



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

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SCC:.....Engel – CN5502, Transfer TEACH board functions to DPI,

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1**

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

2 **1.** Page 8, line 21: after that line insert:

3 “SECTION 13m. 15.105 (25) of the statutes is repealed.”.

4 **2.** Page 11, line 9: after that line insert:

5 “SECTION 20r. 16.70 (3m) of the statutes is amended to read:

6 16.70 (3m) “Educational technology” has the meaning given in s. 44.70 (3)

7 115.997 (3).

8 SECTION 20rm. 16.71 (4) of the statutes, as affected by 2001 Wisconsin Act 16,

9 is amended to read:

1 16.71 (4) ~~With the approval of the department of electronic government, the~~
2 The department of administration shall delegate authority to the ~~technology for~~
3 ~~educational achievement in Wisconsin board~~ department of public instruction to
4 make purchases of educational technology equipment for use by school districts,
5 cooperative educational service agencies and public educational institutions in this
6 state, upon request of the board department of public instruction.

7 **SECTION 20s.** 16.72 (8) of the statutes, as affected by 2001 Wisconsin Act 16,
8 is amended to read:

9 16.72 (8) The department may purchase educational technology materials,
10 supplies, equipment or contractual services from orders placed with the department
11 by the ~~technology for educational achievement in Wisconsin board~~ department of
12 public instruction on behalf of school districts, cooperative educational service
13 agencies, technical college districts and the board of regents of the University of
14 Wisconsin System.

15 **SECTION 23m.** 16.974 of the statutes, as affected by 2001 Wisconsin Act 16, is
16 amended to read:

17 **16.974 Duties of the department.** The department shall:

18 (1) Coordinate with the ~~technology for educational achievement in Wisconsin~~
19 ~~board~~ department of public instruction to provide secured correctional facilities, as
20 defined in s. 44.70 (3r) 115.997 (3r), school districts and cooperative educational
21 service agencies with telecommunications access under s. 44.73 115.9995 and
22 contract with telecommunications providers to provide such access.

23 (2) ~~Subject to s. 44.73 (5), coordinate~~ Coordinate with the ~~technology for~~
24 ~~educational achievement in Wisconsin board~~ department of public instruction to
25 provide private colleges, technical college districts, public library boards and public

1 library systems with telecommunications access under s. ~~44.73~~ 115.9995 and
2 contract with telecommunications providers to provide such access.

3 (3) Coordinate with the ~~technology for educational achievement in Wisconsin~~
4 ~~board~~ department of public instruction to provide private schools with
5 telecommunications access under s. ~~44.73~~ 115.9995 and contract with
6 telecommunications providers to provide such access.

7 (4) Coordinate with the ~~technology for educational achievement in Wisconsin~~
8 ~~board~~ department of public instruction to provide the Wisconsin Center for the Blind
9 and Visually Impaired and the Wisconsin School for the Deaf with
10 telecommunications access under s. ~~44.73~~ 115.9995 and contract with
11 telecommunications providers to provide such access.”.

12 **3.** Page 14, line 6: after that line insert:

13 “SECTION 32mm. 20.275 (intro.) of the statutes is repealed.

14 SECTION 32msm. 20.275 (1) (title) of the statutes is renumbered 20.255 (4)
15 (title).

16 SECTION 32mr. 20.275 (1) (a) of the statutes is repealed.

17 SECTION 32ms. 20.275 (1) (d) of the statutes is repealed.

18 SECTION 32mt. 20.275 (1) (er) of the statutes is renumbered 20.255 (4) (er) and
19 amended to read:

20 20.255 (4) (er) *Principal, interest and rebates; general purpose revenue —*
21 *public library boards.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment
22 of principal and interest costs incurred in financing educational technology
23 infrastructure financial assistance to public library boards under s. ~~44.72~~ (4) 115.999
24 (4) and to make full payment of the amounts determined by the building commission

1 under s. 13.488 (1) (m), to the extent that these costs and payments are not paid
2 under par. (hb).

3 **SECTION 32mu.** 20.275 (1) (es) of the statutes, as affected by 2001 Wisconsin
4 Act 16, is renumbered 20.255 (4) (es) and amended to read:

5 20.255 (4) (es) *Principal, interest and rebates; general purpose revenue —*
6 *schools.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
7 and interest costs incurred in financing educational technology infrastructure
8 financial assistance to school districts and charter school sponsors under s. ~~44.72 (4)~~
9 115.999 (4) and to make full payment of the amounts determined by the building
10 commission under s. 13.488 (1) (m), to the extent that these costs and payments are
11 not paid under par. (h).

