



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2138/P1
KRP&FFK:ah&kjf

DOA:.....Kretschmann, BB0436 - Special education policy compile

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

1. *Special education funding*

Additional special education aid. This bill increases the amount DPI pays to school boards, cooperative educational service agencies, county children with disabilities education boards, and operators of independent charter schools for costs incurred to provide special education and related services to a child with a disability that exceed \$30,000 in one school year from 90 percent of the costs that exceed \$30,000 to 100 percent of the costs that exceed \$30,000 (additional special education aid). Under current law, if the amount appropriated for additional special education aid is insufficient to pay the full amount to the eligible entities, DPI must prorate payments among all eligible entities. The bill converts the appropriation for the aid to a sum sufficient, eliminating the need to prorate aid due to an insufficient appropriation.

Supplemental special education aid. This bill eliminates supplemental special education aid on July 1, 2020. Under current law, DPI provides supplemental special education aid to a school district that in the previous year had revenue limit authority per pupil that was below the statewide average, that had expenditures for special education that were more than 16 percent of the school district's total

expenditures, and that had a membership that was less than 2,000 pupils. Under current law, a school district may not receive both supplemental special education aid and additional special education aid in the same school year.

Special education transition grants. This bill changes the per individual amount for grants awarded to school districts and independent charter schools under the special education transition grant program. Under current law, a school district or independent charter school is awarded \$1,000 per qualifying individual. Under the bill, a school district or independent charter school is awarded the lesser of 1) \$1,500 per qualifying individual or 2) an amount per qualifying individual that is determined by dividing the amount appropriated for these grants in a school year by the total number of individuals who qualify for the grants in that school year.

For further information see the ***state and 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:

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

20.255 (2) (bd) *Additional special education aid.* ~~The amounts in the schedule for~~ A sum sufficient for the payment of aid under s. 115.881.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 20.255 (2) (be) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 3. 115.881 (2) of the statutes is amended to read:

115.881 (2) For each child whose costs exceeded \$30,000 under sub. (1), the department shall, from the appropriation under s. 20.255 (2) (bd), pay an eligible applicant in the current school year an amount equal to ~~0.90 multiplied by that portion of the cost~~ costs under sub. (1) that exceeded \$30,000.

SECTION 4. 115.881 (3) of the statutes is repealed.

SECTION 5. 115.881 (4) of the statutes is repealed.

SECTION 6. 115.883 of the statutes is repealed.

SECTION 7. 115.884 (1) (intro.) of the statutes is amended to read:

115.884 (1) (intro.) In the ~~2016-17~~ 2019-20 school year and each school year thereafter, from the appropriation under s. 20.255 (2) (bf), the department shall award an incentive grant in the amount of \$1,000 per individual determined under sub. (3) to a school district, or ~~to an~~ operator of a charter school established under s. 118.40 (2r) or (2x), that applies for a grant under this section ~~and that~~ if the school district or operator demonstrates to the satisfaction of the department that the individual satisfies all of the following criteria:

SECTION 8. 115.884 (2) of the statutes is repealed.

SECTION 9. 115.884 (3) of the statutes is created to read:

115.884 (3) The per individual grant amount under sub. (1) is the lesser of the following:

(a) In each school year, the amount determined by dividing the amount appropriated under s. 20.255 (2) (bf) for that school year by the total number of individuals statewide for whom a grant will be awarded under sub. (1) in that school year.

(b) One thousand five hundred dollars.

SECTION 9334. Initial applicability; Public Instruction.

(1) ADDITIONAL SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (bd) and 115.881 (2) and (3) first applies to aid paid in the 2019-20 school year.

SECTION 9434. Effective dates; Public Instruction.

(1) SUPPLEMENTAL SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (be), 115.881 (4), and 115.883 takes effect on July 1, 2020.

(END)