BILL HISTORY FOR ASSEMBLY BILL 370 (LRB –3044)

An Act to repeal 120.13 (11) (a); to renumber and amend 120.13 (11) (b); to amend 35.82 (2), 35.83 (3) (g), 35.84 (figure) line 17. (title), 35.84 (figure) line 41. (title), 35.84 (figure) line 53. (title), 35.84 (figure) line 54. (title), 35.84 (figure) column E line 54, 35.84 (figure) column H line 54, 35.84 (figure) column F line 61, 35.84 (figure) column G line 61, 35.84 (figure) column N line 61, 115.28 (15) (a), 115.92 (2) (b), 115.95 (2), 115.95 (4), 115.955 (2), 115.955 (7), 115.96 (1), 115.96 (2), 115.96 (4) (b), 115.96 (5) (a), 115.97 (1), 115.97 (2), 115.97 (3), 115.97 (4), 115.977 (3), 115.98, 115.993, 115.995, 118.30 (2) (b) 2., 121.87 (1) (intro.) and 121.91 (4) (a) 3.; and to create 35.84 (figure) line 58 and 35.84 (figure) line 59 of the statutes; relating to: distribution of certain state documents; school district reports on programs for school age parents and on special transfer programs; the supervision of nurses and dentists employed by a school board; and the term "limited–English speaking" (suggested as remedial legislation by the department of public instruction). (FE)

1999

06–08. A. Introduced by **Law Revision Committee.**

06–08. A. Read first time and referred to committee on Education 221

06–28. A. Fiscal estimate received.

07–02. A. Fiscal estimate received.

07–14. A. Fiscal estimate received.

09–07. A. Public hearing held.

09–07. A. Executive action taken.

09–14. A. Report passage recommended by committee on Education, Ayes 15, Noes 0 316

09–14. A. Referred to committee on Rules 316

09–15. A. Placed on calendar 9–21–1999 by committee on Rules.

09–21. A. Read a second time 330

09–21. A. Ordered to a third reading 330

09–21. A. Rules suspended 330

09–21. A. Read a third time and **passed** 330

09–21. A. Ordered immediately messaged 330

09–23. S. Received from Assembly 269

09–23. S. Read first time and referred to committee on Education 270

10–13. S. Public hearing held.

10–13. S. Executive action taken.

10–20. S. Report concurrence recommended by committee on Education, Ayes 11, Noes 0 292

10–20. S. Available for scheduling.

11–02. S. Read a second time 317

11–02. S. Referred to joint committee on Finance 317

11–02. S. Withdrawn from joint committee on Finance and taken up 317

11–02. S. Ordered to a third reading 317

11–02. S. Rules suspended 317

11–02. S. Read a third time and **concurred in** 317

11–02. S. Ordered immediately messaged 317

11–02. A. Received from Senate concurred in 487

11–18. A. Report correctly enrolled 564

12–21. A. Report **approved** by the Governor on 12–17–1999 578

1999 Wisconsin Act 19.

12–21. A. Published 12–31–1999 578

1999
ENROLLED BILL

99en A B-370

ADOPTED DOCUMENTS:

☒ **Orig** ☐ **Engr** ___ **SubAmdt** ___ **99** - 304 1/1 1

Amendments to above (if none, write "NONE"): None

Corrections – show date (if none, write "NONE"): None

Topic Remedial legislation suggested by department of public instruction

11/05/99 Peter Dykman

Date **Enrolling Drafter**

ELECTRONIC PROCEDURE:

Follow automatic or manual enrolling procedures in *TEXT2000 Reference Guide*, Document Specific Procedures, Ch. 20, Engrossing and Enrolling

DISTRIBUTION:

HOUSE OF ORIGIN:

- **11 copies plus bill jacket**
- **Secretary of State's envelope containing 4 copies plus newspaper notice**

REVISOR OF STATUTES:

- **5 copies**

DEPARTMENT OF ADMINISTRATION:

- **2 copies**

LRB:

- **Drafting file ..... original**
- **Drafting attorney ..... 1 copy**
- **Legal section editors ..... 1 copy each**
- **Reference section ..... 1 copy**
- **Bill index librarian ..... 1 copy**

1999 ASSEMBLY BILL 370

June 8, 1999 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Education.

