

1 a manufactured home that the owner intends, upon acquiring, to permanently affix
2 to land that the owner of the manufactured home owns.”.

3 **1161.** Page 902, line 17: delete lines 17 to 21.

4 **1162.** Page 903, line 4: delete lines 4 to 17.

5 **1163.** Page 904, line 24: after that line insert:

6 “SECTION 2558i. 103.49 (3) (ag) of the statutes is created to read:

7 103.49 (3) (ag) In defining under par. (a) the trades or occupations that are
8 commonly employed on projects that are subject to this section, the department:

9 1. May not define swimming pool installer as a separate trade or occupation for
10 purposes of determining the prevailing wage rates for the trades or occupations that
11 are commonly employed in the construction of swimming pools.

12 2. Shall define metal building assembler as a separate trade or occupation for
13 purposes of determining the prevailing wage rates for that trade or occupation and
14 shall include among the typical duties of the trade or occupation reroofing and
15 repairing existing prefabricated, packaged metal buildings and constructing
16 prefabricated, packaged metal additions to existing prefabricated, packaged metal
17 buildings.”

18 **1164.** Page 907, line 14: after that line insert:

19 “SECTION 2559k. 103.67 (2) (j) of the statutes is amended to read:

20 103.67 (2) (j) Minors under 14 years of age may be employed as participants
21 in a restitution project under s. 938.245 (2) (a) 5., 938.32 (1t) (a), 938.34 (5), or 938.345
22 or, in a supervised work program or other community service work under s. 938.245
23 (2) (a) 6., 938.32 (1t) (b), 938.34 (5g), 938.343 (3), or 938.345, or in the community
24 service component of a youth report center program under s. 938.245 (2) (a) 9m.,

G

H

1 938.32 (1p), 938.34 (7j), 938.342 (1d) (c) or (1g) (k), 938.343 (3m), 938.344 (2g) (a) 5.,
2 938.345, or 938.355 (6) (d) 5. or (6m) (a) 4.”.

3 ✓ **1165.** Page 908, line 1: delete lines 1 to 15.

4 ✓ **1166.** Page 908, line 22: delete “13.171” and substitute “13.172”.

5 ✓ **1167.** Page 912, line 2: after that line insert:

6 “**SECTION 2585t.** 106.215 (7) (am) of the statutes is amended to read:

7 106.215 (7) (am) *Human services activities; appropriations.* Moneys
8 appropriated under s. 20.445 (6) (~~b~~), (j) and (m) may be utilized for human services
9 activities as authorized under those appropriations.”.

10 ✓ **1168.** Page 912, line 2: after that line insert:

11 “**SECTION 2586r.** 106.215 (7) (c) of the statutes is repealed.”.

12 ✓ **1169.** Page 912, line 11: after that line insert:

13 “**SECTION 2599m.** 110.07 (1) (a) 1. of the statutes is amended to read:

14 110.07 (1) (a) 1. Enforce and assist in the administration of this chapter and
15 chs. 166, 194, 218, 341 to 349, and 351, and ss. 23.33, 125.07 (4) (b), 125.085 (3) (b),
16 167.10 (3) (a), 167.31 (2) (b) to (d), and 287.81 and ch. 350 where applicable to
17 highways, or orders or rules issued pursuant thereto.

18 **SECTION 2599mg.** 110.07 (1) (b) of the statutes is amended to read:

19 110.07 (1) (b) All municipal judges, judges, district attorneys, and law
20 enforcement officers shall assist in enforcing this chapter, ss. 167.10 (3) (a), 167.31
21 (2) (b) to (d), and 287.81 and chs. 194, 218, and 341 to 351, and orders or rules issued
22 pursuant thereto and shall report to the department the disposition of every uniform
23 traffic citation issued for cases involving those chapters.”.

24 ✓ **1170.** Page 912, line 20: after that line insert:

1 **SECTION 2609j.** 111.70 (1) (j) of the statutes is amended to read:

2 111.70 (1) (j) “Municipal employer” means any city, county, village, town,
3 metropolitan sewerage district, school district, family care district, or any other
4 political subdivision of the state, or instrumentality of one or more political
5 subdivisions of the state, that engages the services of an employee and includes any
6 person acting on behalf of a municipal employer within the scope of the person’s
7 authority, express or implied, but specifically does not include a local cultural arts
8 district created under subch. V of ch. 229.”

9 ✓ **1171.** Page 912, line 20: after that line insert:

10 **SECTION 2606m.** 111.335 (1) (cv) of the statutes is created to read:

11 111.335 (1) (cv) Notwithstanding s. 111.322, it is not employment
12 discrimination because of conviction record to refuse to employ in a position in the
13 classified service, in a position described in s. 230.08 (2) (k), or as a corps enrollee with
14 the Wisconsin conservation corps under s. 106.215 (1) (c) a person who has been
15 convicted under 50 USC, Appendix, section 462 for refusing to register with the
16 selective service system and who has not been pardoned.”

17 ✓ **1172.** Page 912, line 20: after that line insert:

18 **SECTION 2607c.** 111.70 (1) (nc) 1. d. of the statutes is created to read:

19 111.70 (1) (nc) 1. d. A proposal to maintain all conditions of employment as the
20 conditions existed on the 90th day prior to the expiration of the previous collective
21 bargaining agreement between the parties or the 90th day prior to commencement
22 of negotiations if there is no previous collective bargaining agreement between the
23 parties.

24 **SECTION 2607h.** 111.70 (1) (nc) 1. e. of the statutes is created to read:

1 111.70 (1) (nc) 1. e. A proposal to maintain any provision relating to a subject
2 of collective bargaining on which the municipal employer was not required to bargain
3 that existed in the previous collective bargaining agreement between the parties or
4 that existed on the 90th day prior to the expiration of the previous collective
5 bargaining agreement between the parties.

6 **SECTION 2607p.** 111.70 (4) (cm) 5s. of the statutes is amended to read:

7 111.70 (4) (cm) 5s. 'Issues subject to arbitration.' In a collective bargaining unit
8 consisting of school district professional employees, the municipal employer or the
9 labor organization may petition the commission to determine whether the municipal
10 employer has submitted a timely qualified economic offer. The commission shall
11 appoint an investigator for that purpose. If the investigator, using the methodology
12 prescribed under subd. 8t., finds that the municipal employer has submitted a timely
13 qualified economic offer, the investigator shall determine whether a deadlock exists
14 between the parties with respect to all economic issues. If the municipal employer
15 submits a timely qualified economic offer applicable to any period beginning on or
16 after July 1, 1993, no economic issues are subject to interest arbitration under subd.
17 6. for that period, except that only the impact of contracting out or subcontracting
18 work that would otherwise be performed by municipal employees in the collective
19 bargaining unit is subject to interest arbitration under subd. 6. In such a collective
20 bargaining unit, economic issues concerning the wages, hours or conditions of
21 employment of the school district professional employees in the unit for any period
22 prior to July 1, 1993, are subject to interest arbitration under subd. 6. for that period.
23 In such a collective bargaining unit, noneconomic issues applicable to any period on
24 or after July 1, 1993, are subject to interest arbitration after the parties have
25 reached agreement and stipulate to agreement on all economic issues concerning the

1 wages, hours or conditions of employment of the school district professional
2 employees in the unit for that period. In such a collective bargaining unit, if the
3 commission's investigator finds that the municipal employer has submitted a timely
4 qualified economic offer and that a deadlock exists between the parties with respect
5 to all economic issues, the municipal employer may implement the qualified
6 economic offer. On the 90th day prior to expiration of the period included within the
7 qualified economic offer, if no agreement exists on that day, the parties are deemed
8 to have stipulated to the inclusion in a new or revised collective bargaining
9 agreement of all provisions of any predecessor collective bargaining agreement
10 concerning economic issues, or of all provisions of any existing collective bargaining
11 agreement concerning economic issues if the parties have reopened negotiations
12 under an existing agreement, as modified by the terms of the qualified economic offer
13 and as otherwise modified by the parties. In such a collective bargaining unit, on and
14 after that 90th day, a municipal employer that refuses to bargain collectively with
15 respect to the terms of that stipulation, applicable to the 90-day period prior to
16 expiration of the period included within the qualified economic offer, does not violate
17 sub. (3) (a) 4. Any such unilateral implementation after August 11, 1993, during the
18 90-day period prior to expiration of the period included within a qualified economic
19 offer, operates as a full, final and complete settlement of all economic issues between
20 the parties for the period included within the qualified economic offer. The failure
21 of a labor organization to recognize the validity of such a lawful qualified economic
22 offer does not affect the obligation of the municipal employer to submit economic
23 issues to arbitration under subd. 6. If the investigator determines that the municipal
24 employer has not submitted a timely qualified economic offer, either the municipal

1 employer or the labor organization may petition for arbitration under subd. 6. to
2 resolve any dispute relating to economic issues.