12 **SECTION 32mv.** 20.275 (1) (et) of the statutes, as affected by 2001 Wisconsin Act
13 16, is renumbered 20.255 (4) (et) and amended to read:

14 20.255 (4) (et) *Educational technology training and technical assistance*
15 *grants.* Biennially, the amounts in the schedule for grants to secured correctional
16 facilities, as defined in s. 44.70 (3r) ~~115.997 (3r)~~, cooperative educational service
17 agencies and consortia under s. ~~44.72 (1)~~ 115.999 (1) and to the board of regents of
18 the University of Wisconsin System under 1999 Wisconsin Act 9, section 9148 (2g).

19 **SECTION 32mw.** 20.275 (1) (f) of the statutes, as affected by 2001 Wisconsin Act
20 16, is renumbered 20.255 (4) (f) and amended to read:

21 20.255 (4) (f) *Educational technology block grants.* The amounts in the
22 schedule, less the amounts appropriated under pars. (im), (jm), (js), and (mp), to
23 make payments to school districts, secured correctional facilities, as defined in s.
24 ~~44.70 (3r)~~ 115.997 (3r), and charter school sponsors under s. ~~44.72 (2) (b) 2.~~ 115.999
25 (2) (b) 2.

1 **SECTION 32mwm.** 20.275 (1) (g) of the statutes is renumbered 20.255 (4) (g).

2 **SECTION 32mx.** 20.275 (1) (h) of the statutes, as affected by 2001 Wisconsin Act
3 16, is renumbered 20.255 (4) (h) and amended to read:

4 20.255 (4) (h) *Principal, interest and rebates; program revenue — schools.* All
5 moneys received under s. ~~44.72 (4) (e)~~ 115.999 (4) (c) to reimburse s. 20.866 (1) (u) for
6 the payment of principal and interest costs incurred in financing educational
7 technology infrastructure financial assistance to school districts and charter school
8 sponsors under s. ~~44.72 (4)~~ 115.999 (4) and to make full payment of the amounts
9 determined by the building commission under s. 13.488 (1) (m).

10 **SECTION 32n.** 20.275 (1) (hb) of the statutes is renumbered 20.255 (4) (hb) and
11 amended to read:

12 20.255 (4) (hb) *Principal, interest and rebates; program revenue — public*
13 *library boards.* All moneys received under s. ~~44.72 (4) (e)~~ 115.999 (4) (c) to reimburse
14 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
15 educational technology infrastructure financial assistance to public library boards
16 under s. ~~44.72 (4)~~ 115.999 (4) and to make full payment of the amounts determined
17 by the building commission under s. 13.488 (1) (m).

18 **SECTION 32nd.** 20.275 (1) (i) of the statutes, as created by 2001 Wisconsin Act
19 16, is renumbered 20.255 (4) (i).

20 **SECTION 32nm.** 20.275 (1) (im) of the statutes, as created by 2001 Wisconsin
21 Act 16, is renumbered 20.255 (4) (im) and amended to read:

22 20.255 (4) (im) *Educational technology block grants; supplemental.* Except as
23 provided in par. (i), all moneys received from the Ameritech Wisconsin settlement,
24 public service commission docket 6720-TI-164, for payments to school districts
25 under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

1 **SECTION 32np.** 20.275 (1) (jm) of the statutes, as created by 2001 Wisconsin Act
2 16, is renumbered 20.255 (4) (jm) and amended to read:

3 20.255 (4) (jm) *Educational technology block grants; Wisconsin Advanced*
4 *Telecommunications Foundation funds.* All moneys received from the Wisconsin
5 Advanced Telecommunications Foundation, less the amounts credited to the
6 appropriation account under s. 20.865 (4) (gm), to make payments to school districts,
7 secured correctional facilities, as defined in s. ~~44.70 (3r)~~ 115.997 (3r), and charter
8 school sponsors under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

9 **SECTION 32ns.** 20.275 (1) (js) of the statutes, as created by 2001 Wisconsin Act
10 16, is renumbered 20.255 (4) (js) and amended to read:

11 20.255 (4) (js) *Educational technology block grants; Wisconsin Advanced*
12 *Telecommunications Foundation assessments.* All moneys received from
13 assessments paid under 2001 Wisconsin Act 16, section 9142 (3mk), to make
14 payments to school districts under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

15 **SECTION 32nt.** 20.275 (1) (k) of the statutes, as created by 2001 Wisconsin Act
16 16, is renumbered 20.255 (4) (k).

17 **SECTION 32nu.** 20.275 (1) (L) of the statutes, as affected by 2001 Wisconsin Act
18 16, is renumbered 20.255 (4) (L) and amended to read:

19 20.255 (4) (L) *Equipment purchases and leases.* All moneys received from
20 school districts, cooperative educational service agencies and public educational
21 institutions for the purchase or lease of educational technology equipment under s.
22 ~~44.71 (2) (h)~~ 115.998 (8), for the purpose of purchasing such equipment.