1 AN ACT ***to repeal*** 120.13 (11) (a); ***to renumber and amend*** 120.13 (11) (b); ***to***
2 ***amend*** 35.82 (2), 35.83 (3) (g), 35.84 (figure) line 17. (title), 35.84 (figure) line
3 41. (title), 35.84 (figure) line 53. (title), 35.84 (figure) line 54. (title), 35.84
4 (figure) column E line 54, 35.84 (figure) column H line 54, 35.84 (figure) column
5 F line 61, 35.84 (figure) column G line 61, 35.84 (figure) column N line 61, 115.28
6 (15) (a), 115.92 (2) (b), 115.95 (2), 115.95 (4), 115.955 (2), 115.955 (7), 115.96 (1),
7 115.96 (2), 115.96 (4) (b), 115.96 (5) (a), 115.97 (1), 115.97 (2), 115.97 (3), 115.97
8 (4), 115.977 (3), 115.98, 115.993, 115.995, 118.30 (2) (b) 2., 121.87 (1) (intro.) and
9 121.91 (4) (a) 3.; and ***to create*** 35.84 (figure) line 58 and 35.84 (figure) line 59
10 of the statutes; **relating to:** distribution of certain state documents; school
11 district reports on programs for school age parents and on special transfer
12 programs; the supervision of nurses and dentists employed by a school board;

1 and the term "limited–English speaking" (suggested as remedial legislation by
2 the department of public instruction).

Analysis by the Legislative Reference Bureau

1. This bill changes the laws governing distribution of state documents (publications). The changes include:

a. Currently, there are two state document depository libraries outside this state — the Library of Congress and the Center for Research Libraries, Chicago, Illinois. The bill discontinues the center as a depository and replaces it with the Council of State Governments, Lexington, Kentucky.

b. The bill provides for each selective state depository library (one that receives only selected state publications) to receive one free copy of the Blue Book and the biennial reports of state agencies.

c. The bill provides for the reference and loan library of the department of public instruction (DPI) to receive one free copy of each major state publication. Currently, the library receives one free copy of other state publications.

d. The bill increases the automatic free distribution of certain state documents to the Library of Congress.

2. Under current law, the state pays categorical aid to any school district that operates a program for school age parents. Annually by August 15, the school district must submit to DPI a statement of all revenues and expenditures related to the program during the previous school year. This bill changes the reporting date to September 15.

3. Under current law, any school district that receives special transfer aid (commonly known as chapter 220) must submit a report to the state superintendent of public instruction annually by August 15. This bill changes the reporting date to October 15.

4. Under current law, school boards are authorized to employ public health nurses, registered nurses, school nurses and licensed dentists. In counties having a population of less than 500,000, these employes must be under the supervision of the local board of health and the department of health and family services (DHFS). In other counties, these employes must cooperate with the local board of health and DHFS.

This bill requires that all such employes cooperate with the local board of health and DHFS and eliminates the requirement that employes in a county having a population of less than 500,000 be under the supervision of the local board of health and DHFS.

5. This bill changes the term "limited–English speaking" to "limited–English proficient" in the statutes relating to bilingual–bicultural education programs.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

For further information see the ***state*** 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:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of public instruction and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 35.82 (2) of the statutes is amended to read:

35.82 **(2)** The library of congress and the ~~center for research libraries, Chicago, Illinois~~ Council of State Governments, Lexington, Kentucky, are designated as state document depository libraries outside this state.

SECTION 2. 35.83 (3) (g) of the statutes is amended to read:

35.83 **(3)** (g) The center ~~for research libraries, Chicago, Illinois~~ Council of State Governments, Lexington, Kentucky, one copy.