3 **SECTION 2607t.** 111.70 (4) (cm) 8t. of the statutes is created to read:

4 111.70 (4) (cm) 8t. ‘Methodology for determining qualified economic offers.’ The
5 commission shall prescribe by rule a methodology to be used in determining whether
6 a collective bargaining proposal submitted by a municipal employer to a labor
7 organization constitutes a qualified economic offer and whether such an offer is
8 timely.”

9 **√1173.** Page 913, line 2: after that line insert:

10 **“SECTION 2615f.** 111.93 (3) of the statutes is amended to read:

11 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),
12 230.35 (2d), 230.35 (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement
13 exists between the employer and a labor organization representing employees in a
14 collective bargaining unit, the provisions of that agreement shall supersede the
15 provisions of civil service and other applicable statutes, as well as rules and policies
16 of the board of regents of the University of Wisconsin System, related to wages, fringe
17 benefits, hours, and conditions of employment whether or not the matters contained
18 in those statutes, rules, and policies are set forth in the collective bargaining
19 agreement.”.

20 **√1174.** Page 913, line 2: after that line insert:

21 **“SECTION 2615ag.** 111.81 (7) (f) of the statutes is created to read:

22 111.81 (7) (f) Instructional staff employed by the board of regents of the
23 University of Wisconsin System who provide services for a charter school established
24 by contract under s. 118.40 (2r) (cm).

1 **SECTION 2615b.** 111.81 (9m) of the statutes is created to read:

2 111.81 (9m) “Instructional staff” has the meaning given in rules promulgated
3 by the department of public instruction under s. 121.02 (1) (a) 2.

4 **SECTION 2615bm.** 111.815 (1) of the statutes is amended to read:

5 111.815 (1) In the furtherance of this subchapter, the state shall be considered
6 as a single employer and employment relations policies and practices throughout the
7 state service shall be as consistent as practicable. The department shall negotiate
8 and administer collective bargaining agreements. To coordinate the employer
9 position in the negotiation of agreements, the department shall maintain close
10 liaison with the legislature relative to the negotiation of agreements and the fiscal
11 ramifications thereof. Except with respect to the collective bargaining units
12 specified in s. 111.825 (1m) and (2) (f), the department is responsible for the employer
13 functions of the executive branch under this subchapter, and shall coordinate its
14 collective bargaining activities with operating state agencies on matters of agency
15 concern. The legislative branch shall act upon those portions of tentative
16 agreements negotiated by the department which require legislative action. With
17 respect to the collective bargaining units specified in s. 111.825 (1m), the University
18 of Wisconsin Hospitals and Clinics Board is responsible for the employer functions
19 under this subchapter. With respect to the collective bargaining unit specified in s.
20 111.825 (2) (f), the governing board of the charter school established by contract
21 under s. 118.40 (2r) (cm) 1. is responsible for the employer functions under this
22 subchapter.

23 **SECTION 2615h.** 111.815 (2) of the statutes is amended to read:

24 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the secretary
25 of the department shall establish a collective bargaining capability within the

1 department outside of the division of merit recruitment and selection and shall,
2 together with the appointing authorities or their representatives, represent the state
3 in its responsibility as an employer under this subchapter except with respect to
4 negotiations in the collective bargaining units specified in s. 111.825 (1m) and (2) (f).
5 The secretary of the department shall establish and maintain, wherever practicable,
6 consistent employment relations policies and practices throughout the state service.

7 **SECTION 2615j.** 111.825 (2) (f) of the statutes is created to read:

8 111.825 (2) (f) Instructional staff employed by the board of regents of the
9 University of Wisconsin System who provide services for a charter school established
10 by contract under s. 118.40 (2r) (cm).

11 **SECTION 2615L.** 111.84 (2) (c) of the statutes is amended to read:

12 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91
13 (1) with the duly authorized officer or agent of the employer which is the recognized
14 or certified exclusive collective bargaining representative of employees specified in
15 s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified
16 exclusive collective bargaining representative of employees specified in s. 111.81 (7)
17 (b) ~~or (e)~~ to (f) in an appropriate collective bargaining unit. Such refusal to bargain
18 shall include, but not be limited to, the refusal to execute a collective bargaining
19 agreement previously orally agreed upon.

20 **SECTION 2615n.** 111.91 (4) of the statutes is amended to read:

21 111.91 (4) The secretary of the department, in connection with the development
22 of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a),
23 shall endeavor to obtain tentative agreements with each recognized or certified labor
24 organization representing employees or supervisors of employees specified in s.
25 111.81 (7) (a) and with each certified labor organization representing employees

1 specified in s. 111.81 (7) (b) ~~or (e)~~ to (e) which do not contain any provision for the
2 payment to any employee of a cumulative or noncumulative amount of compensation
3 in recognition of or based on the period of time an employee has been employed by
4 the state.

5 **SECTION 2615p.** 111.92 (1) (a) of the statutes is amended to read:

6 111.92 (1) (a) Any tentative agreement reached between the department,
7 acting for the state, and any labor organization representing a collective bargaining
8 unit specified in s. 111.825 (1) or (2) (a) to (e) shall, after official ratification by the
9 labor organization, be submitted by the department to the joint committee on
10 employment relations, which shall hold a public hearing before determining its
11 approval or disapproval. If the committee approves the tentative agreement, it shall
12 introduce in a bill or companion bills, to be put on the calendar or referred to the
13 appropriate scheduling committee of each house, that portion of the tentative
14 agreement which requires legislative action for implementation, such as salary and
15 wage adjustments, changes in fringe benefits, and any proposed amendments,
16 deletions or additions to existing law. Such bill or companion bills are not subject to
17 ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit
18 suitable portions of the tentative agreement to appropriate legislative committees
19 for advisory recommendations on the proposed terms. The committee shall
20 accompany the introduction of such proposed legislation with a message that informs
21 the legislature of the committee's concurrence with the matters under consideration
22 and which recommends the passage of such legislation without change. If the joint
23 committee on employment relations does not approve the tentative agreement, it
24 shall be returned to the parties for renegotiation. If the legislature does not adopt
25 without change that portion of the tentative agreement introduced by the joint

1 committee on employment relations, the tentative agreement shall be returned to
2 the parties for renegotiation.

3 **SECTION 2615r.** 111.92 (1) (c) of the statutes is created to read:

4 111.92 (1) (c) Any tentative agreement reached between the governing board
5 of the charter school established by contract under s. 118.40 (2r) (cm), acting for the
6 state, and any labor organization representing a collective bargaining unit specified
7 in s. 111.825 (2) (f) shall, after official ratification by the labor organization and
8 approval by the chancellor of the University of Wisconsin–Parkside, be executed by
9 the parties.

10 **SECTION 2615t.** 111.93 (2) of the statutes is amended to read:

11 111.93 (2) All civil service and other applicable statutes concerning wages,
12 fringe benefits, hours and conditions of employment apply to employees specified in
13 s. 111.81 (7) (a) who are not included in collective bargaining units for which a
14 representative is recognized or certified and to employees specified in s. 111.81 (7)
15 (b) ~~or (e)~~ to (f) who are not included in a collective bargaining unit for which a
16 representative is certified.”

17 **√1175.** Page 913, line 10: after that line insert:

18 “**SECTION 2623g.** 115.28 (30) (title), (a), and (b) (intro.) of the statutes are
19 amended to read:

20 115.28 (30) (title) ~~VOCATIONAL CAREER AND TECHNICAL~~ VOCATIONAL CAREER AND TECHNICAL STUDENT ORGANIZATIONS.

21 (a) Give priority to assisting school boards to operate ~~vocational career and technical~~ career and technical
22 student organizations ~~for pupils pursuing related instruction and related career and~~
23 technical education programs.

1 (b) (intro.) Provide in the department administrative leadership for career and
2 technical student organizations and the following vocational education consultants
3 and administrative, leadership and vocational career and technical student
4 organization educational consultants:

5 **SECTION 2623i.** 115.28 (30) (b) 3. of the statutes is amended to read:

6 115.28 (30) (b) 3. Two full-time consultants in technical technology education.

7 **SECTION 2623k.** 115.28 (30) (b) 4. of the statutes is amended to read:

8 115.28 (30) (b) 4. Two full-time consultants in family and consumer sciences
9 education.

10 **SECTION 2623m.** 115.28 (30) (b) 5. of the statutes is amended to read:

11 115.28 (30) (b) 5. ~~One Two~~ full-time consultant and ~~one half-time consultant~~
12 consultants in marketing education.

13 **SECTION 2623p.** 115.28 (30) (b) 6. of the statutes is created to read:

14 115.28 (30) (b) 6. One full-time consultant in health science education.

15 **SECTION 2623r.** 115.28 (30) (d) of the statutes is amended to read:

16 115.28 (30) (d) Provide in the department, ~~within the integrated and applied~~
17 ~~curricula team,~~ a vocational career and technical education and vocational career
18 and technical student organizations ~~subteam~~ team consisting of those educational
19 consultants specified in par. (b).”