23 **SECTION 32num.** 20.275 (1) (m) of the statutes, as affected by 2001 Wisconsin
24 Act 16, is renumbered 20.255 (4) (m).

1 **SECTION 32nv.** 20.275 (1) (mp) of the statutes, as created by 2001 Wisconsin Act
2 16, is renumbered 20.255 (4) (mp) and amended to read:

3 20.255 (4) (mp) *Federal e-rate aid.* All federal moneys received under 47 USC
4 254 for payments to school districts under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

5 **SECTION 32nw.** 20.275 (1) (q) of the statutes, as created by 2001 Wisconsin Act
6 16, is renumbered 20.255 (4) (q) and amended to read:

7 20.255 (4) (q) *Computer training.* From the universal service fund, the
8 amounts in the schedule for the grant to the Racine Unified School District under s.
9 ~~44.72 (3)~~ 115.999 (3).

10 **SECTION 32nx.** 20.275 (1) (s) of the statutes, as affected by 2001 Wisconsin Act
11 16, is renumbered 20.255 (4) (s) and amended to read:

12 20.255 (4) (s) *Telecommunications access; school districts; grant.* Biennially,
13 from the universal service fund, the amounts in the schedule to make payments to
14 telecommunications providers under contracts with the department of
15 administration under s. 16.974 (1) to the extent that the amounts due are not paid
16 from the appropriation under s. 20.530 (1) (is); prior to January 1, 2006, to make
17 grants to school districts under s. ~~44.73 (6)~~ 115.9995 (6); and, in the 1999–2000 fiscal
18 year, to award a grant to the distance learning network under 1999 Wisconsin Act
19 9, section 9148 (4w).

20 **SECTION 32ny.** 20.275 (1) (t) of the statutes, as affected by 2001 Wisconsin Act
21 16, is renumbered 20.255 (4) (t).

22 **SECTION 32nz.** 20.275 (1) (tm) of the statutes, as affected by 2001 Wisconsin
23 Act 16, is renumbered 20.255 (4) (tm) and amended to read:

24 20.255 (4) (tm) *Telecommunications access; private schools.* Biennially, from
25 the universal service fund, the amounts in the schedule to make payments to

1 telecommunications providers under contracts with the department of
2 administration under s. 16.974 (3) to the extent that the amounts due are not paid
3 from the appropriation under s. 20.530 (1) (is) and, prior to January 1, 2006, to make
4 grants to private schools under s. ~~44.73 (6)~~ 115.9995 (6).

5 **SECTION 32nzm.** 20.275 (1) (tu) of the statutes, as affected by 2001 Wisconsin
6 Act 16, is renumbered 20.255 (4) (tu).

7 **SECTION 32nzn.** 20.275 (1) (tw) of the statutes, as created by 2001 Wisconsin
8 Act 16, is renumbered 20.255 (4) (tw).”.

9 **4.** Page 19, line 20: after that line insert:

10 “**SECTION 52j.** 20.530 (1) (g) of the statutes, as created by 2001 Wisconsin Act
11 16, is amended to read:

12 20.530 (1) (g) All moneys received from the sources specified in ss. 22.05 (2) (b)
13 and (c), 22.09 (2), and ~~44.73 (2) (d)~~ 115.9995 (2) (d), to provide computer services,
14 telecommunications services, and supercomputer services to state authorities, units
15 of the federal government, local governmental units, and entities in the private
16 sector, the source specified in s. 22.09 (3), to provide electronic communications
17 services to state authorities, units of the federal government, local governmental
18 units, and entities in the private sector, the source specified in s. 22.09 (3), to provide
19 electronic communications services to state agencies, the sources specified in ss.
20 22.05 and 22.07, to provide printing, mail processing, and information technology
21 processing services to state agencies, the source specified in s. 22.03 (11), to provide
22 information technology development and management services to executive branch
23 agencies under s. 22.03.

1 **SECTION 52k.** 20.530 (1) (ke) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 20.530 (1) (ke) *Telecommunications services; state agencies; veterans services.*
4 The amounts in the schedule to provide telecommunications services to state
5 agencies and to provide veterans services under s. 22.07 (9). All moneys received
6 from the provision of telecommunications services to state agencies under ss. 22.05
7 and 22.07 or under s. ~~44.73 (2) (d)~~ 115.9995 (2) (d), other than moneys received and
8 disbursed under ~~par. (kL)~~ and s. 20.225 (1) (kb), shall be credited to this
9 appropriation account.”.

10 **5.** Page 22, line 1: before that line insert:

11 “**SECTION 64L.** 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act
12 16, is amended to read:

13 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
14 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
15 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
16 20.255 (1) (d), ~~20.275 (1)~~ 20.255 (4) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh),
17 (ih), (kd), and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac),
18 (ag), (aq), (ar), (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq), and (er),
19 20.395 (6) (af), (aq), and (ar), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee)
20 and (6) (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g)
21 and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt),
22 (g), (h), (i), and (q) for the payment of principal and interest on public debt contracted
23 under subchs. I and IV of ch. 18.”.

