

1999 DRAFTING REQUEST

Bill

Received: 11/02/1999

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Richard Grobschmidt (608) 266-7505

By/Representing: Lisa

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - handicapped ed.

Extra Copies: MJL

Pre Topic:

No specific pre topic given

Topic:

State aid for handicapped education

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 11/05/1999	csicilia 11/15/1999		_____			
/1			martykr 11/16/1999	_____	lrb_docadmin 11/16/1999	lrb_docadminS&L 11/18/1999	

FE Sent For: 11/18/1999.

<END>

1999 DRAFTING REQUEST

Bill

Received: 11/02/1999

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Richard Grobschmidt (608) 266-7505

By/Representing: Lisa

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - handicapped ed.

Extra Copies: MJL

Pre Topic:

No specific pre topic given

Topic:

State aid for handicapped education

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 11/05/1999	csicilia 11/15/1999		_____			
/1			martykr 11/16/1999	_____	lrb_docadmin 11/16/1999		S&L

FE Sent For:

11/18/99
WJ

<END>

1999 DRAFTING REQUEST

Bill

Received: **11/02/1999**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Richard Grohschmidt (608) 266-7505**

By/Representing: **Lisa**

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

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - handicapped ed.**

Extra Copies: **MJL**

Pre Topic:

No specific pre topic given

Topic:

State aid for handicapped education

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	11/15/99 gs	11/15 km	11/16 JZ km			

FE Sent For:

<END>

1999

Date (time) needed _____

LRB - 3883,1

BILL

PG: Y: _____
95

Use the appropriate components and routines developed for bills.

AN ACT... [generate catalog] *to repeal* ... ; *to renumber* ... ; *to consolidate and renumber* ... ; *to renumber and amend* ... ; *to consolidate, renumber and amend* ... ; *to amend* ... ; *to repeal and recreate* ... ; and *to create* ... of the statutes; relating to: *state aid for special education and school age parents programs.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

- For the main heading [old =M], execute: create → anal: → title: → head
- For the subheading [old =S], execute: create → anal: → title: → sub
- For the sub-subheading [old =P], execute: create → anal: → title: → sub-sub

(attached)

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

SECTION #.

Section #. 115.88 (1m) (a) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

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

History: 1997 a. 164.

~~as costs eligible for reimbursement~~

← wpo: underscore period

~~WPO insert~~
~~where.~~
~~Re material~~
~~indicated~~
~~two pages after this one~~
s. 115.88(1m)(am)

WPO - insert here
indicated that Re material I have
after this one (the material appears two pages
a treatment of s. 115.88(1m)(am)

Section #. 115.88 (1m) (b) of the statutes is ~~amended~~ ^{created} to read:

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

History: 1997 a. 164.

operator of a charter school established under s. 118.46 (2r)

such special education program a sum equal to 63% of the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in sub. (1), including the salary portion of any authorized contract for physical or occupational therapy services, ~~except as provided in par. (b), and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the county, agency and school district as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).~~

score instead of strike

strike instead of score

WFO - insert this material at the point indicated on the 2nd ~~draft~~ page of the bill

~~SECTION 20.255~~ #. SECTION 115.88 (1m) (am) of the statutes is amended to read:

amended

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

, as created by 1999 Wisconsin Act 9,

63% of

except as provided under par. (b),

The department of administration shall pay such amounts to the charter school operator of the

Section #. 115.88 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

~~an amount equal to~~ 63% of

115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4) the state superintendent is satisfied that the transportation of children with disabilities has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils ~~the~~ the amount expended for such transportation. Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). The department of administration shall pay such amounts to the county, agency or school district from the appropriations under s. 20.255 (2) (b) and (br). This subsection applies to any child with a disability who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with a disability attending regular or special classes who does not require any special or additional transportation.

History: 1997 a. 164.

