Wisconsin Act 9,~~ is
 20 amended to read:

21 115.88 (3) BOARD AND LODGING AID. There shall be paid the amount expended
 22 for board and lodging and transportation between the boarding home and the special
 23 education program of nonresident children enrolled under s. 115.82 (1) in the special
 24 education program. The department shall certify the full amount to the department
 25 of administration ~~in favor of each~~ which shall pay such amount from the

SENATE BILL 342

1 appropriation under s. 20.255 (2) (b) to the school district, cooperative educational
2 service agency, county children with disabilities education board, state agency of
3 another state or private, nonsectarian special education service which operates the
4 special education program while providing board, lodging and transportation an
5 amount equal to the amount expended for such board and lodging and transportation
6 as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

7 SECTION ^{ⓐ 2668P} 115.88 (6) of the statutes, ~~as affected by 1999 Wisconsin Act 10~~, is
8 amended to read:

9 115.88 (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. ~~The department shall~~
10 ~~certify to the department of administration, in favor of each school district, an~~
11 ~~amount equal to the amount expended for salaries~~ From the appropriation under s.
12 20.255 (2) (b) there shall be paid the full cost of salary and travel expenses, as in
13 amounts determined in advance by the state superintendent, to school districts for
14 providing special education outside the school district of employment, ~~as eligible for~~
15 reimbursement from the appropriation under s. 20.255 (2) (b).

16 SECTION ^{ⓐ 2668T} 115.88 (8) of the statutes, ~~as affected by 1999 Wisconsin Act 10~~, is
17 amended to read:

18 115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in
19 a public special education program located in another state and the state
20 superintendent is satisfied that the program in which the child is enrolled complies
21 with this subchapter, the state superintendent shall certify to the department of
22 administration in favor of the school district in which the child resides or the school
23 district attended by the child under s. 118.51 a sum equal to the percentage of the
24 approved costs under subs. (1) and (2) of the amount expended by the school district
25 during the preceding year for the additional costs associated with the child's special

SENATE BILL 342

SECTION 8

1 education program as ~~costs eligible for reimbursement~~. The department of
 2 administration shall pay the amount to the school district from the appropriation
 3 under s. 20.255 (2) (b). ^{VJ/O}

INS.
6-3

4 ~~SECTION 9. 115.882 of the statutes, as affected by 1999 Wisconsin Act 9, is~~
 5 ~~repealed and recreated to read:~~

6 ~~**115.882 Proration of state aid.** If the sum of the appropriations under s.~~
 7 ~~20.255 (2) (b) and (br) in any one year is insufficient to pay the full amount of aid~~
 8 ~~under ss. 115.88 and 118.255, funds in the appropriations shall be used first for the~~
 9 ~~purpose of s. 115.88 (4) and any remaining funds shall be prorated among the~~
 10 ~~counties, school districts, operators of charter schools established under s. 118.40 (2r)~~
 11 ~~and cooperative educational service agencies entitled thereto.~~

ⓐ 2668 nq.

12 ~~SECTION 13.~~ 115.93 of the statutes, ~~as affected by 1999 Wisconsin Act 9,~~ is
 13 renumbered 115.93 (1) and amended to read:

14 **115.93 State aid.** (1) If Except as provided under sub. (3), if upon receipt of
 15 the reports under s. 115.92 (2) the state superintendent is satisfied that the school
 16 age parents program has been maintained during the preceding school year in
 17 accordance with the rules under s. 115.92 (3), the state superintendent shall certify
 18 to the department of administration in favor of each school district maintaining the
 19 program a sum equal to 63% of the amount expended by the school district during
 20 the preceding school year for salaries of teachers and instructional aides, special
 21 transportation and other expenses approved by the state superintendent as ~~costs~~
 22 ~~eligible for reimbursement~~. The department of administration shall pay such
 23 amounts to the school district from the appropriation under s. 20.255 (2) (b).

ⓑ 2668 nr

24 SECTION 14. 115.93 (3) of the statutes is created to read:

SENATE BILL 342

1 115.93 (3) Subject to s. 115.882, if the appropriation under s. 20.255 (2) (b) in
2 any year is insufficient to pay the full amount of aid under sub. (1), state aid
3 payments shall be prorated among the entitled school districts. ✓/0

4 #. Page 918, line 19: after that line insert ✓
✓ SECTION 12. 118.255 (4) of the statutes, as affected by 1999 Wisconsin Act 9,
5 is amended to read:
② 2679g

6 118.255 (4) If the state superintendent is satisfied that the health treatment
7 services program has been maintained during the preceding school year in
8 accordance with law, the state superintendent shall certify to the department of
9 administration in favor of each school board, cooperative educational service agency,
10 and county children with disabilities education board maintaining such health
11 treatment services, an amount equal to 63% of the amount expended for items listed
12 in s. 115.88 (1m) by the school board, cooperative educational service agency and
13 county children with disabilities education board during the preceding year for these
14 health treatment services as costs eligible for reimbursement from the appropriation
15 under s. 20.255 (2) (b). The department of administration, upon such certification
16 shall distribute the amounts to the appropriate school board, cooperative
17 educational service agency and county children with disabilities education board. ✓/0

18 #. Page 1402, line 13: after that line insert ✓
SECTION 13. Initial applicability.

19 (1) This act first applies to state aid paid in the 2000-01 school year. " 2002-03

20 (END)

NONSTATS
SUB

✓ (16 m) (C3) SPECIAL EDUCATION AID
115.88 (1m) (a), (am), and (b), (2), (2m), (3), (6), (8),
and 115.882, 115.93, and 118.255 (4) ✓
of the statutes and the creation of section 115.93 (3) of the
statutes

6-3

Page 97, line 15: delete lines 16 to 22

and substitute:

SEC. 26^{06 P} RC, 115.882

115.882 Payment of state aid ^{aid} ^{plan} Funds

appropriated under s. 20.255(2)(b) shall be

used first for the purposes of s. 115.88(4)

and (8m) ^{insufficient} If the amount appropriated

^{under} under s. 20.255(2)(b) is insufficient to

pay the ~~best~~ full amount of ^{other} other

eligible ^{costs} costs, the amount shall be

prorated among the eligible entities.