

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/23/2001

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Tessmer

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Addl. Drafters:

Subject: Education - state superintendent
Education - handicapped ed.

Extra Copies: MJL

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Tessmer - AM83,

Topic:

School for the deaf

Instructions:

See 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>
/?	grantpr 06/24/2001	csicilia 06/26/2001		_____			
/1			jfrantze 06/26/2001	_____	lrb_docadmin 06/26/2001		

FE Sent For:

<END>

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/?	grantpr		<i>Done/26</i>	<i>BT/26</i>			

FE Sent For:

<END>

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

Statement of Intent Take the Center Concept of the Wisconsin Center for the Blind and Visually Impaired (formerly the School for the Blind) and apply it to the School for the Deaf.

Legislator Olsen **Amendment** 83

Legislator 2 **Pass or Fail** Pass

Legislator 3 **Spending Cut**

Legislator 4 **Withdrawn**

Staff contact Mary **Package**

Agency Public Instruction

Summary This amendment will have the following effect:

1. Change the name of the Wisconsin School for the Deaf to the Wisconsin Education Services Program for the Deaf and Hard of Hearing.
2. Expand the purpose of the school to incorporate more statewide outreach. The School for the Deaf would remain a part of the program, but the mission of the Wisconsin Education Services Program for the Deaf and Hard of Hearing would be to serve as a statewide educational resource for deaf and hard of hearing students across the state.
3. Create a Deaf and Hard of Hearing Education Council to advise the State Superintendent.
4. Require the Legislative Audit Bureau to conduct a performance evaluation of the program during the 2004-05 fiscal year.

Fiscal Impact None. The fiscal impact prepared for AB383 indicates no fiscal impact in the biennium.

Drafting Inst

ARC Analyst Tessmer

Request # 281

Friday, June 22, 2001

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2001

Date (time) needed _____

LRB b 1734 / 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

PG : cjs :

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page 31., line 15: *after that line insert :*

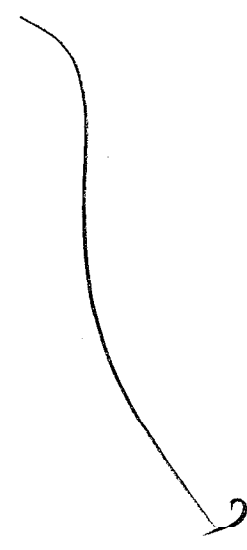
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ASSEMBLY BILL 383

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:

1 → " SECTION ^{181 m} 15.377 (2) of the statutes is created to read:

2 15.377 (2) DEAF AND HARD-OF-HEARING EDUCATION COUNCIL. There is created a
3 deaf and hard-of-hearing education council in the department of public instruction.
4 The council shall consist of the following members, at least 3 of whom must be
5 hearing impaired, appointed by the state superintendent of public instruction for
6 3-year terms:

7 (a) Two parents of children who are hearing impaired.

8 (b) One licensed teacher of pupils who are hearing impaired.

9 (c) One person who is licensed as a speech-language pathologist under subch.
10 II of ch. 459.

11 (d) One school district special education director.

12 (e) One person who is licensed as an audiologist under subch. II of ch. 459 and
13 whose expertise is in educational audiology.

14 (f) One person who is experienced in educating the hearing impaired, or in
15 educating teachers of the hearing impaired, and is affiliated with an institution of
16 higher education.

17 (g) One person who is an instructor in a technical college interpreter training
18 program.

19 (h) One person employed as an educational interpreter.

20 (i) Three other members.)) ←

21 # Page 88, line 16: after "(1)" insert "and 16.974 (4), as renumbered,"
~~SECTION 16.974 (7)(d) of the statutes is amended to read:~~

☞ * Page 88, line 15: delete lines 15 and 16 and substitute:

☞ "Section 371 b. 16.974 (7)(b) to (d) of the statutes are renumbered 16.974(2) to (4), and 16.974(4), as renumbered, is amended to read: →

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(4) 16.974 ~~16.974~~ Coordinate with the technology for educational achievement in

1

2 Wisconsin board to provide the Wisconsin Center for the Blind and Visually Impaired
3 and the Wisconsin School Educational Services Program for the Deaf and Hard of
4 Hearing with telecommunications access under s. 44.73 and contract with
5 telecommunications providers to provide such access. 13

INS.
3-5

6 " SECTION 3. 20.255 (1) (b) of the statutes is amended to read:

7 20.255 (1) (b) *General program operations; School Wisconsin Educational*
8 *Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the*
9 *Blind and Visually Impaired.* The amounts in the schedule for the operation and
10 maintenance of the facilities of the Wisconsin School Educational Services Program
11 for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually
12 Impaired, including the matching of federal funds, but not including expenses
13 financed under par. (js).