20 **√1176.** Page 914, line 21: after that line insert:

21 **“SECTION 2625w.** 115.28 (47) of the statutes is created to read:

22 115.28 (47) GRANT TO BELOIT COLLEGE. Annually award the amount
23 appropriated under s. 20.255 (2) (kj) to Beloit College to educate children and adults
24 in southern Wisconsin about Native American cultures.”

1 √ **1177.** Page 914, line 21: after that line insert:

2 “**SECTION 2630g.** 115.343 (title) and (1) of the statutes are amended to read:
3 **115.343 (title) Wisconsin morning school day milk program.** (1) The
4 department shall establish a ~~morning~~ school day milk program. A school
5 participating in the program shall offer each eligible child ~~a~~ one half-pint of
6 Wisconsin-produced whole milk, 2% milk, 1.5% milk, one percent milk, 0.5% milk,
7 skim milk or chocolate milk on each day in which school is in session. If a child is
8 allergic to milk or has metabolic disorders or other conditions which prohibit him or
9 her from drinking milk, the child shall be offered juice as a substitute. Any school
10 that participates in the program is encouraged to consider bids from local milk
11 suppliers. The school shall keep all information related to the identity of the pupils
12 who receive a beverage under the program confidential. In this subsection,
13 “Wisconsin-produced” means that all or part of the raw milk used by the milk
14 processor was produced in this state.

15 **SECTION 2630h.** 115.343 (2) (c) of the statutes is created to read:

16 115.343 (2) (c) The child does not receive the beverage during the school’s
17 breakfast or lunch period.”.

18 √ **1178.** Page 914, line 21: after that line insert:

19 “**SECTION 2635m.** 115.28 (49) of the statutes is created to read:

20 115.28 (49) CHARTER SCHOOL REPORT. Annually report to the legislature, in the
21 manner provided under s. 13.172 (2), on the status of existing charter schools, the
22 number of petitions for new charter schools, and school board and departmental
23 action on petitions for new charter schools.”.

24 √ **1179.** Page 914, line 21: after that line insert:

1 **“SECTION 2638m.** 115.28 (50) of the statutes is created to read:

2 115.28 (50) SPECIAL EDUCATION STUDY. Distribute a summary of study under s.
3 36.11 (49) to each school district.”.

4 √**1180.** Page 914, line 21: after that line insert:

5 **“SECTION 2635L.** 115.28 (48) of the statutes is created to read:

6 115.28 (48) VETERANS. Encourage school boards to invite armed forces veterans
7 to school to discuss their experiences as veterans.”.

8 √**1181.** Page 914, line 21: after that line insert:

9 **“SECTION 2630m.** 115.31 (1) (b) of the statutes is amended to read:

10 115.31 (1) (b) “Educational agency” means a school district, cooperative
11 educational service agency, state correctional institution under s. 302.01, secured
12 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,
13 as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually
14 Impaired, the Wisconsin School Educational Services Program for the Deaf and Hard
15 of Hearing, the Mendota mental health institute, the Winnebago mental health
16 institute, a state center for the developmentally disabled, a private school, or a
17 private, nonprofit, nonsectarian agency under contract with a school board under s.
18 118.153 (3) (c).”.

19 √**1182.** Page 914, line 22: delete the material beginning with that line and
20 ending with page 915, line 2, and substitute:

21 **“SECTION 2641m.** 115.38 (2) of the statutes is amended to read:

22 115.38 (2) ~~By January 1, 1993, and annually thereafter~~ Annually by January
23 1, each school board shall distribute to the parent or guardian of each pupil enrolled
24 in the school district, including pupils enrolled in charter schools located in the school

1 district, or give to each pupil to bring home to his or her parent or guardian, a school
2 and school district performance report that includes the information specified by the
3 state superintendent under sub. (1). The report shall also include a comparison of
4 the school district's performance under sub. (1) (a) and (b) with the performance of
5 other school districts in the same athletic conference under sub. (1) (a) and (b)."

6 **√1183.** Page 916, line 1: after that line insert:

7 "SECTION 2657m. 115.435 (1) (c) of the statutes is amended to read:

8 115.435 (1) (c) At least ~~65%~~ 80% of the real property in the school district is
9 exempt from taxation under s. 70.11, taxed as forest croplands under subch. I of ch.
10 77, owned by or held in trust for a federally recognized American Indian tribe, or
11 owned by the federal government."

12 **√1184.** Page 916, line 1: after that line insert:

13 "SECTION 2666m. 115.817 (5) (b) 1. of the statutes is amended to read:

14 115.817 (5) (b) 1. At the close of each fiscal year, the board shall employ a
15 ~~licensed~~ certified public accountant licensed or certified under ch. 442 to audit its
16 accounts and certify the audit. The cost of the audit shall be paid from board funds."

17 **√1185.** Page 916, line 1: after that line insert:

18 "SECTION 2660m. Subchapter III (title) of chapter 115 [precedes 115.51] of the
19 statutes is amended to read:

20 **CHAPTER 115**

21 **SUBCHAPTER III**

22 **STATE SCHOOL WISCONSIN**

23 **EDUCATIONAL SERVICES PROGRAM**

24 **FOR THE DEAF AND HARD OF HEARING**

1 **AND STATE WISCONSIN CENTER**
2 **FOR THE BLIND AND**
3 **VISUALLY IMPAIRED**

4 **SECTION 2660r.** 115.51 (2) of the statutes is repealed and recreated to read:

5 115.51 (2) “Hearing impaired” has the meaning given in the rules promulgated
6 by the state superintendent to define “hearing impairments” under s. 115.76 (5) (a)
7 2:

8 **SECTION 2660t.** 115.52 of the statutes is repealed and recreated to read:

9 **115.52 Wisconsin Educational Services Program for the Deaf and Hard**
10 **of Hearing.** (1) **DEFINITION.** In this section, “program” means the Wisconsin
11 Educational Services Program for the Deaf and Hard of Hearing.

12 (1m) **PURPOSE.** The purpose of the program is to serve as a statewide
13 educational resource relating to hearing impairments to benefit all Wisconsin
14 children who are hearing impaired.

15 (2) **GOVERNANCE.** The state superintendent shall maintain and govern the
16 program’s facilities. The state superintendent shall appoint an individual who has
17 training and experience in educating pupils who are hearing impaired to serve as the
18 director of the program.

19 (3) **SERVICES.** The program shall provide services that benefit children
20 throughout the state who are hearing impaired.

21 (a) *School.* 1. ‘Residents 3 to 20 years old.’ The program shall operate a school
22 at which any resident of this state 3 to 20 years old who is hearing impaired, and for
23 the duration of a school term any resident of this state who is hearing impaired and
24 becomes 21 years old during that school term, shall be received and taught free of
25 charge if the individualized education program for the resident under s. 115.787 and

1 the educational placement under s. 115.79 specify the school operated by the
2 program as the appropriate placement.

3 2. 'Residents 21 years old or older.' The state superintendent may admit to the
4 school operated by the program a resident of the state who is hearing impaired and
5 is 21 years of age or older prior to the beginning of a school term upon the payment
6 of fees fixed by the state superintendent and upon the recommendation of the
7 secretary of health and family services, the director of the technical college system,
8 or the director of the program.

9 3. 'Nonresidents.' A nonresident of this state, who is hearing impaired, who
10 either is 3 to 20 years old or becomes 21 years old during a school term, whose
11 individualized education program under 20 USC 1414 (d) and educational placement
12 specify the school operated by the program as the appropriate placement, and who
13 is capable of receiving instruction may be received at the school upon payment in
14 advance of the fees fixed by the state superintendent, but no nonresident may be
15 received to the exclusion of a resident pupil.

16 4. 'Pupil use of residential facilities.' Except as provided in sub. (4), the director
17 of the program shall make the residential facilities of the program available to all
18 pupils received at the school operated by the program.

19 5. 'School term.' The state superintendent shall fix the period of the school term
20 at the school operated by the program at not less than 38 weeks, prescribe the school
21 sessions, and confer diplomas upon meritorious pupils who have completed the
22 prescribed curriculum. Pursuant to a pupil's individualized education program
23 under s. 115.787, a pupil may be placed at the school for less than a school term.

24 6. 'Transportation.' The program may provide transportation for resident
25 pupils at the school operated by the program.

1 (b) *Other statewide services.* The program may do any of the following:

2 1. Provide evaluation services to assist local educational agencies, cooperative
3 educational service agencies, county children with disabilities education boards,
4 private schools, and others.

5 2. Provide technical assistance and consultation services to local educational
6 agencies, cooperative educational service agencies, county children with disabilities
7 education boards, private schools, and others.

8 3. Develop and disseminate curriculum and instructional materials.

9 4. Provide in-service and other training to teachers and other staff serving
10 pupils who are hearing impaired.

11 5. Provide training, technical assistance, and consultation services for parents
12 of children who are hearing impaired and for professionals who work with children
13 who are hearing impaired.