24 **6.** Page 23, line 25: after that line insert:

1 **SECTION 68m.** 20.866 (2) (zc) of the statutes is amended to read:

2 20.866 (2) (zc) ~~Technology for educational achievement in Wisconsin board~~
3 ~~Department of public instruction; school district educational technology~~
4 ~~infrastructure financial assistance.~~ From the capital improvement fund, a sum
5 sufficient for the ~~technology for educational achievement in Wisconsin board~~
6 ~~department of public instruction~~ to provide educational technology infrastructure
7 financial assistance to school districts under s. 44.72(4) 115.999 (4). The state may
8 contract public debt in an amount not to exceed \$100,000,000 for this purpose.

9 **SECTION 68n.** 20.866 (2) (zcm) of the statutes, as affected by 2001 Wisconsin
10 Act 16, is amended to read:

11 20.866 (2) (zcm) ~~Technology for educational achievement in Wisconsin board~~
12 ~~Department of public instruction; public library educational technology~~
13 ~~infrastructure financial assistance.~~ From the capital improvement fund, a sum
14 sufficient for the ~~technology for educational achievement in Wisconsin board~~
15 ~~department of public instruction~~ to provide educational technology infrastructure
16 financial assistance to public library boards under s. 44.72(4) 115.999 (4). The state
17 may contract public debt in an amount not to exceed \$3,000,000 for this purpose.”.

18 **7.** Page 24, line 3: after that line insert:

19 **SECTION 69m.** 20.923 (4) (e) 1b. of the statutes is repealed.”.

20 **8.** Page 31, line 17: after that line insert:

21 **SECTION 93m.** 36.25 (38) (a) of the statutes is amended to read:

22 36.25 (38) (a) In this subsection, “educational technology” has the meaning
23 given in s. 44.70(3) 115.997 (3).”.

24 **9.** Page 32, line 23: after that line insert:

1 **(2g)** “Educational agency” means a school district, charter school sponsor,
2 secured correctional facility, private school, cooperative educational service agency,
3 technical college district, private college, public library system, public library board,
4 the Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin School
5 for the Deaf.

6 **(3)** “Educational technology” means technology used in the education or
7 training of any person or in the administration of an elementary or secondary school
8 and related telecommunications services.

9 **(3d)** “Political subdivision” means any city, village, town, or county.

10 **(3g)** “Private college” means a private, regionally accredited, 4–year, nonprofit
11 college or university that is incorporated in this state or that has its regional
12 headquarters and principal place of business in this state or a tribally controlled
13 college in this state.

14 **(3j)** “Private school” has the meaning given in s. 115.001 (3r).

15 **(3m)** “Public library system” has the meaning given in s. 43.01 (5).

16 **(3r)** “Secured correctional facility” means the Southern Oaks Girls School, the
17 Ethan Allen School, the Youth Leadership Training Center, and the Lincoln Hills
18 School.

19 **(4)** “Telecommunications” has the meaning given in s. 22.01 (10).

20 **(5)** “Universal service fund” means the trust fund established under s. 25.95.

21 **(6)** “Video link” means a 2–way interactive video circuit.

22 **115.998 Technology for educational achievement in Wisconsin.** The
23 department shall do all of the following:

24 **(1)** In cooperation with school districts, cooperative educational service
25 agencies, the technical college system board, and the board of regents of the

1 University of Wisconsin System, promote the efficient, cost-effective procurement,
2 installation, and maintenance of educational technology by school districts,
3 cooperative educational service agencies, technical college districts, and the
4 University of Wisconsin System.

5 (2) Identify the best methods of providing preservice and in-service training
6 for teachers related to educational technology.

7 (3) Enter into cooperative purchasing agreements under s. 16.73 (1) under
8 which participating school districts and cooperative educational service agencies
9 may contract for their professional employees to receive training concerning the
10 effective use of educational technology.

11 (4) In cooperation with the board of regents of the University of Wisconsin
12 System, the technical college system board, and other entities, support the
13 development of courses for the instruction of professional employees who are
14 licensed by the state superintendent concerning the effective use of educational
15 technology.

16 (5) Provide telecommunications access to educational agencies under the
17 program established under s. 115.9995.

18 (6) No later than October 1 of each even-numbered year, submit a biennial
19 report concerning the department's activities under this subchapter to the governor,
20 and to the appropriate standing committees of the legislature under s. 13.172 (3).