Page 316, line 2. delete lines 2 to 4 and substitute:

~~SECTION 4. 20.255 (1) (c) of the statutes is amended to read:~~

15 " 20.255 (1) (c) *Energy costs; School Wisconsin Educational Services Program for*
16 *the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually*
17 *Impaired.* The amounts in the schedule to be used at the facilities of the Wisconsin
18 School Educational Services Program for the Deaf and Hard of Hearing and the
19 Wisconsin Center for the Blind and Visually Impaired to pay for ~~utilities~~

20 heat and air conditioning, to pay costs incurred by or on behalf of the department
21 under ss. 16.858 and 16.895, and to repay to the energy efficiency fund loans made
22 to the department under s. 16.847 (6).

Page 316, line 13. after that line insert:

23 " SECTION 5. 20.255 (1) (gb) of the statutes is amended to read:

24 20.255 (1) (gb) *School Wisconsin Educational Services Program for the Deaf*
25 *and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired;*

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SECTION 5

1 *nonresident fees.* All moneys received from fees charged nonresident pupils for
2 services provided at by the Wisconsin School Educational Services Program for the
3 Deaf and Hard of Hearing under s. 115.52 (3) and for services provided by the
4 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 (3) (a) 3.

5 SECTION ^{545 f} ~~6~~ 20.255 (1) (gh) of the statutes is amended to read:

6 20.255 (1) (gh) *School Wisconsin Educational Services Program for the Deaf*
7 *and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired;*
8 *hospitalization.* All moneys received on account of hospitalization under s. 115.53
9 (4) for the operation of the Wisconsin School Educational Services Program for the
10 Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually
11 Impaired.

12 SECTION ^{545 h} ~~7~~ 20.255 (1) (gL) of the statutes is amended to read:

13 20.255 (1) (gL) *Wisconsin Educational Services Program for the Deaf and Hard*
14 *of Hearing and Wisconsin Center for the Blind and Visually Impaired; leasing of*
15 *space.* All moneys received from leasing space at the facilities of the Wisconsin
16 Educational Services Program for the Deaf and Hard of Hearing under s. 115.52 (6)
17 and at the Wisconsin Center for the Blind and Visually Impaired under s. 115.525
18 (6) for the operation and maintenance of the center and program.

19 SECTION ^{545 j} ~~8~~ 20.255 (1) (gs) of the statutes is amended to read:

20 20.255 (1) (gs) *School Wisconsin Educational Services Program for the Deaf*
21 *and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired;*
22 *services.* All moneys received from services provided at by the Wisconsin School
23 Educational Services Program for the Deaf and Hard of Hearing under s. 115.52 (6)
24 (5) and at by the Wisconsin Center for the Blind and Visually Impaired under s.
25 115.525 (5) for the operation and maintenance of the school program and the center.

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545L

1 SECTION ~~10~~ 20.255 (1) (gt) of the statutes is amended to read:

2 20.255 (1) (gt) School Wisconsin Educational Services Program for the Deaf and
3 Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; pupil
4 transportation. The amounts in the schedule for the weekend transportation of
5 pupils enrolled in the school operated by the Wisconsin School Educational Services
6 Program for the Deaf and Hard of Hearing under s. 115.52 or the school operated by
7 the Wisconsin Center for the Blind and Visually Impaired under s. 115.525 to and
8 from their homes. All moneys received under s. 115.53 (6) shall be credited to this
9 appropriation. ¹³ (C)

Page 523, line 11: after that line insert:

10 " SECTION ~~10~~ 39.41 (1) (bm) of the statutes is amended to read:

11 39.41 (1) (bm) "Senior" means a pupil enrolled in the 12th grade in a public or
12 private high school, the school operated by the Wisconsin School Educational
13 Services Program for the Deaf and Hard of Hearing or the school operated by the
14 Wisconsin Center for the Blind and Visually Impaired. ^{1381 g} (C)

Page 523, line 17: after that line insert:

15 " SECTION ~~11~~ 39.41 (1m) (c) 2. of the statutes is amended to read:

16 39.41 (1m) (c) 2. For the school operated by the Wisconsin School Educational
17 Services Program for the Deaf and Hard of Hearing, designate the senior with the
18 highest grade point average in all subjects as a scholar.