NOTE: The amendments in SECTIONS 1 and 2 provide that the Council of State Governments, rather than the Center for Research Libraries, will now be a depository to collect state documents. According to the reference and loan library, department of public instruction (DPI), the Council of State Governments took over this function in 1992, but the statutes have not been revised to reflect this change.

SECTION 3. 35.84 (figure) line 17. (title) of the statutes is amended to read:

35.84 (figure)

17. (title) Legislative Reference Library~~; 35.85 (11m)~~

SECTION 4. 35.84 (figure) line 41. (title) of the statutes is amended to read:

35.84 (figure)

41. (title) Historical Society~~; s. 35.85 (7)~~

NOTE: The amendments in SECTIONS 3 and 4 delete statutory references in s. 35.84, stats., which are no longer accurate.

SECTION 5. 35.84 (figure) line 53. (title) of the statutes is amended to read:

35.84 (figure)

1 53. (title) Each regional state document depository library; s. 35.82 (3), not to
2 exceed 10 (DLS)

3 **SECTION 6.** 35.84 (figure) line 54. (title) of the statutes is amended to read:

4 35.84 (figure)

5 54. (title) Each selective state document depository library; s. 35.82 (3), not to
6 exceed 35 (DLS)

NOTE: The amendments in SECTIONS 5 and 6 add references that the division of library services shall certify the list for distribution of official documents to each regional state document depository library and each selective state document depository library.

7 **SECTION 7.** 35.84 (figure) column E line 54 of the statutes is amended to read:

8 35.84 (figure) Column E Blue Books; s. 35.24 (1)

9 54. Each selective state document depository library; s. 35.82 (3); not to exceed
10 35 (DLS) 1

11 **SECTION 8.** 35.84 (figure) column H line 54 of the statutes is amended to read:

12 35.84 (figure) Column H Biennial Reports; s. 15.04 (1) (d)

13 54. Each selective state document depository library; s. 35.82 (3); not to exceed
14 35 (DLS) 1

NOTE: The amendments in SECTIONS 7 and 8 provide that each selective state document depository library shall receive one copy of the Blue Book and one copy of agency biennial reports. According to the reference and loan library, DPI, this change reflects the intent that selective state depositories, which are designated by the division of library services, receive publications such as these which are of a general nature.

15 **SECTION 9.** 35.84 (figure) line 58 of the statutes is created to read:

16 35.84 (figure)

17 58. Department of Public Instruction Reference and Loan Library

18 Column A Statutes, Hard Covers; s. 35.18 1

19 Column C Annotations; s. 35.23 1

20 Column D Laws of Wisconsin; s. 35.15 1

1 Column E Blue Books; s. 35.24 (1) 1

2 Column F Administrative Code and Register; s. 35.93; s. 227.025 1

3 Column G Budget Estimates; s. 35.265 1

4 Column H Biennial Reports; s. 15.04 (1) (d) 1

5 Column I Governor's Messages; s. 14.04 1

6 Column J Opinions of Attorney General; s. 35.28; s. 165.015 (1) 1

7 Column K Supreme Court Reports; s. 35.28; s. 751.11 1

8 Column L Decisions of Public Service Comm.; s. 35.28 1

9 Column M Decisions of Tax Appeals Comm.; s. 73.01 (3) (b) 1

10 Column N Town Law Forms; s. 35.20 1

NOTE: SECTION 9 provides that the reference and loan library receives the major publications which are distributed by the department of administration. According to the reference and loan library, DPI, the library was made a state level depository by 1991 Wisconsin Act 285, but corresponding changes in the chart accompanying s. 35.84, stats., were not made to indicate this.