21 (7) Coordinate the purchasing of educational technology materials, supplies,
22 equipment, and contractual services for school districts, cooperative educational
23 service agencies, technical college districts, and the board of regents of the
24 University of Wisconsin System by the department under s. 16.72 (8), and establish
25 standards and specifications for purchases of educational technology hardware and

1 software by school districts, cooperative educational service agencies, technical
2 college districts, and the board of regents of the University of Wisconsin System.

3 (8) Purchase educational technology equipment for use by school districts,
4 cooperative educational service agencies, and public educational institutions in this
5 state and permit the districts, agencies, and institutions to purchase or lease the
6 equipment, with an option to purchase the equipment at a later date. This paragraph
7 does not require the purchase or lease of any educational technology equipment from
8 the department.

9 (9) Administer, modify, or rescind any grant or award made by the Wisconsin
10 Advanced Telecommunications Foundation to fund a project described in s. 14.28 (3)
11 (a) 1. to 5., 1999 stats., to the extent allowed under a contract for making the grant
12 or award.

13 **115.999 Educational technology training programs, grants, aids and**
14 **loans. (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE GRANTS.**
15 From the appropriation under s. 20.255 (4) (et), the department shall award grants
16 to cooperative educational service agencies and to consortia consisting of 2 or more
17 school districts, charter school sponsors, secured correctional facilities, or
18 cooperative educational service agencies, or one or more school districts, charter
19 school sponsors, secured correctional facilities, or cooperative educational service
20 agencies and one or more public library boards, to provide technical assistance and
21 training in the use of educational technology. An applicant for a grant shall submit
22 to the department a plan that specifies the school districts, charter school sponsors,
23 secured correctional facilities, and public library boards that will participate in the
24 program and describes how the funds will be allocated. The department shall do all
25 of the following:

1 (a) Award grants to applicants on a competitive basis through one funding cycle
2 annually, except that the department shall ensure that at least one grant is awarded
3 annually to an applicant located in the territory of each cooperative educational
4 service agency.

5 (b) Give preference in awarding grants to consortia that include one or more
6 public library boards.

7 (c) To the extent possible, ensure that grants are equally distributed on a
8 statewide basis.

9 (2) EDUCATIONAL TECHNOLOGY BLOCK GRANTS. (b) 1. In this paragraph,
10 “equalized valuation per member” means equalized valuation, as defined in s.
11 121.004 (2), divided by membership, as defined in s. 121.004 (5), except as follows:

12 a. For a school district operating only high school grades, “equalized valuation
13 per member” means equalized valuation, as defined in s. 121.004 (2), divided by the
14 result obtained by multiplying membership, as defined in s. 121.004 (5), by 3.

15 b. For a school district operating only elementary grades, “equalized valuation
16 per member” means equalized valuation, as defined in s. 121.004 (2), divided by the
17 result obtained by multiplying membership, as defined in s. 121.004 (5), by 1.5.

18 c. If a school district’s equalized valuation per member is less than \$75,000, it
19 shall be considered to be \$75,000 for purposes of this paragraph.

20 2. From the appropriations under s. 20.255 (4) (f), (im), (jm), (js), and (mp),
21 annually the department shall pay \$5,000 to each eligible school district and \$5,000
22 to the department of corrections for each eligible correctional facility. The
23 department of corrections shall allocate funds received under this subsection among
24 the eligible secured correctional facilities as it deems appropriate. The department
25 shall distribute the balance in the appropriation to eligible school districts and to

1 charter school sponsors in proportion to the weighted membership of each school
2 district and in proportion to the number of pupils attending each charter school on
3 the 3rd Friday of September. The weighted membership for a school district shall
4 be determined by dividing the statewide average equalized valuation per member by
5 the school district's equalized valuation per member and multiplying the result by
6 the school district's membership, as defined in s. 121.004 (5).

7 (c) A school district is eligible for a grant under par. (b) 2. only if the annual
8 meeting in a common school district, or the school board in a unified school district
9 or in a school district operating under ch. 119, adopts a resolution requesting the
10 grant. A secured correctional facility is eligible for a grant under par. (b) 2. only if
11 the secretary of corrections submits a written request to the department. A charter
12 school sponsor is eligible for a grant under par. (b) 2. only if it submits a written
13 request to the department. A grant under this subsection may not be used to replace
14 funding available from other sources.

15 (d) A school district or secured correctional facility receiving a grant under par.
16 (b) shall deposit the moneys in a separate fund. The moneys may be used for any
17 purpose related to educational technology, except that a school district or secured
18 correctional facility may not use the moneys to pay the salary or benefits of any school
19 district or secured correctional facility employee. A charter school sponsor that
20 receives a grant under par. (b) may use the moneys for any purpose related to
21 educational technology that benefits the pupils attending the charter school, except
22 that a charter school sponsor may not use the moneys to pay the salary or benefits
23 of any charter school employee.

24 (e) The department shall distribute the grants under par. (b) 2. annually on the
25 first Monday in February.