14 6. Provide access to educational materials to children who are hearing
15 impaired.

16 7. Loan books and other materials from the library described in par. (c) 2.

17 8. Serve as a clearinghouse for information about children who are hearing
18 impaired.

19 9. Teach American sign language, and teach other subjects using American
20 sign language, through the use of distance education technology.

21 10. Rent or lease technological materials and assistive technology devices, as
22 defined in s. 115.76 (1), to local educational agencies, cooperative educational service
23 agencies, county children with disabilities education boards, and private schools.

24 11. Facilitate the preparation of teachers of pupils who are hearing impaired
25 by providing assistance to teacher preparation programs.

1 12. Provide other statewide services that relate to the education of children who
2 are hearing impaired.

3 (c) *Additional services.* 1. ‘Birth-to-3 services.’ The program may provide
4 instruction or services, or both, for children who are under the age of 3 and are
5 hearing impaired and their parents. The instruction or services are subject to the
6 approval of, and shall comply with requirements established by, the department.

7 2. ‘Library.’ Educational media and materials acquired by the program
8 constitute a circulating collection for persons who are hearing impaired. The
9 collection shall be kept at the program’s facility and be under the supervision of its
10 director. All school age children of the state who are hearing impaired may use the
11 media and materials upon compliance with criteria established by the director of the
12 program and approved by the state superintendent.

13 3. ‘Summer programs.’ The program shall provide summer programs each year
14 for children who are hearing impaired.

15 4. ‘Independent living skills.’ With the approval of the state superintendent,
16 the program may allow individuals to receive instruction in and practice
17 independent living skills in state-owned housing at the program’s facility in
18 Delavan.

19 (d) *Provision of services.* In addition to providing services at the program’s
20 facility in Delavan, the program may provide services at any location in the state and
21 may operate regional satellite facilities throughout the state to provide services.

22 (4) **NONDISCRIMINATION.** All pupils in the program may equally and freely enjoy
23 the benefits and privileges of the program, have the use of the library and books of
24 instruction, and receive board, lodging, and linens, without discrimination, except
25 that the director of the program may determine that board, lodging, and linens may

1 not be provided to an individual because appropriate services are not available for
2 that individual at the program's residential facilities.

3 (5) CHARGES. The state superintendent may charge for meals, living quarters,
4 laundry, and other services furnished to employees of the program and their families.
5 The state superintendent may charge for services furnished to visitors to the
6 program's facilities and participants in training programs and institutes.

7 (6) LEASING OF SPACE. The state superintendent may lease space at the
8 program's facilities in Delavan that is not required by the program to any person if
9 the state superintendent determines that the use will not be inconsistent with the
10 operation of the program.

11 (7) AUDIT. In the 2004–05 fiscal year, the legislative audit bureau shall perform
12 a performance evaluation audit of the program. The bureau shall submit copies of
13 the audit report to the chief clerk of each house of the legislature for distribution to
14 the appropriate standing committees under s. 13.172 (3) by June 30, 2005.

15 **SECTION 2661m.** 115.53 (2) of the statutes is amended to read:

16 115.53 (2) Arrange for vocational, trade or academic training for any pupil in
17 either the school operated by the Wisconsin Center for the Blind and Visually
18 Impaired or the Wisconsin ~~School~~ Educational Services Program for the Deaf and
19 Hard of Hearing qualified to take such training advantageously, in either a public
20 school or technical college or a private business establishment in Janesville or
21 Delavan. The public school and the technical college shall be paid the regular tuition
22 for full-time attendance and proportionally for part-time attendance by the school
23 district responsible for the provision of a free appropriate public education under
24 subch. V.

25 **SECTION 2661p.** 115.53 (3) (a) of the statutes is amended to read:

1 115.53 (3) (a) Arrange for otological or ophthalmic examination of any pupil or
2 prospective pupil of the Wisconsin School Educational Services Program for the Deaf
3 and Hard of Hearing. The examination shall be paid for from the appropriation in
4 s. 20.255 (1) (b), (gh) or (gs).

5 **SECTION 2661r.** 115.53 (4) of the statutes is amended to read:

6 115.53 (4) Apply to the board of directors of the University of Wisconsin
7 Hospitals and Clinics Authority for admission to the University of Wisconsin
8 Hospitals and Clinics of any pupil at the school operated by the Wisconsin School
9 Educational Services Program for the Deaf and Hard of Hearing or the school
10 operated by the Wisconsin Center for the Blind and Visually Impaired.

11 (a) The application shall be accompanied by the report of a physician appointed
12 by the ~~superintendent~~ director of the Wisconsin School Educational Services
13 Program for the Deaf and Hard of Hearing or the director of the Wisconsin Center
14 for the Blind and Visually Impaired and shall be in the same form as reports of other
15 physicians for admission of patients to such hospital.

16 (b) The net cost of hospital treatment shall be at the rate established under s.
17 233.40 (1) and shall be paid from the appropriation under s. 20.255 (1) (b), (gh) or (gs)
18 if the patient is a pupil at the school operated by the Wisconsin School Educational
19 Services Program for the Deaf and Hard of Hearing or from the appropriation under
20 s. 20.255 (1) (b), (gh), (gL) or (gs) if the patient is a pupil at the school operated by the
21 Wisconsin Center for the Blind and Visually Impaired. The state superintendent
22 likewise may authorize payment for the expense of transporting patients to and from
23 the hospital. The state superintendent shall make payments for the treatment to the
24 University of Wisconsin Hospitals and Clinics Authority. Funds collected by the

1 state superintendent on account of the hospitalization shall be credited to the
2 appropriation under s. 20.255 (1) (gh) for the school or center concerned.

3 **SECTION 2661t.** 115.53 (5) of the statutes is amended to read:

4 115.53 (5) Arrange for visits by members of the staff of either the Wisconsin
5 School Educational Services Program for the Deaf and Hard of Hearing or the
6 Wisconsin Center for the Blind and Visually Impaired to other public schools or to
7 families of deaf children who are hearing impaired or children who are visually
8 impaired, whenever it appears to the state superintendent that such visits will be
9 of advantage to such children.

10 **SECTION 2662g.** 115.54 of the statutes is amended to read:

11 **115.54 Compulsory education.** If it appears, by affidavit, to any circuit
12 judge that any ~~deaf child~~ who is either hearing impaired or ~~child who is~~ visually
13 impaired and who is between the ages of 6 and 21 is deprived of a suitable education
14 by the failure of the person having the care and custody of the child to provide a
15 suitable education, the judge shall order the person to bring the child before the
16 judge. If the material allegations of the affidavit are denied, the judge shall subpoena
17 witnesses and hear testimony. If the allegations are admitted or established, the
18 judge may order the child sent to the school operated by the Wisconsin School
19 Educational Services Program for the Deaf and Hard of Hearing, the school operated
20 by the Wisconsin Center for the Blind and Visually Impaired or to some class or other
21 school for instruction, but the order may not make a direct charge for the class or
22 school against any county.”

23 **√1186.** Page 916, line 17: delete the material beginning with that line and
24 ending with page 917, line 22.

1 √ **1187.** Page 917, line 22: after that line insert:

2 “**SECTION 2673m.** 118.035 of the statutes is created to read:

3 **118.035 School uniforms.** (1) In this section, “school” means a public school
4 and includes a charter school other than a charter school under s. 118.40 (2r).

5 (2) A school board may adopt a policy that requires all pupils enrolled in school
6 in the school district, or all pupils enrolled in one or more schools in the school
7 district, to wear a uniform while in school or while under the supervision of a school
8 authority.

9 (3) If a school board adopts a policy under sub. (2), it shall do all of the following:

10 (a) Establish a method whereby the parent or guardian of a pupil enrolled in
11 a school in which the policy is in effect may exempt his or her child from complying
12 with the policy.

13 (b) Ensure that no pupil is penalized academically or otherwise discriminated
14 against because the pupil’s parent or guardian has chosen to exempt the pupil from
15 complying with the policy.

16 (c) Notify each parent or guardian of a pupil enrolled in a school in which the
17 policy will be implemented of the policy at least 3 months before the school board
18 implements the policy.

19 (d) Assist economically disadvantaged pupils to obtain the uniforms.

20 (4) The requirements under sub. (3) do not apply to any school board that has
21 in effect on the effective date of this subsection [revisor inserts date], a school
22 uniform policy for pupils enrolled in a school in the school district and has had such
23 a policy in effect continuously since that date.

1 (5) By July 1, 2005, the department shall submit a report to the appropriate
2 standing committees of the legislature under s. 13.172 (3). The report shall address
3 all of the following issues relating to the imposition of school uniforms by school
4 boards:

5 (a) Methods of encouraging the involvement of the parents or guardians of
6 pupils enrolled in a school district in a school board's decision to require school
7 uniforms.

8 (b) The ability of pupils to obtain the uniforms.

9 (c) The effect of the imposition of the requirement on crime in the school,
10 including weapons possession, assault, battery, and vandalism, and on pupil
11 suspensions and expulsions.

