

### 2001 DRAFTING REQUEST

#### Bill

Received: 10/31/2000

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 6-1923

By/Representing: Maternowski

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - state superintendent  
Education - handicapped ed.

Extra Copies: MJL

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#### Pre Topic:

DOA:.....Maternowski -

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#### Topic:

State payment of tuition for pupils in foster homes

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#### Instructions:

See Attached

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 11/06/2000	gilfokm 11/08/2000		_____			S&L
/1			martykr 11/09/2000	_____	lrb_docadmin 11/09/2000		S&L
/2	grantpr 01/03/2001	gilfokm 01/03/2001	jfrantze 01/04/2001	_____	lrb_docadmin 01/04/2001		S&L
/3	grantpr 01/09/2001	gilfokm 01/09/2001	pgreensl 01/10/2001	_____	lrb_docadmin 01/10/2001		S&L
/4	grantpr 01/19/2001	gilfokm 01/19/2001	martykr 01/19/2001	_____	lrb_docadmin 01/19/2001		

FE Sent For:

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/3	grantpr 01/09/2001	gilfokm 01/09/2001	pgreensl 01/10/2001	_____	lrb_docadmin 01/10/2001		

*1/2-1/KMG  
1/9-01*

*KMG/19*

*Jdo  
KMG/19*

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/1			martykr 11/09/2000	<u>1/10</u> <u>06/RS</u>	lrb_docadmin 11/09/2000		S&L
/2	grantpr 01/03/2001	gilfokm 01/03/2001	jfrantze 01/04/2001		lrb_docadmin 01/04/2001		

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*3-1/10/01*  
*1/10/01*

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/?	grantpr 11/06/2000	gilfokm 11/08/2000					S&L
/1		12-1/3-01 King	martykr 11/09/2000		lrb_docadmin 11/09/2000		

FE Sent For:

Handwritten signatures and dates: 11/4, 11/4, and <END>

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1/?	grantpr	1-11/8 King	2/11/9	2/11/9 am			

FE Sent For:

<END>

DPI DRAFTS Converted & Modified	LRB Draft #	Drafter	Modification
Administration of state assessments to MPCP students (DPI)	0135/1	Grant	Allow for voluntary participation of MPCP schools. ✓
SAGE changes (DPI)	0123/P1	Lief	Recreate as a block grant with per pupil funding reduced to \$1,750 per free and reduced price lunch child. Schools accepting the funding would still be required to reduce class size to 15 in grades K-3, other current law requirements would not apply.

Finally, please draft the following items for inclusion in budget bill.

- RAC ✓ 1. Specify that seniority-based transfer rights for professional staff and choice of health-care provider are prohibited subjects of bargaining.
- MJC ✓ 2. Expand the special chartering status of UW-Milwaukee and Milwaukee Area Technical College to other UW and WTCS institutions and CESAs. These institutions could only create charter schools in school districts with membership counts, as determined for school aid purposes that exceed 10,000 members.
- PC ✓ 3. Expand eligibility for tuition aid under s. 121.79 20.255 (2) (cg) to include students that live in taxable foster group homes. The tuition payment shall be no greater than the prior year special education costs of such pupils that were not covered by federal or state special education aid payments. *i.e. only for spec. ed kids*
- MJC ✓ 4. Reduce funding for the SAGE evaluation under s. 118.43 (7) to \$125,000 annually and require the department to determine the scope of the evaluation and select the reviewer through a competitive process that ensures impartiality.
- PGV ✓ 5. Reduce summer school membership count for revenue limit purposes from the current law level of 40% to 25%.
- MJC ✓ 6. Eliminate the appropriation under s. 20.255 (2) (em), driver education local assistance.
- MJC ✓ 7. Allow Milwaukee charter schools chartered by UW-M, MATC and the City of Milwaukee to receive additional summer school aid in a manner similar to MPCP schools.
- PG ✓ 8. Eliminate the Sept. 1 school-start-date school district opt-out provision.
- PG ✓ 9. Pupil data disclosure - allow the state superintendent to release pupil data, if the pupil data is needed to perform an evaluation. The data can only be released to a researcher or research organization with which the state superintendent has contracted to perform an evaluation.

Q's re H 3 on p. 2

1. 121.29 (1) (d) ?

2. so state pays if pupil is in one of these

~~the~~ (taxable or not), ~~if~~ but tuition may

not exceed last year's spec. ed. costs of

such pupils (which pupils?) that amount

covered by fed'l or ill.-aid.

g - what abt reg. ed costs?

what if pupil not spec. ed?