1 (3) COMPUTER TRAINING. Annually, the department shall pay to the Racine
2 Unified School District the amount appropriated under s. 20.255 (4) (q) for training
3 teachers and pupils in computers, including training in use of the Internet, Web
4 design, computer animation, graphic design, and video skills.

5 (4) EDUCATIONAL TECHNOLOGY INFRASTRUCTURE FINANCIAL ASSISTANCE. (a)
6 *Financial assistance authorized.* The department may provide financial assistance
7 under this subsection to school districts and charter school sponsors from the
8 proceeds of public debt contracted under s. 20.866 (2) (zc) and to public library boards
9 from the proceeds of public debt contracted under s. 20.866 (2) (zcm). Financial
10 assistance under this subsection may be used only for the purpose of upgrading the
11 electrical wiring of school and library buildings in existence on October 14, 1997, and
12 installing and upgrading computer network wiring.

13 (b) *Financial assistance applications, terms and conditions.* The department
14 shall establish application procedures for, and the terms and conditions of, financial
15 assistance under this subsection, including a condition requiring a charter school
16 sponsor to use financial assistance under this subsection for wiring upgrading and
17 installation that benefits pupils attending the charter school. The department shall
18 make a loan to a school district, charter school sponsor, or public library board in an
19 amount equal to 50% of the total amount of financial assistance for which the
20 department determines the school district, charter school sponsor, or public library
21 board is eligible and provide a grant to the school district, charter school sponsor, or
22 public library board for the remainder of the total. The terms and conditions of any
23 financial assistance under this subsection may include provision of professional
24 building construction services under s. 16.85 (15). The department shall determine
25 the interest rate on loans under this subsection. The interest rate shall be as low as

1 possible but shall be sufficient to fully pay all interest expenses incurred by the state
2 in making the loans and to provide reserves that are reasonably expected to be
3 required in the judgment of the department to ensure against losses arising from
4 delinquency and default in the repayment of the loans. The term of a loan under this
5 subsection may not exceed 10 years.

6 (c) *Repayment of loans.* The department shall credit all moneys received from
7 school districts and charter school sponsors for repayment of loans under this
8 subsection to the appropriation account under s. 20.255 (4) (h). The department shall
9 credit all moneys received from public library boards for repayment of loans under
10 this subsection to the appropriation account under s. 20.255 (4) (hb).

11 (d) *Funding for financial assistance.* The department, with the approval of the
12 governor and subject to the limits of s. 20.866 (2) (zc) and (zcm), may request that the
13 building commission contract public debt in accordance with ch. 18 to fund financial
14 assistance under this subsection.

15 **115.9995 Educational telecommunications access program.** (1) Except
16 as provided in s. 196.218 (4t), the department shall promulgate rules establishing an
17 educational telecommunications access program to provide educational agencies
18 with access to data lines and video links.

19 (2) The rules promulgated under sub. (1) shall do all of the following:

20 (a) Allow an educational agency to make a request to the department for access
21 to either one data line or one video link, except that any educational agency may
22 request access to additional data lines if the agency shows to the satisfaction of the
23 department that the additional data lines are more cost-effective than a single data
24 line and except that a school district that operates more than one high school or a

1 public library board that operates more than one library facility may request access
2 to both a data line and a video link and access to more than one data line or video link.

3 (b) Establish eligibility requirements for an educational agency to participate
4 in the program established under sub. (1), including a requirement that a charter
5 school sponsor use data lines and video links to benefit pupils attending the charter
6 school and a requirement that Internet access to material that is harmful to children,
7 as defined in s. 948.11 (1) (b), is blocked on the computers of secured correctional
8 facilities that are served by data links and video links subsidized under this section.

9 (c) Establish specifications for data lines and video links for which access is
10 provided to an educational agency under the program established under sub. (1).

11 (d) Require an educational agency to pay the department not more than \$250
12 per month for each data line or video link that is provided to the educational agency
13 under the program established under sub. (1), except that the charge may not exceed
14 \$100 per month for each data line or video link that relies on a transport medium that
15 operates at a speed of 1.544 megabits per second.

16 (e) Include the protections specified in s. 196.209 (4) (a) and (b).

17 (f) Ensure that secured correctional facilities that receive access under this
18 section to data lines and video links use them only for educational purposes.

19 (2g) An educational agency that is provided access to a data line under the
20 program established under sub. (1) may not do any of the following:

21 (a) Provide access to the data line to any business entity, as defined in s. 13.62
22 (5).

23 (b) Request access to an additional data line for purposes of providing access
24 to bandwidth to a political subdivision under a shared service agreement under sub.

25 (2r) (a).