19 SECTION ~~12~~ ^{1381 r} 39.41 (1m) (fm) of the statutes is amended to read:

20 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
21 School Educational Services Program for the Deaf and Hard of Hearing have the
22 same grade point average and, except for the limitation of one designated senior, are
23 otherwise eligible for designation under par. (c) 2., the executive secretary shall
24 make the designation under par. (c) 2. of the senior who may be eligible for a higher
25 education scholarship as a scholar and, if that senior does not qualify for a higher

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1 education scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the
 2 remaining seniors with the same grade point average as eligible for a higher
 3 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship
 4 may be awarded by the board. ²⁾ [⊙]

Page 538, line 17: delete lines 17 and 18 and substitute:

~~SECTION 13. 44.70 (2g) of the statutes is amended to read:~~

6 44.70 (2g) "Educational agency" means a school district, private school,
 7 cooperative educational service agency, technical college district, private college,
 8 public library system, public library board, [⊙] the Wisconsin Center for the Blind and

9 Visually Impaired, or the Wisconsin School Educational Services Program for the
 10 Deaf and Hard of Hearing. ²⁾ [⊙]

Page 562, line 15: after that line insert:

11 " SECTION 14. 46.041 (1) (a) of the statutes is amended to read:

12 46.041 (1) (a) Provide for the temporary residence and evaluation of children
 13 referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the
 14 institutions and services under the jurisdiction of the department, University of
 15 Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215,
 16 46.22 or 46.23, private child welfare agencies, the Wisconsin School Educational
 17 Services Program for the Deaf and Hard of Hearing, the Wisconsin Center for the
 18 Blind and Visually Impaired, and mental health facilities within the state at the
 19 discretion of the director of the institution providing services under this section. ²⁾ [⊙]

Page 574, line 2: after that line insert.

20 " SECTION 15. 49.45 (39) (a) 1. of the statutes is amended to read:

21 49.45 (39) (a) 1. ^{1556 e ← its the letter "e"} "School" means a public school described under s. 115.01 (1),

22 a charter school, as defined in s. 115.001 (1), the Wisconsin Center for the Blind and
 23 Visually Impaired, or the Wisconsin School Educational Services Program for the
 24 Deaf and Hard of Hearing. It includes school-operated early childhood programs for
 25 developmentally delayed and disabled 4-year-old and 5-year-old children.

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1 SECTION ~~16~~^{1556g}. 49.45 (39) (am) of the statutes is amended to read:

2 49.45 (39) (am) *Plan amendment*. No later than September 30, 1995, the
3 department shall submit to the federal department of health and human services an
4 amendment to the state medical assistance plan to permit the application of pars. (b)
5 and (c). If the amendment to the state plan is approved, school districts, cooperative
6 educational service agencies, and the department of public instruction on behalf of
7 the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School
8 Educational Services Program for the Deaf and Hard of Hearing claim
9 reimbursement under pars. (b) and (c). Paragraphs (b) and (c) do not apply unless
10 the amendment to the state plan is approved and in effect. The department shall
11 submit to the federal department of health and human services an amendment to the
12 state plan if necessary to permit the application of pars. (b) and (c) to the Wisconsin
13 Center for the Blind and Visually Impaired and the Wisconsin School Educational
14 Services Program for the Deaf and Hard of Hearing.


15 SECTION ~~17~~¹⁵⁵⁶ⁱ. 49.45 (39) (b) of the statutes is amended to read:

16 49.45 (39) (b) *School medical services*. 1. 'Payment for school medical services.'
17 If a school district or a cooperative educational service agency elects to provide school
18 medical services and meets all requirements under par. (c), the department shall
19 reimburse the school district or the cooperative educational service agency for 60%
20 of the federal share of allowable charges for the school medical services that it
21 provides and, as specified in subd. 2., for allowable administrative costs. If the
22 Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School
23 Educational Services Program for the Deaf and Hard of Hearing elects to provide
24 school medical services and meets all requirements under par. (c), the department
25 shall reimburse the department of public instruction for 60% of the federal share of