Peter Maternowski:

current stat ok

but sad that state pays T for spec ed. kids in taxbase total home outside rd go to x amt.

if taxable, only sp-t ~~also~~ not reg. ed

total spec ed amt  
that amt = etc  
100-8 = 92



2001

Date (time) needed \_\_\_\_\_

LRB- 0948, 1

# DOA BUDGET DRAFT

PG: King: \_\_\_\_\_

Use the appropriate components and routines developed for bills.

>>FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget. ....

.....  
.....

### *Analysis by the Legislative Reference Bureau*

If titles are needed in the analysis, in the component bar:

For the main heading, execute: ..... create → anal: → title: → head

For the subheading, execute: ..... create → anal: → title: → sub

For the sub-subheading, execute: ..... create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: ..... create → anal: → text

*(attached)*

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

SECTION #.

Section #. 121.79 (1) (d) (intro.) of the statutes is amended to read:

121.79 (1) (d) (intro.) For pupils in foster homes, treatment foster homes<sup>2</sup> or group homes, if:

History: 1971 c. 125 ss. 459, 460, 522 (1); 1973 c. 89, 90, 336; 1975 c. 39, 199; 1977 c. 29; 1979 c. 34 s. 2102 (43)

(a); 1979 c. 60, 221; 1983 a. 27 ss. 1486m, 2202 (42); 1985 a. 29; 1993 a. 446.

the foster home, treatment foster home, or group home is located outside the school district in which the pupil's parent or guardian resides and either of the following (which applies

SEC. REP, 121.79 (1) (d) 1. ✓

SEC. CR, 121.79 (1) (d) 3. ✓

121.79 (1) (d) 3. The pupil is a child with a disability, as defined in s. 115.26<sup>5</sup> (5). Notwithstanding s. 121.83 (1) (d)<sup>1</sup>, the annual tuition rate for pupils under this subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c)<sup>1</sup>.

**INITIAL APPLICABILITY**

- In the component bar:  
 For the action phrase, execute: ..... create → action: → \*NS: → inappl  
 For the budget action phrase, execute: ..... create → action: → \*NS: → 93XX  
 For the text, execute: ..... create → text: → \*NS: → inappl
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

**SECTION #** 93 40 **f.** Initial applicability; .....

*public instruction.*

(#1) tuition payment by state.

*12.79 (1)(d) (instr), 1, and 3!* The treatment of sections ...

of the statutes first applies to *the payments of tuition in the 2001-02 school year.*

*(End)*

- In the component bar:  
 For the action phrase, execute: ..... create → action: → \*NS: → inappl  
 For the text, execute: ..... create → text: → \*NS: → inapplA
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_\_ **.** Initial applicability; .....

(#1) ( ) This act first applies to .....

Head ANALYSIS  
Education

sub PRIMARY AND SECONDARY EDUCATION

Currently, the state pays <sup>public school</sup> tuition for any pupils in a foster home, ~~treatment foster home,~~ or group home, ~~if the home~~ <sup>are</sup> located outside the school district in which the pupil's parent or guardian resides <sup>and</sup> the home is exempt from property taxation.

Under this bill, the state also pays <sup>public school</sup> tuition for any pupil <sup>who resides in</sup> such a home ~~that~~ ~~even if the home is subject to~~ ~~and receives~~ ~~special education,~~ ~~even if the~~ home ~~is~~ subject to property taxation.

**Grant, Peter**

---

**From:** Maternowski, Peter  
**Sent:** Wednesday, January 03, 2001 11:51 AM  
**To:** Grant, Peter  
**Subject:** Revision to LRB-0940/1

Peter,

Draft 0940/1 modifies the statutes governing the payment of state tuition to include special education pupils in non tax exempt foster homes.

Please modify the draft to add the requirement that districts are eligible for tuition aid for these pupils only if foster group home pupils comprise more than 2% of the district's enrollment, defined as in s. 121.004 (7).

Peter Maternowski  
State Budget Office  
608-266-1923  
peter.maternowski@doa.state.wi.us



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0940/1 ✓  
PG:kmg:km

2

DOA:.....Maternowski – State payment of tuition for pupils in foster homes  
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

if at least 2/3 of the school district's enrollment resides in such homes that are subject to property taxation

DON'T GEN. CAT.