1 **(2r)** (a) A public library board that is provided access to a data line under the
2 program established under sub. (1) may enter into a shared service agreement with
3 a political subdivision that provides the political subdivision with access to any
4 excess bandwidth on the data line that is not used by the public library board, except
5 that a public library board may not sell, resell, or transfer in consideration for money
6 or anything of value to a political subdivision access to any excess bandwidth. A
7 shared service agreement under this paragraph is not valid unless the agreement
8 allows the public library board to cancel the agreement at any time after providing
9 notice to the political subdivision.

10 (b) A political subdivision that obtains access to bandwidth under a shared
11 service agreement under par. (a) may not receive compensation for providing any
12 other person with access to the bandwidth.

13 (c) A public library board shall provide the department with written notice
14 within 30 days after entering into or modifying a shared service agreement under
15 par. (a).

16 **(4)** If the federal communications commission promulgates or modifies rules
17 that provide rate discounts for telecommunications services to educational agencies
18 under 47 USC 254, the governor shall submit a report to the joint committee on
19 finance that includes any recommended changes to statutes or rules with respect to
20 funding the program established under sub. (1).

21 **(6)** (a) From the appropriation under s. 20.255 (4) (s) or (tm), the department
22 may award an annual grant to a school district or private school that had in effect
23 on October 14, 1997, a contract for access to a data line or video link, as documented
24 by the department. The department shall determine the amount of the grant, which
25 shall be equal to the cost incurred by the state to provide telecommunications access

1 to a school district or private school under a contract entered into under s. 16.974 (1)
2 or (3) less the amount that the school district or private school would be paying under
3 sub. (2) (d) if the school district or private school were participating in the program
4 established under sub. (1), except that the amount may not be greater than the cost
5 that a school district or private school incurs under the contract in effect on
6 October 14, 1997. A school district or private school receiving a grant under this
7 subsection is not eligible to participate in the program under sub. (1). No grant may
8 be awarded under this subsection after December 31, 2005.

9 (b) Notwithstanding par. (a), the department may award a school district that
10 operates more than one high school and that had in effect on October 14, 1997, a
11 contract for access to more than one data line or video link an annual grant for each
12 data line or video link serving each high school covered by that contract.”.

13 **13.** Page 161, line 11: after that line insert:

14 “SECTION 284d. 120.18 (1) (i) of the statutes is amended to read:

15 120.18 (1) (i) A description of the educational technology used by the school
16 district, including the uses made of the technology, the cost of the technology and the
17 number of persons using or served by the technology. In this paragraph, “educational
18 technology” has the meaning given in s. ~~44.70 (3)~~ 115.997 (3).”.

19 **14.** Page 163, line 7: after that line insert:

20 “SECTION 287d. 121.15 (3m) (a) 2. of the statutes, as affected by 2001 Wisconsin
21 Act 16, is amended to read:

22 121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
23 20.255 (1) (b) and (2), other than s. 20.255 (2) (fm), (fu), (k), and (m), and under ss.
24 ~~20.275 (1) (d)~~, 20.255 (4) (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids

1 appropriated under s. ~~20.275 (1)~~ 20.255 (4) (s) that are used to provide grants or
2 educational telecommunications access to school districts under s. ~~44.73~~ 115.9995.”

3 **15.** Page 177, line 14: after that line insert:

4 “SECTION 346c. 196.218 (3) (a) 3. b. of the statutes, as affected by 2001
5 Wisconsin Act 16, is amended to read:

6 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), ~~20.275~~
7 ~~(1)~~ 20.255 (4) (s), (t) and (tm) and 20.285 (1) (q).

8 SECTION 346m. 196.218 (4t) of the statutes is amended to read:

9 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The
10 commission, in consultation with the department of administration and the
11 technology for educational achievement in Wisconsin board department of public
12 instruction, shall promulgate rules specifying the telecommunications services
13 eligible for funding through the educational telecommunications access program
14 under s. ~~44.73~~ 115.9995.

15 SECTION 346r. 196.218 (5) (a) 5. of the statutes, as affected by 2001 Wisconsin
16 Act 16, is amended to read:

17 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 to the
18 extent that these costs are not paid under s. ~~44.73 (2) (d)~~ 115.9995 (2) (d), except that
19 no moneys in the universal service fund may be used to pay installation costs that
20 are necessary for a political subdivision to obtain access to bandwidth under a shared
21 service agreement under s. ~~44.73 (2r) (a)~~ 115.9995 (2r) (a).

22 SECTION 346rm. 196.218 (5) (a) 7. of the statutes is amended to read:

23 196.218 (5) (a) 7. To make grants awarded by the ~~technology for educational~~
24 ~~achievement in Wisconsin board~~ department of public instruction to school districts

1 and private schools under s. ~~44.73 (6)~~ 115.9995 (6). This subdivision does not apply
2 after December 31, 2005.