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1 allowable charges for the school medical services that the Wisconsin Center for the
2 Blind and Visually Impaired or the Wisconsin School Educational Services Program
3 for the Deaf and Hard of Hearing provides and, as specified in subd. 2., for allowable
4 administrative costs. A school district, cooperative educational service agency, the
5 Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School
6 Educational Services Program for the Deaf and Hard of Hearing may submit, and
7 the department shall allow, claims for common carrier transportation costs as a
8 school medical service unless the department receives notice from the federal health
9 care financing administration that, under a change in federal policy, the claims are
10 not allowed. If the department receives the notice, a school district, cooperative
11 educational service agency, the Wisconsin Center for the Blind and Visually
12 Impaired, or the Wisconsin School Educational Services Program for the Deaf and
13 Hard of Hearing may submit, and the department shall allow, unreimbursed claims
14 for common carrier transportation costs incurred before the date of the change in
15 federal policy. The department shall promulgate rules establishing a methodology
16 for making reimbursements under this paragraph. All other expenses for the school
17 medical services provided by a school district or a cooperative educational service
18 agency shall be paid for by the school district or the cooperative educational service
19 agency with funds received from state or local taxes. The school district, the
20 Wisconsin Center for the Blind and Visually Impaired, the Wisconsin School
21 Educational Services Program for the Deaf and Hard of Hearing, or the cooperative
22 educational service agency shall comply with all requirements of the federal
23 department of health and human services for receiving federal financial
24 participation.


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1 2. 'Payment for school medical services administrative costs.' The department
2 shall reimburse a school district or a cooperative educational service agency specified
3 under subd. 1. and shall reimburse the department of public instruction on behalf
4 of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School
5 Educational Services Program for the Deaf and Hard of Hearing for 90% of the
6 federal share of allowable administrative costs, using time studies, beginning in
7 fiscal year 1999-2000. A school district or a cooperative ~~education~~ educational
8 service agency may submit, and the department of health and family services shall
9 allow, claims for administrative costs incurred during the period that is up to 24
10 months before the date of the claim, if allowable under federal law. ¹¹ 

#. Page 914, line 21: after that line insert:

11 → " SECTION ~~18~~. 115.31 (1) (b) of the statutes is amended to read:

12 2630 m
115.31 (1) (b) "Educational agency" means a school district, cooperative
13 educational service agency, state correctional institution under s. 302.01, secured
14 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,
15 as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually
16 Impaired, the Wisconsin School Educational Services Program for the Deaf and Hard
17 of Hearing, the Mendota mental health institute, the Winnebago mental health
18 institute, a state center for the developmentally disabled, a private school, or a
19 private, nonprofit, nonsectarian agency under contract with a school board under s.

20 118.153 (3) (c). ²¹ 

#. Page 916, line 1: after that line insert:

21 → " SECTION ~~19~~. Subchapter III (title) of chapter 115 [precedes 115.51] of the
22 statutes is amended to read:

CHAPTER 115**SUBCHAPTER III****STATE SCHOOL WISCONSIN**

1 EDUCATIONAL SERVICES PROGRAM

2 FOR THE DEAF AND HARD OF HEARING

3 AND STATE WISCONSIN CENTER

4 FOR THE BLIND AND

5 VISUALLY IMPAIRED

6 SECTION ~~20~~ ^{2660r} 115.51 (2) of the statutes is repealed and recreated to read:

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

9 2.

10 SECTION ~~21~~ ^{2660t} 115.52 of the statutes is repealed and recreated to read:

11 **115.52 Wisconsin Educational Services Program for the Deaf and Hard**
12 **of Hearing.** (1) **DEFINITION.** In this section, "program" means the Wisconsin
13 Educational Services Program for the Deaf and Hard of Hearing.

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

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

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

23 (a) *School.* 1. 'Residents 3 to 20 years old.' The program shall operate a school
24 at which any resident of this state 3 to 20 years old who is hearing impaired, and for
25 the duration of a school term any resident of this state who is hearing impaired and

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1 becomes 21 years old during that school term, shall be received and taught free of
2 charge if the individualized education program for the resident under s. 115.787 and
3 the educational placement under s. 115.79 specify the school operated by the
4 program as the appropriate placement.

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

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

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

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

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SECTION 21

1 6. ‘Transportation.’ The program may provide transportation for resident
2 pupils at the school operated by the program.

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

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

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

10 3. Develop and disseminate curriculum and instructional materials.

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

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

16 6. Provide access to educational materials to children who are hearing
17 impaired.

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

19 8. Serve as a clearinghouse for information about children who are hearing
20 impaired.

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

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

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

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

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

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

15 3. 'Summer programs.' The program shall provide summer programs each year
16 for children who are hearing impaired.