12 (6) Nothing in this section affects the authority of a school board to require
13 pupils to wear uniforms for extracurricular activities, and the provisions of sub. (3)
14 do not apply to such a requirement.”.

15 √**1188.** Page 917, line 22: after that line insert:

16 “**SECTION 2670m.** 118.019 (2) (intro.) of the statutes is amended to read:

17 118.019 (2) SUBJECTS. (intro.) A school board may provide an instructional
18 program in human growth and development in grades kindergarten to 12. If
19 provided, the program shall offer information and instruction appropriate to each
20 grade level and the age and level of maturity of the pupils. The Except as provided
21 in sub. (2m), the program may include instruction in any of the following areas:

22 **SECTION 2670p.** 118.019 (2) (e) of the statutes is amended to read:

23 118.019 (2) (e) Human sexuality; reproduction; family planning, as defined in
24 s. 253.07 (1) (a), including natural family planning; human immunodeficiency virus

1 and acquired immunodeficiency syndrome; prenatal development; childbirth;
2 adoption; available prenatal and postnatal support; and male and female
3 responsibility.

4 **SECTION 2670q.** 118.019 (2m) of the statutes is created to read:

5 118.019 (2m) MARRIAGE AND PARENTAL RESPONSIBILITY. If a school board provides
6 instruction in any of the areas under sub. (2) (e), the school board shall also provide
7 instruction in marriage and parental responsibility.”

8 ✓ **1189.** Page 917, line 22: after that line insert:

9 “**SECTION 2671m.** 118.02 (2) of the statutes is amended to read:

10 118.02 (2) February 12, Abraham Lincoln’s birthday.

11 **SECTION 2671n.** 118.02 (4) of the statutes is amended to read:

12 118.02 (4) February 22, George Washington’s birthday.

13 **SECTION 2671p.** 118.02 (12) of the statutes is amended to read:

14 118.02 (12) October 12, Christopher Columbus’ birthday.

15 **SECTION 2671q.** 118.02 (13) of the statutes is amended to read:

16 118.02 (13) November 11, Veterans Day.

17 **SECTION 2671r.** 118.02 (17) of the statutes is created to read:

18 118.02 (17) April 19, Patriots’ Day.”

19 ✓ **1190.** Page 917, line 22: after that line insert:

20 “**SECTION 2673p.** 118.045 (3) of the statutes is amended to read:

21 118.045 (3) A school board may commence the school term before September
22 1 in any school year if it ~~holds a public hearing on the issue and adopts a resolution~~
23 ~~to that effect in that school year~~ the school board requests the department to allow
24 it to commence the school term before September 1 and the school board includes

1 reasons with its request. The department may grant a request only if it determines
2 that there are extraordinary reasons for granting it. The department shall
3 promulgate rules to implement and administer this subsection.”.

4 ✓ **1191.** Page 917, line 22: after that line insert:

5 “SECTION 2674d. 118.06 (title) of the statutes is amended to read:

6 **118.06 (title) Flag and, pledge of allegiance, and national anthem.**

7 **SECTION 2674j.** 118.06 (2) of the statutes is amended to read:

8 118.06 (2) Every public and private school shall offer the pledge of allegiance
9 or the national anthem in grades one to 8 at the beginning of 12 each school at least
10 one day per week. Every private school shall offer the pledge of allegiance or the
11 national anthem in grades one to 12 each school day unless the governing body of the
12 private school determines that the requirement conflicts with the school’s religious
13 doctrines. No pupil may be compelled, against the pupil’s objections or those of the
14 pupil’s parents or guardian, to recite the pledge or to sing the anthem.”.

15 ✓ **1192.** Page 917, line 22: after that line insert:

16 “SECTION 2669m. 118.025 of the statutes is amended to read:

17 **118.025 Arbor day observance.** A school principal may request one free tree
18 provided from state forest nurseries by the department of ~~natural resources~~ forestry
19 under s. 28.06 for each 4th grade pupil in the school for planting in conjunction with
20 an annual observance and celebration of arbor day.”.

21 ✓ **1193.** Page 917, line 24: after “**examinations**” insert “**and evaluations**”.

22 ✓ **1194.** Page 918, line 2: delete lines 2 to 10 and substitute “licensed under ch.
23 449 or evaluated by a physician licensed under ch. 448.”.

24 ✓ **1195.** Page 918, line 12: after “**examination**” insert “**or evaluation**”.

1 √ **1196.** Page 918, line 18: after “examinations” insert “or evaluations”.

2 √ **1197.** Page 918, line 19: after that line insert:

3 “**SECTION 2695e.** 118.29 (2) (a) 2r. of the statutes is created to read:

4 118.29 (2) (a) 2r. Except for glucagon administered under subd. 2., may
5 administer glucagon to any pupil who appears to be experiencing a severe
6 hypoglycemic event if, as soon as practicable, the school bus operator, employee, or
7 volunteer reports the event to an emergency medical service provider.

8 **SECTION 2695m.** 118.29 (2) (a) 3. of the statutes is amended to read:

9 118.29 (2) (a) 3. Is immune from civil liability for his or her acts or omissions
10 in administering a drug or prescription drug to a pupil under subd. 1., 2. ~~or~~ 2m. or
11 2r. unless the act or omission constitutes a high degree of negligence. This
12 subdivision does not apply to health care professionals.”.

13 √ **1198.** Page 918, line 19: after that line insert:

14 “**SECTION 2679t.** 118.163 (1m) (c) of the statutes is created to read:

15 118.163 (1m) (c) An order for the person to report to a youth report center after
16 school, in the evening, on weekends, on other nonschool days, or at any other time
17 that the person is not under immediate adult supervision, for participation in the
18 social, behavioral, academic, community service, and other programming of the
19 center as described in s. 938.342 (1d) (c).

20 √ **SECTION 2679u.** 118.163 (2) (L) of the statutes is created to read:

21 118.163 (2) (L) An order for the person to report to a youth report center after
22 school, in the evening, on weekends, on other nonschool days, or at any other time
23 that the person is not under immediate adult supervision, for participation in the

1 social, behavioral, academic, community service, and other programming of the
2 center as described in s. 938.342 (1g) (k).”.

3 ✓ **1199.** Page 918, line 19: after “examinations” insert “or evaluations”.

4 ✓ **1200.** Page 919, line 20: after that line insert:

5 “SECTION 2703m. 118.30 (1m) (d) of the statutes is amended to read:

6 118.30 (1m) (d) If the school board operates high school grades, beginning in
7 the ~~2002-03~~ 2004-05 school year administer the high school graduation
8 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
9 the school district, including pupils enrolled in charter schools located in the school
10 district, in the 11th and 12th grades. The school board shall administer the
11 examination at least twice each school year and may administer the examination
12 only to pupils enrolled in the 11th and 12th grades.”.

13 ✓ **1201.** Page 920, line 19: after that line insert:

14 “SECTION 2709m. 118.30 (2) (f) of the statutes is created to read:

15 118.30 (2) (f) Each school board, and each operator of a charter school under
16 s. 118.40 (2r), shall ensure that no pupil uses a calculator while taking the 4th grade
17 examination under sub. (1m) or (1r).”.

18 ✓ **1202.** Page 920, line 19: after that line insert:

19 “SECTION 2725m. 118.38 (1) (a) 8. of the statutes is created to read:

20 118.38 (1) (a) 8. The commencement of the school term under s. 118.045.”.

21 ✓ **1203.** Page 920, line 19: after that line insert:

22 “SECTION 2715p. 118.40 (2r) (a) of the statutes is repealed and recreated to

23 read:

1 118.40 (2r) (a) In this subsection, “instructional staff” has the meaning given
2 in the rules promulgated by the department under s. 121.02 (1) (a) 2.

3 **SECTION 2715q.** 118.40 (2r) (b) of the statutes is renumbered 118.40 (2r) (b) 1.
4 (intro.) and amended to read:

5 118.40 (2r) (b) 1. (intro.) ~~The common council of the city of Milwaukee, the~~
6 ~~chancellor of the University of Wisconsin–Milwaukee and the Milwaukee area~~
7 ~~technical college district board~~ All of the following entities may establish by charter
8 and operate a charter school or, on behalf of their respective entities, may initiate a
9 contract with an individual or group to operate a school as a charter school.:

10 2. A charter shall include all of the provisions specified under sub. (1m) (b) 3.
11 to 14. A contract shall include all of the provisions specified under sub. (1m) (b) 1.
12 to 14. and shall specify the effect of the establishment of the charter school on the
13 liability of the contracting entity under this paragraph. The contract may include
14 other provisions agreed to by the parties. The chancellor of the University of
15 Wisconsin–Milwaukee or of the University of Wisconsin–Parkside may not establish
16 or enter into a contract for the establishment of a charter school under this
17 paragraph without the approval of the board of regents of the University of
18 Wisconsin System.