~~as costs eligible for reimbursement from the appropriations under s. 20.255(2)(b) and (br)~~

~~SECTION 115.88~~ 115.88 (2) of the statutes is amended to read:

~~115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4) the state superintendent is satisfied that the transportation of children with disabilities has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils ~~(63% of)~~ an amount equal to the amount expended for such transportation as costs eligible for reimbursement from the appropriations under s. 20.255 (2) (b) and (br). Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). The department of administration shall pay such amounts to the county, agency or school district from the appropriations under s. 20.255 (2) (b) and (br). This subsection applies to any child with a disability who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with a disability attending regular or special classes who does not require any special or additional transportation.~~

is affected by
1999 Wisconsin
Act 9,

score instead of strike

strike instead of score

score instead of strike

~~SECTION 115.88~~ 115.88 (2m) of the statutes is created to read:

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

is created by
1999 Wisconsin
Act 9,

amended

63% of

appropriation

The department of administration shall pay such costs

Section #. 115.88 (3) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

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

History: 1997 a. 164.

~~in favor of each~~

~~an amount equal to the amount expended for such board and lodging and transportation as costs eligible for reimbursement from the appropriation under s. 20.255(2)(b)~~

Section #. 115.88 (6) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

115.88 (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. ^{AS} From the appropriation under s. 20.255
(2) (b) there shall be paid the full cost of salary and travel expenses, in amounts determined in
advance by the state superintendent, to school districts for providing special education outside the
school district of employment.

History: 1997 a. 164.

~~The department shall certify to the department of administration, in favor of each school district, an amount equal to the amount expended for salaries~~

~~, as eligible for reimbursement from the appropriation under s. 20.255(2)(b)~~

Section # 115.88 (8) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in a public special education program located in another state and the state superintendent is satisfied that the program in which the child is enrolled complies with this subchapter, the state superintendent shall certify to the department of administration in favor of the school district in which the child resides or the school district attended by the child under s. 118.51 a sum equal to the percentage of the approved costs under subs. (1) and (2) of the amount expended by the school district during the preceding year for the additional costs associated with the child's special education program. The department of administration shall pay the amount to the school district from the appropriation under s. 20.255 (2) ^{RWP: underscore Period}

(b).

History: 1997 a. 164.

~~as costs eligible
for reimbursement~~

1 ✓ 5. Page 1098, line 20: delete the material beginning with that line and ending
2 with page 1099, line 11.

3 ✓ 6. Page 1099, line 17: after "equal to" insert "63% of".

4 ✓ 7. Page 1099, line 19: delete lines 19 and 20 and substitute "year for
5 transportation under this subsection. The department of administration shall pay
6 such amounts to the charter school".

7 ✓ 8. Page 1099, line 23: delete the material beginning with that line and ending
8 with page 1101, line 4.

9 9. Page 1101, line 11: delete the material beginning with that line and ending
10 with page 1102, line 4 and substitute:

11 ✓ SECTION ~~2063m~~ [#] 115.882 of the statutes is ~~amended~~ ^{as affected by 1999 Wisconsin Act 9,} to read:
repealed and recreated

12 115.882 Proration of state aid. If the sum of the appropriations under s.
13 20.255 (2) (b) and (br) in any one year is insufficient to pay the full amount of aid
14 under ss. 115.88 and 118.255, funds in the appropriations shall be used first for the
15 purpose of s. 115.88 (4) and any remaining funds shall be prorated among the
16 counties, school districts, operators of charter schools established under s. 118.40 (2r)
17 and cooperative educational service agencies entitled thereto. *plain text*

18 10. Page 1103, line 17: delete the material beginning with that line and
19 ending with page 1104, line 5.

20 11. Page 1595, line 1: delete lines 1 to 3.

21 12. Page 1595, line 4: delete "(b)"; substitute "sections" for "section"; and after
22 "(2m)" insert "and 115.882".

23 (END)

Section #. 115.93 of the statutes, as affected by 1999 Wisconsin Act 9, is renumbered

115.93(1) and amended to read:

115.93 ~~(1)~~ ^{IF} State aid. (1) ~~Except as provided under sub. (2)~~ ⁽³⁾, if upon receipt of the reports under s. 115.92 (2) the state superintendent is satisfied that the school age parents program has been maintained during the preceding school year in accordance with the rules under s. 115.92 (3), the state superintendent shall certify to the department of administration in favor of each school district maintaining the program a sum equal to 63% of the amount expended by the school district during the preceding school year for salaries of teachers and instructional aides, special transportation and other expenses approved by the state superintendent. ^{WFO: underscore period} The department of administration shall pay such amounts to the school district from the appropriation under s. 20.255 (2) (b).