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

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

24 (4) **NONDISCRIMINATION.** All pupils in the program may equally and freely enjoy
25 the benefits and privileges of the program, have the use of the library and books of

ASSEMBLY BILL 383**SECTION 21**

1 instruction, and receive board, lodging, and linens, without discrimination, except
2 that the director of the program may determine that board, lodging, and linens may
3 not be provided to an individual because appropriate services are not available for
4 that individual at the program's residential facilities.

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

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

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

17 SECTION ~~27~~^{2661 m}. 115.53 (2) of the statutes is amended to read:

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

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1 district responsible for the provision of a free appropriate public education under
2 subch. V.

3 SECTION ~~27~~^{2661 P} 115.53 (3) (a) of the statutes is amended to read:

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

8 SECTION ~~27~~^{2661 P} 115.53 (4) of the statutes is amended to read:

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

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

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

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1 the hospital. The state superintendent shall make payments for the treatment to the
 2 University of Wisconsin Hospitals and Clinics Authority. Funds collected by the
 3 state superintendent on account of the hospitalization shall be credited to the
 4 appropriation under s. 20.255 (1) (gh) for the school or center concerned.

5 SECTION ~~26~~^{2661 t}. 115.53 (5) of the statutes is amended to read:

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

12 SECTION ~~26~~^{2662 g}. 115.54 of the statutes is amended to read:

13 115.54 **Compulsory education.** If it appears, by affidavit, to any circuit
 14 judge that any deaf child who is either hearing impaired or ~~child who is~~ visually
 15 impaired and who is between the ages of 6 and 21 is deprived of a suitable education
 16 by the failure of the person having the care and custody of the child to provide a
 17 suitable education, the judge shall order the person to bring the child before the
 18 judge. If the material allegations of the affidavit are denied, the judge shall subpoena
 19 witnesses and hear testimony. If the allegations are admitted or established, the
 20 judge may order the child sent to the school operated by the Wisconsin School
 21 Educational Services Program for the Deaf and Hard of Hearing, the school operated
 22 by the Wisconsin Center for the Blind and Visually Impaired or to some class or other
 23 school for instruction, but the order may not make a direct charge for the class or
 24 school against any county. ¹²⁰

Page 925, line 14: after that line insert:

25 " SECTION ~~27~~^{2764 m}. 121.05 (1) (a) 8. of the statutes is amended to read:

ASSEMBLY BILL 383

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

#. Page 929, line 5: after that line insert:

8 → " SECTION 28. 121.54 (3) of the statutes is amended to read:

9 121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board
10 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),
11 to any public or private elementary or high school, to the school operated by the
12 Wisconsin Center for the Blind and Visually Impaired or the school operated by the
13 Wisconsin School Educational Services Program for the Deaf and Hard of Hearing
14 or to any special education program for children with disabilities sponsored by a state
15 tax-supported institution of higher education, including a technical college,
16 regardless of distance, if the request for such transportation is approved by the state
17 superintendent. Approval shall be based on whether or not the child can walk to
18 school with safety and comfort. Section 121.53 shall apply to transportation provided

19 under this subsection. ¹²⁾

#. Page 1236, line 12: after that line insert:

20 → " SECTION 29. 940.295 (2) (j) of the statutes is amended to read:

21 940.295 (2) (j) The Wisconsin School Educational Services Program for the
22 Deaf and Hard of Hearing under s. 115.52 and the Wisconsin Center for the Blind and
23 Visually Impaired under s. 115.525. ¹²⁾

#. Page 1349, line 10: after that line insert:

24 ~~SECTION 30. Nonstatutory provisions (1)~~ DEAF AND HARD-OF-HEARING
25 EDUCATION COUNCIL. Notwithstanding the length of term specified in section 15.377

Non
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9 (39)

ASSEMBLY BILL 383

1 (2) of the statutes, as affected by this act, one of the initial members of the deaf and
2 hard-of-hearing education council appointed under section 15.377 (2) (a) of the
3 statutes, as affected by this act, one of the initial members appointed under section
4 15.377 (2) (i) of the statutes, as affected by this act, the initial member appointed
5 under section 15.377 (2) (b) of the statutes, as affected by this act, and the initial
6 member appointed under section 15.377 (2) (c) of the statutes, as affected by this act,
7 shall serve for terms expiring on July 1, 2002; the initial member appointed under
8 section 15.377 (2) (d), (e) and (f) of the statutes, as affected by this act, and one of the
9 initial members appointed under section 15.377 (2) (i) of the statutes, as affected by
10 this act, shall serve for terms expiring on July 1, 2003; and the initial member
11 appointed under section 15.377 (2) (g) and (h) of the statutes, as affected by this act,
12 one of the initial members appointed under section 15.377 (2) (a) of the statutes, as
13 affected by this act, and one of the members appointed under section 15.377 (2) (i)
14 of the statutes, as affected by this act, shall serve for terms expiring on July 1, 2004.