3 **SECTION 346rt.** 196.218 (5) (a) 10. of the statutes, as created by 2001 Wisconsin
4 Act 16, is amended to read:

5 196.218 (5) (a) 10. To make the grant awarded by the ~~technology for educational~~
6 ~~achievement in Wisconsin board~~ department of public instruction to the Racine
7 Unified School District under s. ~~44.72 (3)~~ 115.999 (3).”.

8 **16.** Page 361, line 16: after that line insert:

9 “(3q) TRANSFER OF DUTIES FROM THE TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT
10 IN WISCONSIN BOARD.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
12 liabilities of the department of administration primarily related to the functions of
13 the technology for educational achievement in Wisconsin board, as determined by
14 the secretary of administration, shall become the assets and liabilities of the
15 department of public instruction.

16 (b) *Position and employee transfers.* All positions authorized for the technology
17 for educational achievement in Wisconsin board on the day before the effective date
18 of this paragraph, except for the position of executive director, are, on the effective
19 date of this paragraph, transferred to the department of public instruction, and the
20 incumbent employees in those positions are transferred on the effective date of this
21 paragraph to the department of public instruction.

22 (c) *Employee status.* Employees transferred under paragraph (b) have all the
23 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
24 statutes in the department of public instruction that they enjoyed in the technology

1 for educational achievement in Wisconsin board immediately before the transfer.
2 Notwithstanding section 230.28 (4) of the statutes, no transferred employee who has
3 attained permanent status in class is required to serve a probationary period.

4 (cm) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the department of administration
6 that is primarily related to the functions of the technology for educational
7 achievement in Wisconsin board, as determined by the secretary of administration,
8 is transferred to the department of public instruction.

9 (d) *Contracts.* 1. All contracts entered into by the technology for educational
10 achievement in Wisconsin board in effect on the effective date of this paragraph
11 remain in effect and are transferred to the department of public instruction. The
12 department of public instruction shall carry out any obligations under a transferred
13 contract until the department of public instruction modifies or rescinds the contract.

14 2. All contracts entered into by the department of administration in effect on
15 the effective date of this paragraph that are primarily related to the functions of the
16 technology for educational achievement in Wisconsin board, as determined by the
17 secretary of administration, remain in effect and are transferred to the department
18 of public instruction. The department of public instruction shall carry out any
19 obligations under a transferred contract until the department of public instruction
20 modifies or rescinds the contract.

21 (e) *Rules and orders.* All rules promulgated by the technology for educational
22 achievement in Wisconsin board that are in effect on the effective date of this
23 paragraph remain in effect until their specified expiration date or until the
24 department of public instruction amends or repeals them. All orders issued by the
25 technology for educational achievement in Wisconsin board that are in effect on the

1 effective date of this paragraph remain in effect until their specified expiration date
2 or until the department of public instruction modifies or rescinds them.

3 (f) *Pending matters.* Any matter pending with the technology for educational
4 achievement in Wisconsin board on the effective date of this paragraph is transferred
5 to the department of public instruction, and all materials submitted to or actions
6 taken by the technology for educational achievement in Wisconsin board concerning
7 the pending matter are considered to have been submitted to or taken by the
8 department of public instruction.”

9 **17.** Page 410, line 25: after that line insert:

10 “(1r) FUNDING FOR TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT. In the schedule
11 under section 20.005 (3) of the statutes for the appropriation to the department of
12 public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts
13 of 2001, the dollar amount is increased by \$498,800 for fiscal year 2002–03 to fund
14 the positions transferred from the technology for educational achievement in
15 Wisconsin board under SECTION 9140 (3q) and the supporting expenses.”

16 **18.** Page 417, line 19: delete the material beginning with “and” and ending
17 with “2002–03” on line 20.

18 **19.** Page 417, line 22: delete the material beginning with that line and ending
19 with page 418, line 2.

20 **20.** Page 447, line 24: after that line insert:

21 “(3q) EDUCATIONAL TECHNOLOGY RESPONSIBILITIES. The treatment of sections
22 15.105 (25), 16.70 (3m), 16.71 (4), 16.72 (8), 16.974, 20.275 (intro.), (1) (title), (a), (d),
23 (er), (es), (et), (f), (g), (h), (hb), (i), (im), (jm), (js), (k), (L), (m), (mp), (q), (s), (t), (tm),
24 (tu), and (tw), 20.530 (1) (g) and (ke), 20.866 (1) (u), 20.866 (2) (zc) and (zcm), 20.923

1 (4) (e) 1b., 36.25 (38) (a), 115.28 (25), 120.18 (1) (i), 121.15 (3m) (a) 2., and 196.218
2 (3) (a) 3. b., (4t), and (5a) 5., 7., and 10., subchapter IV of chapter 44, subchapter VIII
3 of chapter 115, and chapter 44 (title) of the statutes takes effect on July 1, 2002.”

4 (END)