11 **SECTION 10.** 35.84 (figure) line 59 of the statutes is created to read:

12 35.84 (figure)

13 59. Council of State Governments, Lexington, Kentucky

14 Column A Statutes, Hard Covers; s. 35.18 1

15 Column C Annotations; s. 35.23 1

16 Column D Laws of Wisconsin; s. 35.15 1

17 Column E Blue Books; s. 35.24 (1) 1

18 Column F Administrative Code and Register; s. 35.93; s. 227.025 1

19 Column G Budget Estimates; s. 35.265 1

20 Column H Biennial Reports; s. 15.04 (1) (d) 1

21 Column I Governor's Messages; s. 14.04 1

22 Column J Opinions of Attorney General; s. 35.28; s. 165.015 (1) 1

1 Column K Supreme Court Reports; s. 35.28; s. 751.11 1

2 Column L Decisions of Public Service Comm.; s. 35.28 1

3 Column M Decisions of Tax Appeals Comm.; s. 73.01 (3) (b) 1

4 Column N Town Law Forms; s. 35.20 1

NOTE: SECTION 10 provides that the Council of State Governments, now a state document depository library outside of the state, receives distribution of certain state documents.

5 **SECTION 11.** 35.84 (figure) column F line 61 of the statutes is amended to read:

6 35.84 (figure) Column F Administrative Code and Register; s. 35.93; s. 227.025

7 61. Library of Congress ..... ~~1A~~ 1

8 **SECTION 12.** 35.84 (figure) column G line 61 of the statutes is amended to read:

9 35.84 (figure) Column G Budget Estimates; s. 35.265

10 61. Library of Congress 1

11 **SECTION 13.** 35.84 (figure) column N line 61 of the statutes is amended to read:

12 35.84 (figure) Column N Town Law Forms; s. 35.20

13 61. Library of Congress 1

NOTE: The amendments in SECTIONS 11 to 13 provide that the Library of Congress, a state document depository library outside of the state, receives automatic free distribution of 3 additional state documents.

14 **SECTION 14.** 115.28 (15) (a) of the statutes is amended to read:

15 115.28 **(15)** (a) Establish, by rule, standards for the approval of the abilities of
16 certified teachers and counselors and their aides participating in
17 bilingual–bicultural education programs under subch. VII to read, write and speak
18 a non–English language and to possess knowledge of the culture of limited–English
19 ~~speaking~~ proficient pupils.

20 **SECTION 15.** 115.92 (2) (b) of the statutes is amended to read:

1 115.92 **(2)** (b) Annually, on or before ~~August~~ September 15, each school board
2 maintaining a program under this subchapter shall submit to the department an
3 itemized statement on oath of all revenues and expenditures related to the program
4 during the preceding school year.

NOTE: SECTION 15 changes the date for reporting revenues and expenditures for the school age parent program from August 15 to September 15 of each year. According to DPI, audited data from school districts' annual financial reports are used to compile the revenue and expenditure data for the annual report for the school age parent program. The annual financial report is not required to be filed until September 1. Changing the reporting date from August 15 to September 15 will enable school districts to have sufficient time to prepare the school age parent program report using the audited data from the annual financial report.

5 **SECTION 16.** 115.95 (2) of the statutes is amended to read:

6 115.95 **(2)** It is the policy of this state to provide equal educational
7 opportunities by ensuring that necessary programs are available for
8 limited–English ~~speaking~~ proficient pupils while allowing each school district
9 maximum flexibility in establishing programs suited to its particular needs. To this
10 end, this subchapter establishes bilingual–bicultural education programs for pupils
11 in school districts with specified concentrations of limited–English ~~speaking~~
12 proficient pupils in the attendance areas of particular schools.

13 **SECTION 17.** 115.95 (4) of the statutes is amended to read:

14 115.95 **(4)** It is the policy of this state that a limited–English ~~speaking~~
15 proficient pupil participate in a bilingual–bicultural education program only until
16 such time as the pupil is able to perform ordinary classwork in English.

17 **SECTION 18.** 115.955 (2) of the statutes is amended to read:

18 115.955 **(2)** "Bilingual–bicultural education program" means a program
19 designed to improve the comprehension and the speaking, reading and writing
20 ability of a limited–English ~~speaking~~ proficient pupil in the English language, so
21 that the pupil will be able to perform ordinary classwork in English.