15 (END)

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22
a

"Gen pgm ops; school for the deaf"

INS 3-5:1

#. Page 134, line 1: delete ~~that line~~ and

no #
no #

substitute "Gen pgm ops; Wis educ services pgm for the deaf and hard of hrg ~~services~~".

#. Page 134 line 2: delete "and ctr" and substitute "and Wis ctr".

#. Page 134, line 4: delete ~~that line~~ and

"Energy costs; school for the deaf"

no #
no #

substitute "Energy costs; Wis educ services pgm for the deaf and hard of hearing".

#. Page 134, line 5: delete "and center" and

substitute "and Wis center".

"School for the deaf and center for"

#. Page 134, line 10: delete ~~that line~~ and

"School for the deaf and ctr for the"

substitute "Wis educ services pgm for the deaf and hard of hearing and Wis center for".

#. Page 134, line 13: delete ~~that line~~ and substitute

"Wis educ services pgm for the deaf and hard of hearing and Wis ctr for the".

INS 3-5:2

Page 134, line 16: delete ~~that line~~ and ^{"Center"}
substitute "Wis educ services pgm for the deaf
and hard of hearing and Wis ctr" ①

Page 134, line 18: delete ~~that line~~ and
substitute "Wis educ services pgm for the deaf
and hard of hearing and Wis ctr for" .

Page 134, line 20: delete ~~that line~~ and substitute
"Wis educ services pgm for the deaf and hard
of hearing and Wis ctr for the" ①

Page 315, line 25: alter that line insert:

"School for the deaf
and ctr for the"

"School for the
deaf and center
for"



ARC:.....Tessmer – AM83, School for the deaf

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 **1.** Page 31, line 15: after that line insert:

3 “**SECTION 181m.** 15.377 (2) of the statutes is created to read:

4 15.377 (2) **DEAF AND HARD-OF-HEARING EDUCATION COUNCIL.** There is created a

5 deaf and hard-of-hearing education council in the department of public instruction.

6 The council shall consist of the following members, at least 3 of whom must be

7 hearing impaired, appointed by the state superintendent of public instruction for

8 3-year terms:

9 (a) Two parents of children who are hearing impaired.

10 (b) One licensed teacher of pupils who are hearing impaired.

1 (c) One person who is licensed as a speech–language pathologist under subch.
2 II of ch. 459.

3 (d) One school district special education director.

4 (e) One person who is licensed as an audiologist under subch. II of ch. 459 and
5 whose expertise is in educational audiology.

6 (f) One person who is experienced in educating the hearing impaired, or in
7 educating teachers of the hearing impaired, and is affiliated with an institution of
8 higher education.

9 (g) One person who is an instructor in a technical college interpreter training
10 program.

11 (h) One person employed as an educational interpreter.

12 (i) Three other members.”.

13 **2.** Page 88, line 15: delete lines 15 and 16 and substitute:

14 **“SECTION 371b.** 16.974 (7) (b) to (d) of the statutes are renumbered 16.974 (2)
15 to (4), and 16.974 (4), as renumbered, is amended to read:

16 16.974 (4) Coordinate with the technology for educational achievement in
17 Wisconsin board to provide the Wisconsin Center for the Blind and Visually Impaired
18 and the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of
19 Hearing with telecommunications access under s. 44.73 and contract with
20 telecommunications providers to provide such access.”.

21 **3.** Page 134, line 1: delete “Gen pgm ops; school for the deaf” and substitute
22 “Gen pgm ops; Wis educ services pgm for the deaf and hard of hrg”.

23 **4.** Page 134, line 2: delete “and ctr” and substitute “and Wis ctr”.

1 **5.** Page 134, line 4: delete “Energy costs; school for the deaf” and substitute
2 “Energy costs; Wis educ services pgm for the deaf and hard of hearing”.

3 **6.** Page 134, line 5: delete “and center” and substitute “and Wis center”.

4 **7.** Page 134, line 10: delete “School for the deaf and center for” and substitute
5 “Wis educ services pgm for the deaf and hard of hearing and Wis center for”.

6 **8.** Page 134, line 13: delete “School for the deaf and ctr for the” and substitute
7 “Wis educ services pgm for the deaf and hard of hearing and Wis ctr for the”.