19 **SECTION 2715qg.** 118.40 (2r) (b) 1. a. to d. of the statutes are created to read:

20 118.40 (2r) (b) 1. a. The common council of the city of Milwaukee.

21 b. The chancellor of the University of Wisconsin–Milwaukee.

22 c. On a pilot basis, the chancellor of the University of Wisconsin–Parkside.

23 d. The Milwaukee area technical college district board.

24 **SECTION 2715qL.** 118.40 (2r) (b) 3. of the statutes is created to read:

1 118.40 (2r) (b) 3. If the chancellor of the University of Wisconsin–Parkside
2 contracts for the establishment of a charter school, the contract shall also provide
3 that the charter school must be operated by a governing board and that the
4 chancellor or his or her designee must be a member of the governing board. In
5 addition, if the contract provides that the instructional staff of the charter school
6 shall consist of employees of the board of regents of the University of Wisconsin
7 System, the contract shall also include provisions that do all of the following:

8 a. Delegate to the governing board of the charter school the board of regents'
9 authority to establish and adjust all compensation and fringe benefits of
10 instructional staff, subject to the terms of any collective bargaining agreement under
11 subch. V of ch. 111 that covers the instructional staff. In the absence of a collective
12 bargaining agreement, the governing board may establish and adjust all
13 compensation and fringe benefits of the instructional staff only with the approval of
14 the chancellor of the University of Wisconsin–Parkside.

15 b. Authorize the governing board of the charter school to perform specified
16 duties for the board of regents with respect to the instructional staff. This
17 authorization may include duties related to supervising the instructional staff,
18 taking disciplinary actions with respect to the instructional staff, recommending
19 new hires or layoffs, collective bargaining, claims, complaints, or benefits and
20 records administration.

21 **SECTION 2715r.** 118.40 (2r) (bm) of the statutes is created to read:

22 118.40 (2r) (bm) The common council of the city of Milwaukee, the chancellor
23 of the University of Wisconsin–Milwaukee, and the Milwaukee area technical college
24 district board may only establish or enter into a contract for the establishment of a
25 charter school located in the school district operating under ch. 119. The chancellor

1 of the University of Wisconsin–Parkside may only establish or enter into a contract
2 for the establishment of a charter school located in a unified school district that is
3 located in the county in which the University of Wisconsin–Parkside is situated or
4 in an adjacent county.

5 **SECTION 2715rg.** 118.40 (2r) (c) of the statutes is renumbered 118.40 (2r) (c) 2.,
6 and 118.40 (2r) (c) 2. (intro.), as renumbered, is amended to read:

7 118.40 (2r) (c) 2. (intro.) ~~An entity under par. (b) may not establish or enter into~~
8 ~~a contract for the establishment of a charter school located outside of the school~~
9 ~~district operating under ch. 119.~~ A pupil residing within the school district operating
10 under ch. 119 may attend a charter school established in the school district operating
11 under ch. 119 under this subsection only if one of the following applies:

12 **SECTION 2715ri.** 118.40 (2r) (c) 1. of the statutes is created to read:

13 118.40 (2r) (c) 1. Only pupils who reside in the school district in which a charter
14 school established under this subsection is located may attend the charter school.

15 **SECTION 2715sk.** 118.40 (2r) (cm) of the statutes is created to read:

16 118.40 (2r) (cm) The chancellor of the University of Wisconsin–Parkside may
17 establish or enter into a contract for the establishment of only one charter school
18 under this subsection, which may not operate high school grades and which may not
19 accommodate more than 400 pupils.

20 **SECTION 2715sm.** 118.40 (2r) (e) of the statutes is renumbered 118.40 (2r) (e)
21 1. and amended to read:

22 118.40 (2r) (e) 1. From the appropriation under s. 20.255 (2) (fm), the
23 department shall pay to the operator of the charter school an amount equal to the
24 sum of the amount paid per pupil under this ~~paragraph~~ subdivision in the previous
25 school year and the amount of revenue increase per pupil allowed under subch. VII

1 of ch. 121 in the current school year, multiplied by the number of pupils attending
2 the charter school. The department shall pay 25% of the total amount in September,
3 25% in December, 25% in February, and 25% in June. The department shall send the
4 check to the operator of the charter school.

5 **SECTION 2715sn.** 118.40 (2r) (e) 2. of the statutes is created to read:

6 118.40 (2r) (e) 2. If the chancellor of the University of Wisconsin–Parkside
7 establishes or contracts for the establishment of a charter school under this
8 subsection, in March the department shall pay to the unified school district in which
9 the charter school is located, from the appropriation under s. 20.255 (2) (fm), an
10 amount equal to the amount of school aid per pupil to which the unified school district
11 is eligible in the current school year multiplied by the number of pupils attending the
12 charter school who were previously enrolled in the unified school district.

13 **SECTION 2715sp.** 118.40 (2r) (f) of the statutes is created to read:

14 118.40 (2r) (f) If the chancellor of the University of Wisconsin–Parkside
15 establishes or contracts for the establishment of a charter school under this
16 subsection, biennially the chancellor shall submit a report to the legislature under
17 s. 13.172 (2). The report shall include information on the academic performance of
18 the pupils who attend the charter school and on the success of the governance
19 structure of the charter school.

20 **SECTION 2715t.** 118.40 (7) (am) 2. of the statutes is amended to read:

21 118.40 (7) (am) 2. A charter school established under sub. (2r) or a private
22 school located in the school district operating under ch. 119 that is converted to a
23 charter school is not an instrumentality of ~~the any~~ school district operating under ch.
24 ~~119 and the no~~ school board of that school district may not employ any personnel for
25 the charter school. If the chancellor of the University of Wisconsin–Parkside

1 contracts for the establishment of a charter school under sub. (2r), the board of
2 regents of the University of Wisconsin System may employ instructional staff for the
3 charter school.”

4 **√1204.** Page 920, line 19: after that line insert:

5 “SECTION 2707m. 118.30 (1r) (d) of the statutes is amended to read:

6 118.30 (1r) (d) If the charter school operates high school grades, beginning in
7 the ~~2002–03~~ 2004–05 school year, administer the high school graduation
8 examination adopted by the operator of the charter school under sub. (1g) (b) to all
9 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the
10 charter school shall administer the examination at least twice each school year and
11 may administer the examination only to pupils enrolled in the 11th and 12th
12 grades.”.

13 **√1205.** Page 920, line 19: after that line insert:

14 “SECTION 2718m. 118.33 (1) (f) of the statutes is amended to read:

15 118.33 (1) (f) 1. By September 1, ~~2002~~ 2004, each school board operating high
16 school grades shall develop a written policy specifying criteria for granting a high
17 school diploma that are in addition to the requirements under par. (a). The criteria
18 shall include the pupil’s score on the examination administered under s. 118.30 (1m)
19 (d), the pupil’s academic performance and the recommendations of teachers. Except
20 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
21 in the school district.

22 2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40
23 (2r) that operates high school grades shall develop a policy specifying criteria for
24 granting a high school diploma. The criteria shall include the pupil’s score on the

1 examination administered under s. 118.30 (1r) (d), the pupil's academic performance
2 and the recommendations of teachers.

3 3. Beginning September 1, ~~2003~~ 2005, neither a school board nor an operator
4 of a charter school under s. 118.40 (2r) may grant a high school diploma to any pupil
5 unless the pupil has satisfied the criteria specified in the school board's or charter
6 school's policy under subd. 1. or 2.”.

7 **√1206.** Page 920, line 19: after that line insert:

8 “**SECTION 2712m.** 118.30 (3) of the statutes is renumbered 118.30 (3) (a) and
9 amended to read:

10 118.30 (3) (a) The state superintendent shall ~~make available upon request,~~
11 allow a person to view an examination required to be administered under this section
12 if the person submits to the state superintendent a written request to do so within
13 90 days after the date of administration, ~~any of the examination required to be~~
14 ~~administered under this section.~~ This subsection paragraph does not apply while ~~the~~
15 an examination is being developed or validated.

16 **SECTION 2714m.** 118.30 (3) (b) of the statutes is created to read:

17 118.30 (3) (b) The state superintendent shall promulgate rules establishing
18 procedures to administer par. (a). To the extent feasible, the rules shall protect the
19 security and confidentiality of the examinations required to be administered under
20 this section.”.

21 **√1207.** Page 923, line 7: after that line insert:

22 “**SECTION 2744m.** 119.04 (1) of the statutes is amended to read:

23 119.04 (1) Subchapters IV, V, and VII of ch. 115, ch. 121, and ss. 66.0235 (3) (c),
24 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38

1 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
2 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
3 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,
4 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(26)~~ (27), 120.125,
5 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), and (37), 120.14, and
6 120.25 are applicable to a 1st class city school district and board.”

