

1987 Assembly Bill 529

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## 1987 Wisconsin Act 159

AN ACT to repeal 115.955 (1) and 115.955 (8); to renumber and amend 115.96 (4); to amend 115.28 (15) (b), 115.95 (2) and (3), 115.955 (2), 115.97 (1) and 115.996; and to create 115.96 (4) (a) and (b) and 115.97 (5) of the statutes, relating to bilingual-bicultural education programs.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 115.28 (15) (b) of the statutes is amended to read:

115.28 (15) (b) Establish, by rule, minimum standards for ~~basic and optional expanded~~ bilingual-bicultural education programs under subch. VII.

SECTION 2. 115.95 (2) and (3) of the statutes are amended to read:

115.95 (2) It is the policy of this state to provide equal educational opportunities by ensuring that necessary programs are available for limited-English speaking pupils while allowing each school district maximum flexibility in establishing programs suited to its particular needs. To this end, this subchapter ~~creates a required minimal program and an optional expanded program~~ establishes bilingual-bicultural education programs for pupils in school districts with specified concentrations of limited-English speaking pupils in the attendance areas of particular schools.

(3) It is the policy of this state to reimburse school districts, in substantial part, for the added costs of providing the ~~basic or optional expanded~~ programs established under this subchapter.

SECTION 3. 115.955 (1) of the statutes is repealed.

SECTION 4. 115.955 (2) of the statutes is amended to read:

115.955 (2) "Bilingual-bicultural education program" means a ~~basic program or an optional expanded program, as defined by the state superintendent by rule under s. 115.28 (15) (b),~~ designed to improve the comprehension and the speaking, reading and writing ability of a limited-English speaking pupil in the English language, so that the pupil will be able to perform ordinary classwork in English.

SECTION 5. 115.955 (8) of the statutes is repealed.

SECTION 6. 115.96 (4) of the statutes is renumbered 115.96 (4) (intro.) and amended to read:

115.96 (4) PROGRAM ESTABLISHED. (intro.) Annually, on or before July 1, the school board shall establish a bilingual-bicultural education program, if required under s. 115.97. A bilingual-bicultural education program established under this subchapter shall provide all of the following:

SECTION 7. 115.96 (4) (a) and (b) of the statutes are created to read:

115.96 (4) (a) Instruction in reading, writing and speaking the English language.

(b) Through the use of the native language of the limited-English speaking pupil, instruction in the subjects necessary to permit the pupil to progress effectively through the educational system.

SECTION 8. 115.97 (1) of the statutes is amended to read:

115.97 (1) ~~If a school board is required to establish a bilingual-bicultural education program under sub. (2), (3) or (4), the school board may adopt either a basic or expanded program.~~ A school board may combine pupils in attendance at separate schools in its bilingual-bicultural education program. The school board shall be eligible for state aids under s. 115.995 if the number of limited-English speaking pupils served from the combined schools meets the requirements under sub. (2), (3) or (4). A pupil shall be eligible for a bilingual-bicultural education program only until he or she is able to perform ordinary classwork in English. The bilingual-bicultural education program shall be designed to provide intensive instruction to meet this objective. Nothing in this subchapter shall be construed to authorize isolation of children of limited-English speaking ability or ethnic background for a substantial portion of the school day. Pupils who are not limited-English speaking pupils may participate in a bilingual-bicultural education program, except that a school board shall give preference to limited-English speaking pupils in admitting pupils to such a program.

SECTION 9. 115.97 (5) of the statutes is created to read:

115.97 (5) (a) Except as provided under par. (b), if a school board is required to establish a bilingual-bicultural education program under sub. (2), (3) or (4), but bilingual teachers for the language groups are unavailable, the program may be taught by certified teachers of English as a 2nd language upon receipt of approval of the state superintendent. The state superintendent may approve a program under this paragraph only if the school board demonstrates all of the following:

1. Compliance with all other requirements of this subchapter.

2. A good faith, continuing effort to recruit bilingual teachers for the language group.

3. Employment of at least one bilingual teacher's aide in the program.

(b) Paragraph (a) does not apply to a program for Spanish-speaking pupils.

SECTION 10. 115.996 of the statutes is amended to read:

**115.996 Report to the legislature.** Annually, on or before December 31, the state superintendent shall report to the legislature on the status of bilingual-bicultural education programs established under this subchapter. The report shall include the number of

pupils served in ~~basic and optional expanded~~ bilingual-bicultural education programs for each language group in each school district in which such programs are offered and the cost of the program per pupil for each school district, language group and program type. The department shall also provide the number of pupils in each school district and language group who as a result of participation in a bilingual-bicultural education program improved their English language ability to such an extent that the program is no longer necessary for such pupils.