8 **9.** Page 134, line 16: delete “Center” and substitute “Wis educ services pgm for
9 the deaf and hard of hearing and Wis ctr”.

10 **10.** Page 134, line 18: delete “School for the deaf and center for” and substitute
11 “Wis educ services pgm for the deaf and hard of hearing and Wis ctr for”.

12 **11.** Page 134, line 20: delete “School for the deaf and ctr for the” and substitute
13 “Wis educ services pgm for the deaf and hard of hearing and Wis ctr for the”.

14 **12.** Page 315, line 25: after that line insert:

15 “**SECTION 541r.** 20.255 (1) (b) of the statutes is amended to read:

16 20.255 (1) (b) *General program operations; ~~School~~ Wisconsin Educational*
17 *Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the*
18 *Blind and Visually Impaired. The amounts in the schedule for the operation and*
19 *maintenance of the facilities of the Wisconsin School Educational Services Program*
20 *for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually*
21 *Impaired, including the matching of federal funds, but not including expenses*
22 *financed under par. (js).”.*

23 **13.** Page 316, line 2: delete lines 2 to 4 and substitute:

1 “20.255 (1) (c) *Energy costs; School Wisconsin Educational Services Program*
2 *for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually*
3 *Impaired.* The amounts in the schedule to be used at the facilities of the Wisconsin
4 School Educational Services Program for the Deaf and Hard of Hearing and the
5 Wisconsin Center for the Blind and Visually Impaired to pay for”.

6 **14.** Page 316, line 13: after that line insert:

7 “**SECTION 545d.** 20.255 (1) (gb) of the statutes is amended to read:

8 20.255 (1) (gb) *School Wisconsin Educational Services Program for the Deaf*
9 *and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired;*
10 *nonresident fees.* All moneys received from fees charged nonresident pupils for
11 services provided at by the Wisconsin School Educational Services Program for the
12 Deaf and Hard of Hearing under s. 115.52 (3) and for services provided by the
13 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 (3) (a) 3.

14 **SECTION 545f.** 20.255 (1) (gh) of the statutes is amended to read:

15 20.255 (1) (gh) *School Wisconsin Educational Services Program for the Deaf*
16 *and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired;*
17 *hospitalization.* All moneys received on account of hospitalization under s. 115.53
18 (4) for the operation of the Wisconsin School Educational Services Program for the
19 Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually
20 Impaired.

21 **SECTION 545h.** 20.255 (1) (gL) of the statutes is amended to read:

22 20.255 (1) (gL) *Wisconsin Educational Services Program for the Deaf and Hard*
23 *of Hearing and Wisconsin Center for the Blind and Visually Impaired; leasing of*
24 *space.* All moneys received from leasing space at the facilities of the Wisconsin

1 Educational Services Program for the Deaf and Hard of Hearing under s. 115.52 (6)
2 and at the Wisconsin Center for the Blind and Visually Impaired under s. 115.525
3 (6) for the operation and maintenance of the center and program.

4 **SECTION 545j.** 20.255 (1) (gs) of the statutes is amended to read:

5 20.255 (1) (gs) *School Wisconsin Educational Services Program for the Deaf*
6 *and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired;*
7 *services.* All moneys received from services provided at by the Wisconsin School
8 Educational Services Program for the Deaf and Hard of Hearing under s. 115.52 (~~6~~)
9 (5) and at by the Wisconsin Center for the Blind and Visually Impaired under s.
10 115.525 (5) for the operation and maintenance of the school program and the center.

11 **SECTION 545L.** 20.255 (1) (gt) of the statutes is amended to read:

12 20.255 (1) (gt) *School Wisconsin Educational Services Program for the Deaf and*
13 *Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired;* *pupil*
14 *transportation.* The amounts in the schedule for the weekend transportation of
15 pupils enrolled in the school operated by the Wisconsin School Educational Services
16 Program for the Deaf and Hard of Hearing under s. 115.52 or the school operated by
17 the Wisconsin Center for the Blind and Visually Impaired under s. 115.525 to and
18 from their homes. All moneys received under s. 115.53 (6) shall be credited to this
19 appropriation.”.

20 **15.** Page 523, line 11: after that line insert:

21 **“SECTION 1381g.** 39.41 (1) (bm) of the statutes is amended to read:

22 39.41 (1) (bm) “Senior” means a pupil enrolled in the 12th grade in a public or
23 private high school, the school operated by the Wisconsin School Educational

1 Services Program for the Deaf and Hard of Hearing or the school operated by the
2 Wisconsin Center for the Blind and Visually Impaired.”.