1 **SECTION 19.** 115.955 (7) of the statutes is amended to read:

2 115.955 **(7)** "Limited–English ~~speaking~~ proficient pupil" means a pupil whose
3 ability to use the English language is limited because of the use of a non–English
4 language in his or her family or in his or her daily, nonschool surroundings, and who
5 has difficulty, as defined by rule by the state superintendent, in performing ordinary
6 classwork in English as a result of such limited English language ~~ability~~ proficiency.

7 **SECTION 20.** 115.96 (1) of the statutes is amended to read:

8 115.96 **(1)** COUNT OF LIMITED–ENGLISH ~~SPEAKING~~ PROFICIENT PUPILS. Annually, on
9 or before March 1, each school board shall conduct a count of the limited–English
10 ~~speaking~~ proficient pupils in the public schools of the district, assess the language
11 proficiency of such pupils and classify such pupils by language group, grade level, age
12 and English language proficiency.

13 **SECTION 21.** 115.96 (2) of the statutes is amended to read:

14 115.96 **(2)** NOTIFICATION. Annually, on or before April 1, a school board which
15 may be required to offer a bilingual–bicultural education program shall send to the
16 parent, legal custodian or guardian of every limited–English ~~speaking~~ proficient
17 pupil identified under sub. (1) who is eligible for participation in such a program, a
18 notice which states that a bilingual–bicultural education program may be instituted,
19 contains information on the procedures for registering a pupil in such a program, and
20 provides notice of the consent required under sub. (3). The notice shall be in English
21 and in the non–English language of the limited–English ~~speaking~~ proficient pupil.

22 **SECTION 22.** 115.96 (4) (b) of the statutes is amended to read:

23 115.96 **(4)** (b) Through the use of the native language of the limited–English
24 ~~speaking~~ proficient pupil, instruction in the subjects necessary to permit the pupil
25 to progress effectively through the educational system.

1 **SECTION 23.** 115.96 (5) (a) of the statutes is amended to read:

2 115.96 **(5)** (a) By the commencement of the school term, the school board shall
3 place, with the parent's or legal custodian's written consent, each limited–English
4 ~~speaking~~ proficient pupil in the appropriate bilingual–bicultural education program
5 established under this subchapter. If a limited–English ~~speaking~~ proficient pupil is
6 identified after March 1 or the parent or legal custodian of such child gives consent
7 after May 1, the school board shall place the pupil, with the written consent of the
8 pupil's parent or legal custodian, in an appropriate program where feasible.

9 **SECTION 24.** 115.97 (1) of the statutes is amended to read:

10 115.97 **(1)** A school board may combine pupils in attendance at separate schools
11 in its bilingual–bicultural education program. The school board shall be eligible for
12 state aids under s. 115.995 if the number of limited–English ~~speaking~~ proficient
13 pupils served from the combined schools meets the requirements under sub. (2), (3)
14 or (4). A pupil shall be eligible for a bilingual–bicultural education program only
15 until he or she is able to perform ordinary classwork in English. The
16 bilingual–bicultural education program shall be designed to provide intensive
17 instruction to meet this objective. Nothing in this subchapter shall be construed to
18 authorize isolation of children of limited–English ~~speaking~~ proficient ability or
19 ethnic background for a substantial portion of the school day. Pupils who are not
20 limited–English ~~speaking~~ proficient pupils may participate in a bilingual–bicultural
21 education program, except that a school board shall give preference to
22 limited–English ~~speaking~~ proficient pupils in admitting pupils to such a program.

23 **SECTION 25.** 115.97 (2) of the statutes is amended to read:

24 115.97 **(2)** If, in a language group under s. 115.96 (1), there are 10 or more
25 limited–English ~~speaking~~ proficient pupils in kindergarten to grade 3 in attendance

at a particular elementary school and whose parents or legal custodians give written consent to such pupils' placement under s. 115.96 (3), the school board shall establish a bilingual–bicultural education program for such pupils during the school term. Such program shall be taught by a bilingual teacher.