7 **1208.** Page 923, line 7: after that line insert:

8 “SECTION 2752r. 119.23 (4m) of the statutes is amended to read:

9 119.23 (4m) ~~Beginning in the 1999–2000 school year, in~~ In addition to the
10 payment under sub. (4) the state superintendent shall pay to the parent or guardian
11 of each pupil enrolled in a private school under this section, in the manner described
12 in sub. (4) (c), an amount determined by multiplying 40% of the payment under sub.
13 (4) by the quotient determined by dividing the summer choice average daily
14 membership equivalent of the private school by the total number of pupils for whom
15 payments are being made under sub. (4).”

16 **1209.** Page 923, line 7: after that line insert:

17 “SECTION 2748i. 119.23 (2) (a) 3. of the statutes is amended to read:

18 119.23 (2) (a) 3. The private school notified the state superintendent of its
19 intent to participate in the program under this section by ~~May~~ February 1 of the
20 previous school year. The notice shall specify the number of pupils participating in
21 the program under this section for which the school has space.”

22 **1210.** Page 923, line 7: after that line insert:

23 “SECTION 2749m. 119.23 (4) (bm) of the statutes is created to read:

1 119.23 (4) (bm) A pupil enrolled in a 4-year-old kindergarten program shall
2 be counted under par. (b) as provided in s. 121.004 (7) (c) and (cm).”.

3 √**1211.** Page 923, line 8: delete the material beginning with that line and
4 ending with page 924, line 22.

5 √**1212.** Page 924, line 22: after that line insert:

6 “**SECTION 2760m.** 120.12 (27) of the statutes is created to read:

7 120.12 (27) MINORITY CONTRACTING. If the school board adopts a policy that
8 authorizes preferences or set-asides to minority businesses in the awarding of a
9 public contract, as defined in s. 60.47 (1) (a), ensure that the policy requires that the
10 minority business be certified by the department of commerce under s. 560.036 (2).”.

11 √**1213.** Page 924, line 22: after that line insert:

12 “**SECTION 2760g.** 120.14 (3) of the statutes is amended to read:

13 120.14 (3) The annual meeting may authorize and direct an audit of the school
14 district accounts by a ~~licensed~~ certified public accountant licensed or certified under
15 ch. 442.

16 **SECTION 2760r.** 120.18 (1) (gm) of the statutes is amended to read:

17 120.18 (1) (gm) Payroll and related benefit costs for all school district
18 employees in the previous school year. Costs for represented employees shall be
19 based upon the costs of any collective bargaining agreements covering such
20 employees for the previous school year. If, as of the time specified by the department
21 for filing the report, the school district has not entered into a collective bargaining
22 agreement for any portion of the previous school year with the recognized or certified
23 representative of any of its employees and the school district and the representative
24 have been required to submit final offers under s. 111.70 (4) (cm) 6., increased costs

1 limited to the lower of the school district's offer or the representative's offer shall be
2 reflected in the report. The school district shall amend the annual report to reflect
3 any change in such costs as a result of any award or settlement under s. 111.70 (4)
4 (cm) 6. between the date of filing the report and October 1. Any such amendment
5 shall be concurred in by the ~~licensed~~ certified public accountant licensed or certified
6 under ch. 442 certifying the school district audit.”.

7 **√1214.** Page 924, line 22: after that line insert:

8 “SECTION 2760k. 120.08 (1) (a) of the statutes is amended to read:

9 120.08 (1) (a) Common school districts shall hold an annual meeting on the 4th
10 Monday in July at 8 p.m. and union high school districts shall hold an annual
11 meeting on the 3rd Monday in July at 8 p.m. unless the electors at one annual
12 meeting determine to thereafter hold the annual meeting on a different date or hour,
13 or authorize the school board to establish a different date or hour. No annual meeting
14 may be held before May 15 or after ~~September 30~~ October 31. The first school district
15 meeting in a common or union high school district created under s. 117.08, 117.09,
16 or 117.27 shall be considered an annual meeting.”.

17 **√1215.** Page 925, line 3: after that line insert:

18 “SECTION 2761d. 121.004 (7) (c) 1. c. of the statutes is created to read:

19 121.004 (7) (c) 1. c. A pupil enrolled in a 4-year-old kindergarten program who
20 is not a child with a disability, as defined in s. 115.76 (5), shall be counted as 0.3 pupil.

21 SECTION 2761g. 121.004 (7) (cm) of the statutes is amended to read:

22 121.004 (7) (cm) ~~A~~ Notwithstanding par. (c) (intro.) and 1. c., a pupil enrolled
23 in a 4-year-old kindergarten program that provides the required number of hours
24 of direct pupil instruction under s. 121.02 (1) (f) 2. shall be counted as 0.6 pupil if the

1 program and that annually provides at least 87.5 additional hours of outreach
2 activities shall be counted as 0.4 pupil if the child is not a child with a disability, as
3 defined in s. 115.76 (5), and as 0.6 pupil if the pupil is a child with a disability.”

4 √ **1216.** Page 925, line 10: after that line insert:

5 “SECTION 2762d. 121.02 (1) (a) 2. of the statutes is amended to read:

6 121.02 (1) (a) 2. Ensure that all instructional staff of charter schools located
7 in the school district hold a license or permit to teach issued by the department. The
8 state superintendent shall promulgate rules defining “instructional staff” for
9 purposes of this subdivision ~~and s. 118.40 (2r) (d) 1.”~~

10 √ **1217.** Page 925, line 14: after that line insert:

11 “SECTION 2764m. 121.05 (1) (a) 8. of the statutes is amended to read:

12 121.05 (1) (a) 8. Pupils enrolled in the school operated by the Wisconsin School
13 Educational Services Program for the Deaf and Hard of Hearing or the school
14 operated by the Wisconsin Center for the Blind and Visually Impaired under subch.
15 III of ch. 115 for whom the school district is paying tuition under s. 115.53 (2)
16 determined by multiplying the total number of periods in each day in which the
17 pupils are enrolled in the local public school by the total number of days for which
18 the pupils are enrolled in the local public school and dividing the product by 1,080.”

19 √ **1218.** Page 925, line 14: after that line insert:

20 “SECTION 2764m. 121.07 (6) (a) (intro.) of the statutes is amended to read:

21 121.07 (6) (a) (intro.) “Shared cost” is the sum of the net cost of the general fund
22 and the net cost of the debt service fund, except that “shared cost” excludes any costs,
23 including attorney fees, incurred by a school district as a result of its participation
24 in a lawsuit commenced against the state, beginning with such costs incurred in the

1 fiscal year in which the lawsuit is commenced, excludes any expenditures from a
2 capital improvement fund created under s. 120.135, excludes any expenditures made
3 as a result of the revenue limit increase under s. 121.91 (4) (L), and excludes the costs
4 of transporting those transfer pupils for whom the school district operating under ch.
5 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.
6 121.85 (6) (am). In this paragraph, “net cost of the debt service fund” includes all of
7 the following amounts:”

8 ✓ **1219.** Page 926, line 2: after that line insert:

9 “**SECTION 2767h.** 121.08 (4) (a) 2. of the statutes is amended to read:

10 121.08 (4) (a) 2. Divide the sum under subd. 1. by the total amount of state aid
11 that all school districts are eligible to be paid from the appropriation under s. 20.255
12 (2) (ac), calculated as if the reduction under par. ~~(e)~~ (b) had not occurred.

13 **SECTION 2767j.** 121.08 (4) (a) 3. of the statutes is amended to read:

14 121.08 (4) (a) 3. Multiply the amount of state aid that the school district is
15 eligible to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the
16 reduction under par. ~~(e)~~ (b) had not occurred, by the quotient under subd. 2.

17 **SECTION 2767k.** 121.08 (4) (b) of the statutes is amended to read:

18 121.08 (4) (b) The amount of state aid that the school district operating under
19 ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also
20 be reduced by ~~50%~~ 45% of the amounts paid under s. 119.23 (4) and (4m) in the
21 current school year.

22 **SECTION 2767L.** 121.08 (4) (c) of the statutes is repealed.

23 **SECTION 2767Lm.** 121.08 (4) (d) of the statutes is amended to read:

1 121.08 (4) (d) The state superintendent shall ensure that the total amount of
2 aid reduction under pars. (a) ~~to (e)~~ and (b) lapses to the general fund.”.

3 √**1220.** Page 928, line 7: delete “subd. 1. a.” and substitute “subd. 4. a.”.

4 √**1221.** Page 928, line 17: after “(4)” insert “; less the amount of any revenue
5 limit increase under s. 121.91 (4) (L)”.

6 √**1222.** Page 928, line 22: delete “and”.

7 √**1223.** Page 928, line 21: after “and,” insert “less the amount of any revenue
8 limit increase under s. 121.91 (4) (j)”.

9 √**1224.** Page 928, line 23: after “120.13 (19)” insert “, and less an amount equal
10 to 45% of the amount estimated to be paid under s. 119.23 (4) and (4m)”.

11 √**1225.** Page 929, line 1: delete lines 1 to 5 and substitute:

12 “121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
13 20.255 (1) (b) and (2), other than s. 20.255 (2) (am), (fm), (fu), (k), (kn), and (m), and
14 under ss. 20.275 (1) (d), (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids
15 appropriated under s. 20.275 (1) (s) that are used to provide grants or educational
16 telecommunications access to school districts under s. 44.73.”.

