

2001 DRAFTING REQUEST

Bill

Received: 12/29/2000

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

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Alt. Drafters:

Subject: Education - state superintendent
Education - handicapped ed.

Extra Copies: MJL

Pre Topic:

DOA:.....Maternowski -

Topic:

Rules relating to special education

Instructions:

attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

s. 20.255 (1) (a) and to be released by the Secretary of the Department of Administration after the reorganization plan is implemented.

7. **Create a revolving loan fund for Charter School Start up costs.** Create a revolving loan fund from which the department will awards loans to school districts to support the development of charter schools. Funding can be used for capital expenditures, staff development activities, curriculum development and other costs associated with the start-up of schools chartered by a school board. Provide one-time funding of \$1.0 million GPR in a new appropriation, plus direct department to use \$1.0 million in federal charter school funding to capitalize the revolving loan fund. Loans from the fund are to be repaid over a five-year period, with the first annual repayment made during the fiscal year following the fiscal year in which the loan was awarded.
8. **Special Ed rules:** Require the State Superintendent to ensure that all special education rules promulgated by the department are to identical to federal guidelines.
9. **Virtual Education Rulemaking:** Require, that prior to promulgating any rules related to virtual education, DPI receive approval for the proposed rules from TEACH, WTCS and DOA.
10. **Bilingual/Bicultural Education:** Earmark \$1.0 million in the appropriation under s. 20.255 (2) (cc), *Bilingual-bicultural education aids*, in FY03 and thereafter for grants to school districts to develop "dual-immersion" bilingual education programs.
11. **Bilingual/Bicultural Education eligibility requirements:** Districts that meet the pupil count thresholds specified under s. 115.97 are required to establish a bilingual-bicultural education program for those pupils. A bilingual teacher, (also under s. 115.97), must teach these programs. For programs designed to serve pupils in the elementary grades, repeal the requirement that a school board hire a bilingual teacher.
12. **MPCP Eligibility Criteria:** S. 119.23 (2) (a) 1 specifies that to be eligible to participate in the MPCP a child must be a member of a family that has a total income that does not exceed 175% of federal poverty level. Increase the threshold to 185% and provide that once a pupil attends a private school under the program, they remain eligible in subsequent years.
13. **St. Thomas More MPCP eligibility:** Under current law only schools that are located within the City of Milwaukee are eligible to participate in the MPCP. Allow a school to participate in the program if the school grounds upon which the school is sited is located in whole or in part in the City of Milwaukee.

Thank you for your assistance.

2001

Date (time) needed

SOON

LRB- 1700, 1

DOA BUDGET DRAFT

(DN)

PG: jld:

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.

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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 #.

SEC. # RN, 115.898, 115.898(1) ✓

SEC. # CR, 115.898(2)

115.898(2) ^(b) to the extent practicable, the
state superintendent ✓ shall ensure that all
rules promulgated under the authority of this
~~the~~ subchapter are identical to ^{the} federal
regulations adopted under the authority of
25 USC 1405 to 1487.

(Ehd) ✓

ANALYSIS

EDUCATION ← head

PRIMARY AND SECONDARY EDUCATION ← sub

¶ This bill directs the state superintendent of public instruction to ensure, to the extent practicable, that all rules promulgated by DPI that relate to special education are identical to ~~the~~ federal regulations that relate to special education.

DN

Peter:
=

Instead of requiring DPI to copy
federal regulations, it might be better to
identify the rules that are objectionable and
propose laws that would require DPI
to revise their rules ^{in order to comply} ~~consistent~~ with the
new laws.

PG

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1700/ldn
PG:jld:km

January 2, 2001

Peter:

Instead of requiring DPI to copy federal regulations, it might be better to identify the rules that are objectionable and propose laws that would require DPI to revise their rules in order to comply with the new laws.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.state.wi.us



DOA:.....Maternowski – Rules relating to special education

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill directs the state superintendent of public instruction to ensure, to the extent practicable, that all rules promulgated by DPI that relate to special education are identical to federal regulations that relate to special education.

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

2 **SECTION 1.** 115.898 of the statutes is renumbered 115.898 (1).

3 **SECTION 2.** 115.898 (2) of the statutes is created to read:

4 115.898 (2) To the extent practicable, the state superintendent shall ensure
5 that all rules promulgated under the authority of this subchapter are identical to the
6 federal regulations adopted under the authority of 20 USC 1400 to 1487.

7 (END)