SECTION 26. 115.97 (3) of the statutes is amended to read:

115.97 **(3)** If, in a language group under s. 115.96 (1), there are 20 or more limited–English ~~speaking~~ proficient pupils in grades 4 to 8 in attendance at a particular elementary, middle or junior high school and whose parents or legal custodians give written consent to such pupils' placement under s. 115.96 (3), the school board shall establish a bilingual–bicultural education program for such pupils during the school term. Such program shall be taught by a bilingual teacher.

SECTION 27. 115.97 (4) of the statutes is amended to read:

115.97 **(4)** If, in a language group under s. 115.96 (1), there are 20 or more limited–English ~~speaking~~ proficient pupils in grades 9 to 12 in attendance at a particular high school and whose parents or legal custodians give written consent to the pupils' placement under s. 115.96 (3), the school board shall establish a bilingual bicultural education program. The program shall be taught by a bilingual teacher. Bilingual counselors shall be made available.

SECTION 28. 115.977 (3) of the statutes is amended to read:

115.977 **(3)** The school board shall give any limited–English ~~speaking~~ proficient pupil who has begun a bilingual–bicultural education program in the 3rd grade the opportunity to continue his or her bilingual–bicultural education program in the 4th grade regardless of the number of limited–English ~~speaking~~ proficient pupils in grades 4 to 8. However, if there are not a sufficient number of limited–English ~~speaking~~ proficient pupils in grades 4 to 8 to require a

bilingual–bicultural education program under sub. (2), the school board may offer such pupil the opportunity to continue a bilingual–bicultural education program with a program established for limited–English ~~speaking~~ proficient pupils in kindergarten to grade 3. A 4th grade pupil so enrolled may be counted for purposes of determining if there are a sufficient number of pupils for a kindergarten to grade 3 bilingual–bicultural education program.

SECTION 29. 115.98 of the statutes is amended to read:

115.98 Bilingual–bicultural advisory committee. In each school district which establishes a bilingual–bicultural education program under this subchapter, the school board may appoint a bilingual–bicultural advisory committee to afford parents and educators of limited–English ~~speaking~~ proficient pupils the opportunity to advise the school board of their views and to ensure that a program is planned, operated and evaluated with their involvement and consultation. The committee shall assist the school board in informing educators, parents and legal custodians of limited–English ~~speaking~~ proficient pupils that a program exists. The committee shall be composed of parents of limited–English ~~speaking~~ proficient pupils enrolled in the bilingual–bicultural education program, bilingual and other teachers, bilingual teacher's aides, bilingual and other counselors and bilingual counselor's aides in the district, at least one representative from the community and a representative of the school district administration.

SECTION 30. 115.993 of the statutes is amended to read:

115.993 Report on bilingual–bicultural education. Annually, on or before August 15, the school board of a district operating a bilingual–bicultural education program under this subchapter shall report to the state superintendent the number of pupils, including both limited–English ~~speaking~~ proficient pupils and other

pupils, instructed the previous school year in bilingual–bicultural education programs, an itemized statement on oath of all disbursements on account of the bilingual–bicultural education program operated during the previous school year and a copy of the estimated budget for that program for the current school year.

SECTION 31. 115.995 of the statutes is amended to read:

115.995 State aids. Upon receipt of the report under s. 115.993, if the state superintendent is satisfied that the bilingual–bicultural education program for the previous school year was maintained in accordance with this subchapter, the state superintendent shall certify to the department of administration in favor of the school district a sum equal to a percentage of the amount expended on limited–English ~~speaking~~ proficient pupils by the school district during the preceding year for salaries of personnel participating in and attributable to bilingual–bicultural education programs under this subchapter, special books and equipment used in the bilingual–bicultural programs and other expenses approved by the state superintendent. The percentage shall be determined by dividing the amount in the appropriation under s. 20.255 (2) (cc) in the current school year by the total amount of aidable costs in the previous school year.