17 √**1226.** Page 929, line 5: after that line insert:

18 “**SECTION 2779s.** 121.54 (3) of the statutes is amended to read:

19 121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board
20 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),
21 to any public or private elementary or high school, to the school operated by the
22 Wisconsin Center for the Blind and Visually Impaired or the school operated by the
23 Wisconsin School Educational Services Program for the Deaf and Hard of Hearing
24 or to any special education program for children with disabilities sponsored by a state

1 tax-supported institution of higher education, including a technical college,
2 regardless of distance, if the request for such transportation is approved by the state
3 superintendent. Approval shall be based on whether or not the child can walk to
4 school with safety and comfort. Section 121.53 shall apply to transportation provided
5 under this subsection.”.

6 √**1227.** Page 930, line 8: after that line insert:

7 “SECTION 2788m. 121.90 (1) (f) of the statutes is created to read:

8 121.90 (1) (f) In determining a school district’s revenue limit for the 2002–03
9 school year or for any school year thereafter, the department shall calculate the
10 number of pupils enrolled in each school year prior to the 2002–03 school year under
11 s. 121.004 (7) (c) (intro.), s. 121.004 (7) (c) 1. c., as created by 2001 Wisconsin Act
12 (this act), and s. 121.004 (7) (cm), as affected by 2001 Wisconsin Act (this act).”.

13 √**1228.** Page 931, line 3: delete lines 3 to 22.

14 √**1229.** Page 932, line 23: after that line insert:

15 “SECTION 2798w. 121.91 (4) (k) of the statutes is created to read:

16 121.91 (4) (k) The limit otherwise applicable under sub. (2m) to a school district
17 that is at least 275 square miles in area and in which the number of pupils enrolled
18 in the 2000–01 school year was less than 450 is increased for the 2001–02 school year
19 by the following amount:

20 1. If the number of pupils enrolled in the school district declined between the
21 1996–97 school year and the 2000–01 school year, but the decline was less than 10%,
22 \$100,000.

23 2. If the decline in the number of pupils enrolled between the 1996–97 school
24 year and the 2000–01 school year was at least 10% but not more than 20%, \$175,000.

1 3. If the decline in the number of pupils enrolled between the 1996–97 school
2 year and the 2000–01 school year was more than 20%, \$250,000.”.

3 √ **1230.** Page 932, line 23: after that line insert:

4 “SECTION 2798g. 121.91 (4) (j) of the statutes is created to read:

5 121.91 (4) (j) If a school board implemented an intradistrict pupil transfer
6 program to reduce racial imbalance in the school district after June 30, 1993, but
7 before the effective date of this paragraph [revisor inserts date], the limit
8 otherwise applicable to the school district under sub. (2m) in the 2001–02, 2002–03,
9 and 2003–04 school years is increased by an amount equal to one–third of the amount
10 received in the 1994–95 school year under s. 121.85 as a result of implementing the
11 program.”.

12 √ **1231.** Page 932, line 23: after that line insert:

13 “SECTION 2798s. 121.91 (4) (m) of the statutes is created to read:

14 121.91 (4) (m) 1. In this paragraph, “equalized valuation per member” means
15 equalized valuation divided by membership, except as follows:

16 a. For a school district operating only high school grades, “equalized valuation
17 per member” means equalized valuation divided by the result obtained by
18 multiplying membership by 3.

19 b. For a school district operating only elementary grades, “equalized valuation
20 per member” means equalized valuation divided by the result obtained by
21 multiplying membership by 1.5.

22 2. The limit otherwise applicable to a school district under sub. (2m) in any
23 school year is increased by the amount calculated as follows if the school board adopts
24 a resolution approving the increase by a two–thirds vote of the members elect:

1 a. Multiply the statewide average allowable revenue per member in the
2 previous school year by 0.78.

3 b. Divide the statewide average equalized valuation per member by the school
4 district's equalized valuation per member or by \$120,000, whichever is greater.

5 c. Multiply the product under subd. 2. a. by the quotient under subd. 2. b.

6 d. Multiply the product under subd. 2. c. by the average of the number of pupils
7 enrolled in the school district in the current and the 2 preceding school years.

8 3. The amount of the revenue limit adjustment approved under subd. 2. shall
9 not be included in the base for determining the school district's revenue limit for the
10 following school year.”.

11 ✓ **1232.** Page 932, line 23: after that line insert:

12 “SECTION 2798gc. 121.91 (4) (L) of the statutes is created to read:

13 121.91 (4) (L) The limit otherwise applicable to a school district under sub. (2m)
14 in any school year is increased by an amount calculated as follows:

15 1. Multiply the number of pupils who are not children with disabilities, as
16 defined in s. 115.76 (5), and who are enrolled in a 4-year-old kindergarten program
17 in the school district in the current school year, counting each pupil as 1.0 pupil, by
18 0.2.

19 2. Multiply the result under subd. 1. by the school district's allowable revenue
20 per pupil in the current school year.”.

21 ✓ **1233.** Page 933, line 9: delete the material beginning with that line and
22 ending with page 934, line 4.

23 ✓ **1234.** Page 934, line 13: delete “409.504” and substitute “409.610 (2)”.

24 ✓ **1235.** Page 934, line 14: after that line insert:

1 **SECTION 2802m.** 125.06 (13) of the statutes is created to read:

2 **125.06 (13) WINE SAMPLING ON “CLASS A” PREMISES.** (a) The provision of wine
3 taste samples of not more than 3 fluid ounces each, free of charge, by a “Class A”
4 licensee to customers and visitors for consumption on the premises. No “Class A”
5 licensee may provide more than 2 taste samples per day to any one person. This
6 subsection applies only between the hours of 10 a.m. and 6 p.m. Notwithstanding
7 s. 125.07 (1) (a) 1., no “Class A” licensee may provide taste samples under this
8 subsection to any underage person. No “Class A” licensee may provide as taste
9 samples under this subsection wine that the “Class A” licensee did not purchase from
10 a wholesaler.

11 (b) Notwithstanding par. (a) and s. 125.10 (1), a municipality may prohibit the
12 provision of wine under this subsection.”.

13 √ **1236.** Page 934, line 15: delete lines 15 to 20.

14 √ **1237.** Page 935, line 5: delete lines 5 to 12.

15 √ **1238.** Page 935, line 12: after that line insert:

16 **SECTION 2805g.** 125.31 (1) (a) 2. of the statutes is amended to read:

17 **125.31 (1) (a) 2.** Notwithstanding ss. 125.29 (2) and 125.33 (1), a brewer may
18 maintain and operate one place on brewery premises and one place on real estate
19 owned by the brewer or a subsidiary or affiliate corporation or limited liability
20 company for the sale of fermented malt beverages for which a Class “B” license is
21 required for each place, but, except as provided in ~~subd.~~ subds. 3. and 4., not more
22 than 2 such Class “B” licenses shall be issued to any brewer.

23 **SECTION 2805h.** 125.31 (1) (a) 4. of the statutes is created to read:

1 125.31 (1) (a) 4. Notwithstanding ss. 125.29 (2) and 125.33 (1), in addition to
2 places authorized under subd. 2., a brewer may possess or hold an indirect interest
3 in a Class "B" license for not more than 20 restaurants in each of which the sale of
4 alcohol beverages accounts for less than 60% of the restaurant's gross receipts if no
5 fermented malt beverages manufactured by the brewer are offered for sale in any of
6 these restaurants. No brewer may possess Class "B" licenses under both this
7 subdivision and subd. 3."

8 ✓ **1239.** Page 936, line 2: delete "not withstanding" and substitute
9 "notwithstanding". (H)

10 **1240.** Page 937, line 23: delete the material beginning with that line and (I)
11 ending with page 939, line 16.

12 **1241.** Page 939, line 16: after that line insert:

13 "**SECTION 2812se.** 125.51 (4) (br) 1. e. of the statutes is amended to read:

14 125.51 (4) (br) 1. e. Add one license per each increase of 500 population or
15 ~~fraction thereof~~ to the population recorded under par. (bm).

16 **SECTION 2812sf.** 125.51 (4) (br) 1. f. of the statutes is created to read:

17 125.51 (4) (br) 1. f. Add one license if the municipality had issued a license
18 under s. 125.51 (4) (br) 1. e., 1999 stats., based on a fraction of 500 population, but
19 a municipality's quota is only increased under this subd. 1. f. as long as the total
20 number of licenses issued by the municipality equals the maximum number of
21 licenses authorized, including under this subd. 1. f.

22 **SECTION 2812sg.** 125.51 (4) (br) 2. of the statutes is amended to read:

23 125.51 (4) (br) 2. Notwithstanding subd. 1., if the difference between the
24 number of licenses determined under par. (b) 1g. and under par. (bm) 1. is 3 or fewer,