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

History: 1983 a. 374; 1985 a. 29 ss. 1707s, 3202 (43); 1985 a. 56; 1987 a. 27, 338; 1989 a. 31; 1991 a. 269; 1995 a. 27; 1997 a. 27.

~~as costs eligible for reimbursement~~

Section #. 115.93 ⁽³⁾ of the statutes, ~~as affected by 1999 Wisconsin Act 111~~ is created to read:

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

History: 1983 a. 374; 1985 a. 29 ss. 1707s, 3202 (43); 1985 a. 56; 1987 a. 27, 338; 1989 a. 31; 1991 a. 269; 1995 a. 27; 1997 a. 27.

TJRC

Section #. 118.255 (4) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

118.255 (4) If the state superintendent is satisfied that the health treatment services program has been maintained during the preceding school year in accordance with law, the state superintendent shall certify to the department of administration in favor of each school board, cooperative educational service agency and county children with disabilities education board maintaining such health treatment services, an amount equal to 63% of the amount expended for items listed in s. 115.88 (1m) by the school board, cooperative educational service agency and county children with disabilities education board during the preceding year for these health treatment services. The department of administration, upon such certification shall distribute the amounts to the appropriate school board, cooperative educational service agency and county children with disabilities education board.

History: 1973 c. 307; 1977 c. 83; 1981 c. 317; 1983 a. 27; 1983 a. 189 s. 329 (17m); 1983 a. 512; 1987 a. 27, 338; 1993 a. 492; 1995 a. 27; 1997 a. 27, 164.

RE-WORD: under new period
~~as costs eligible for reimbursement from the appropriation under s. 20.255(2)(b)~~

1999

Nonstat File Sequence: **EEE**

LRB _____ / _____
_____ : _____ : _____

INITIAL APPLICABILITY

- In the component bar:
 For the action phrase, execute: **create** → **action:** → *NS: → **inappl**
 For the budget action phrase, execute: **create** → **action:** → *NS: → **93XX**
 For the text, execute: **create** → **text:** → *NS: → **inappl**
- Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the **9300** department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # ____ [**93**____ ____]. **Initial applicability;**

.....

(#1) ()

..... **The treatment of sections** ..

.....

..... **of the statutes**

first applies to

.....

.....

- In the component bar:
 For the action phrase, execute: **create** → **action:** → *NS: → **inappl**
 For the text, execute: **create** → **text:** → *NS: → **inapplA**
- Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # ____ . **Initial applicability;**

.....

(#1) *MM* **This act first ap-**
plies to *state aid paid in the 2000-01*
school year.

(End)

ANALYSIS

cooperative educational
service agencies, county
children with disabilities
education boards and
certain charter schools

Current law requires that aidable
for special education
costs incurred by school districts, ~~for~~
handicapped ^{special} ~~education~~ be fully reimbursed
by the state, subject to the availability
of funds.

This bill provides for most aidable
for special education by the state
costs to be ^{reimbursed} ~~reimbursed~~ at the rate
of 63%. ~~with~~ The salaries of school
psychologists and social workers ^{reimbursed} ~~are reimbursed~~

at 51% and the ~~full~~ costs of ~~the~~
special education for children in hospital and
convalescent homes are ~~reimbursed~~ ~~are~~ fully

reimbursed. The bill ^{provides} ~~provides~~ that if
insufficient funds are appropriated, payments are
prorated.

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 11/16/1999

To: Senator Grobschmidt

Relating to LRB drafting number: LRB-3883

Topic

State aid for handicapped education

Subject(s)

Education - handicapped ed.

1. **JACKET** the draft for introduction



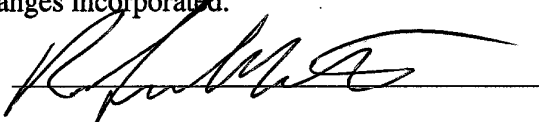
in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the

drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction



If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362