SECTION 32. 118.30 (2) (b) 2. of the statutes is amended to read:

118.30 **(2)** (b) 2. According to criteria established by the state superintendent by rule, the school board may determine not to administer an examination under this section to a limited–English ~~speaking~~ proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or her native language or may modify the format and administration of an examination for such pupils.

SECTION 33. 120.13 (11) (a) of the statutes is repealed.

1 **SECTION 34.** 120.13 (11) (b) of the statutes is renumbered 120.13 (11) and
2 amended to read:

3 120.13 **(11)** NURSES AND DENTISTS. ~~In counties having a population of 500,000~~
4 ~~or more, employ~~ Employ qualified public health nurses, school nurses, registered
5 nurses and licensed dentists who shall cooperate with the local board of health, as
6 defined in s. 250.01 (3), and the department of health and family services.

NOTE: SECTIONS 33 and 34 make the authority of school boards in counties with populations of less than 500,000 and counties with populations of 500,000 or more, the same with regard to employment of nurses and dentists. The change in SECTION 33 deletes a requirement that nurses and dentists in counties with populations under 500,000 be under the supervision of the local board of health and the department of health and family services (DHFS). SECTION 34 incorporates them into the same category as nurses and dentists employed by school boards in counties with populations of 500,000 or more. Therefore, in all counties, school boards would have the authority to employ nurses and dentists, who would be required to cooperate with the local board of health. According to DPI, this change will alleviate confusion on the part of school boards and counties with populations of less than 500,000 regarding the supervision of their nurses and dentists; will require coordination between nurses and dentists employed by school boards with local county boards of health and DHFS, regardless of the county's population; and will reflect current practice in school districts employing their own nurses and dentists.

7 **SECTION 35.** 121.87 (1) (intro.) of the statutes is amended to read:

8 121.87 **(1)** (intro.) Any school district that receives aid under this subchapter
9 in any school year shall submit a report to the state superintendent, on a form
10 provided by the state superintendent, by ~~August~~ October 15 of the following school
11 year. The report shall include all of the following for the school year in which the
12 school district received aid:

NOTE: SECTION 35 changes the date for reporting costs for the integration transfer program from August 15 to October 15. According to DPI, many school districts use audited data from their annual financial reports to compile this report. The annual financial report is not required to be filed until September 1. Therefore, the audited financial data may not be available to meet the August 15 reporting requirement for the integration transfer program.

13 **SECTION 36.** 121.91 (4) (a) 3. of the statutes is amended to read:

14 121.91 **(4)** (a) 3. Notwithstanding subd. 2., if a school board increases the
15 services that it provides by adding responsibility for providing a service that is

1 transferred to it from another governmental unit for a child with a disability, as
2 defined in s. 115.76 (5), or for a limited–English ~~speaking~~ proficient pupil, as defined
3 in s. 115.955 (7), the limit otherwise applicable under sub. (2m) in the current school
4 year is increased by an amount equal to the estimated cost of providing the service
5 less the estimated amount of aid that the school district will receive for the child or
6 pupil in the following school year under s. 115.88 (1m) to (6) and (8), 115.995 or
7 118.255, as determined by the state superintendent. A school board that transfers
8 or receives responsibility for providing a service under this subdivision shall notify
9 the state superintendent. A school board that transfers responsibility for providing
10 a service under this subdivision shall provide the state superintendent with an
11 estimate of the reduction in cost attributable to the transfer, even if that estimate is
12 zero. The state superintendent shall notify the transferring school district when a
13 receiving school district notifies the state superintendent that it has received
14 responsibility for providing a service transferred to it under this subdivision.

NOTE: SECTIONS 14, 16 to 32 and 36 change the statutory language in chs. 115, 118 and 121 from "limited English–speaking" to "limited English–proficient". This change makes the terminology consistent with that used in federal law in the Improving America's School Act, P.L. 103–382.

15 **(END)**