1 AN ACT...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Currently, the state pays public school tuition for any pupil in a foster home, treatment foster home, or group home if the home is located outside the school district in which the pupil's parent or guardian resides and the home is exempt from property taxation.

Under this bill, the state also pays public school tuition for any pupil who resides in such a home and receives special education, even if the home is subject to property taxation.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

2 SECTION 1. 121.79 (1) (d) (intro.) of the statutes is amended to read:  
3 121.79 (1) (d) (intro.) For pupils in foster homes, treatment foster homes, or  
4 group homes, if the foster home, treatment foster home, or group home is located

1 outside the school district in which the pupil's parent or guardian resides and either  
2 of the following applies:

3 **SECTION 2.** 121.79 (1) (d) 1. of the statutes is repealed.

4 **SECTION 3.** 121.79 (1) (d) 3. of the statutes is created to read:

5 121.79 (1) (d) 3. The pupil is a child with a disability, as defined in s. 115.76 (5).  
6 Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this  
7 subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c).

8 **SECTION 9340. Initial applicability; public instruction.**

9 (1) TUITION PAYMENT BY STATE. The treatment of section 121.79 (1) (d) (intro.),  
10 1., and 3. of the statutes first applies to the payment of tuition in the 2001-02 school  
11 year.

12 (END)

✓  
INSERT  
2-5

2-5

pupils enrolled in the

, and at least 2% of the school district

~~attend~~

~~as determined~~

~~made a determination~~ to reside in

foster homes, treatment foster homes, or

group homes that <sup>are</sup> not exempt

under s. 70.11





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0940/Z 3

PG/kmg:jf

DOA:.....Maternowski – State payment of tuition for pupils in foster homes  
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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GEN. CAT.</sup> relating to: the budget.

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Under this bill, the state also pays public school tuition for any pupil who resides in such a home and receives special education, even if the home is subject to property taxation, if at least 2% of the school district's enrollment resides in such homes that are subject to property taxation.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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1 outside the school district in which the pupil's parent or guardian resides and either  
2 of the following applies:

3 **SECTION 2.** 121.79 (1) (d) 1. of the statutes is repealed.

4 **SECTION 3.** 121.79 (1) (d) 3. of the statutes is created to read:

5 121.79 (1) (d) 3. The pupil is a child with a disability, as defined in s. 115.76 (5),  
6 and at least 2% of the pupils enrolled in the school district reside in foster homes,  
7 treatment foster homes, or group homes that are not exempt under s. 70.11.  
8 Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this  
9 subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c).

10 **SECTION 9340. Initial applicability; public instruction.**

11 (1) TUITION PAYMENT BY STATE. The treatment of section 121.79 (1) (d) (intro.),  
12 1., and 3. of the statutes first applies to the payment of tuition in the 2001-02 school  
13 year.

14 (END)

2002-03

## Grant, Peter

---

**From:** Lief, Madelon  
**Sent:** Thursday, January 18, 2001 4:35 PM  
**To:** Grant, Peter  
**Subject:** FW: LRB-0940/3

This is your draft.

-----Original Message-----

**From:** Maternowski, Peter  
**Sent:** Thursday, January 18, 2001 4:27 PM  
**To:** Lief, Madelon  
**Subject:** LRB-0940/3

Lonnie,

Would you please revise LRB-0940, which relates to payment of tuition for pupils in non-tax-exempt foster homes, to increase the percentage threshold for eligible districts to 4% from 2%.

Thanks.

Peter Maternowski  
State Budget Office  
608-266-1923  
[peter.maternowski@doa.state.wi.us](mailto:peter.maternowski@doa.state.wi.us)



DOA:.....Maternowski - State payment of tuition for pupils in foster homes  
FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

a foster home, treatment foster home, or group home if the home is located outside the school district in which the pupil's parent or guardian resides and the pupil

1

AN ACT <sup>DON'T GEN. CAT.</sup> relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

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Under this bill, the state also pays public school tuition for any pupil who resides in ~~such a home and~~ receives special education, even if the home is subject to property taxation, if at least 1% of the school district's enrollment resides in such homes that are subject to property taxation.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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6 and at least 8% of the pupils enrolled in the school district reside in foster homes,  
7 treatment foster homes, or group homes that are not exempt under s. 70.11.  
8 Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this  
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11 (1) TUITION PAYMENT BY STATE. The treatment of section 121.79 (1) (d) (intro.),  
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14 (END)

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State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0940/4

PG:kmg:km

DOA:.....Maternowski – State payment of tuition for pupils in foster homes

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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