3 **16.** Page 523, line 17: after that line insert:

4 “**SECTION 1381p.** 39.41 (1m) (c) 2. of the statutes is amended to read:

5 39.41 (1m) (c) 2. For the school operated by the Wisconsin School Educational
6 Services Program for the Deaf and Hard of Hearing, designate the senior with the
7 highest grade point average in all subjects as a scholar.

8 **SECTION 1381r.** 39.41 (1m) (fm) of the statutes is amended to read:

9 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
10 School Educational Services Program for the Deaf and Hard of Hearing have the
11 same grade point average and, except for the limitation of one designated senior, are
12 otherwise eligible for designation under par. (c) 2., the executive secretary shall
13 make the designation under par. (c) 2. of the senior who may be eligible for a higher
14 education scholarship as a scholar and, if that senior does not qualify for a higher
15 education scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the
16 remaining seniors with the same grade point average as eligible for a higher
17 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship
18 may be awarded by the board.”.

19 **17.** Page 538, line 17: delete lines 17 to 18 and substitute:

20 “board, the Wisconsin Center for the Blind and Visually Impaired, or the
21 Wisconsin School Educational Services Program for the Deaf and Hard of Hearing.”.

22 **18.** Page 562, line 15: after that line insert:

23 “**SECTION 1489m.** 46.041 (1) (a) of the statutes is amended to read:

1 46.041 (1) (a) Provide for the temporary residence and evaluation of children
2 referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the
3 institutions and services under the jurisdiction of the department, University of
4 Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215,
5 46.22 or 46.23, private child welfare agencies, the Wisconsin School Educational
6 Services Program for the Deaf and Hard of Hearing, the Wisconsin Center for the
7 Blind and Visually Impaired, and mental health facilities within the state at the
8 discretion of the director of the institution providing services under this section.”

9 **19.** Page 571, line 2: after that line insert:

10 **“SECTION 1556e.** 49.45 (39) (a) 1. of the statutes is amended to read:

11 49.45 (39) (a) 1. “School” means a public school described under s. 115.01 (1),
12 a charter school, as defined in s. 115.001 (1), the Wisconsin Center for the Blind and
13 Visually Impaired, or the Wisconsin School Educational Services Program for the
14 Deaf and Hard of Hearing. It includes school-operated early childhood programs for
15 developmentally delayed and disabled 4-year-old and 5-year-old children.

16 **SECTION 1556g.** 49.45 (39) (am) of the statutes is amended to read:

17 49.45 (39) (am) *Plan amendment.* No later than September 30, 1995, the
18 department shall submit to the federal department of health and human services an
19 amendment to the state medical assistance plan to permit the application of pars. (b)
20 and (c). If the amendment to the state plan is approved, school districts, cooperative
21 educational service agencies, and the department of public instruction on behalf of
22 the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School
23 Educational Services Program for the Deaf and Hard of Hearing claim
24 reimbursement under pars. (b) and (c). Paragraphs (b) and (c) do not apply unless

1 the amendment to the state plan is approved and in effect. The department shall
2 submit to the federal department of health and human services an amendment to the
3 state plan if necessary to permit the application of pars. (b) and (c) to the Wisconsin
4 Center for the Blind and Visually Impaired and the Wisconsin School Educational
5 Services Program for the Deaf and Hard of Hearing.

6 **SECTION 1556i.** 49.45 (39) (b) of the statutes is amended to read:

7 49.45 (39) (b) *School medical services.* 1. 'Payment for school medical services.'

8 If a school district or a cooperative educational service agency elects to provide school
9 medical services and meets all requirements under par. (c), the department shall
10 reimburse the school district or the cooperative educational service agency for 60%
11 of the federal share of allowable charges for the school medical services that it
12 provides and, as specified in subd. 2., for allowable administrative costs. If the
13 Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School
14 Educational Services Program for the Deaf and Hard of Hearing elects to provide
15 school medical services and meets all requirements under par. (c), the department
16 shall reimburse the department of public instruction for 60% of the federal share of
17 allowable charges for the school medical services that the Wisconsin Center for the
18 Blind and Visually Impaired or the Wisconsin School Educational Services Program
19 for the Deaf and Hard of Hearing provides and, as specified in subd. 2., for allowable
20 administrative costs. A school district, cooperative educational service agency, the
21 Wisconsin Center for the Blind and Visually Impaired or the Wisconsin School
22 Educational Services Program for the Deaf and Hard of Hearing may submit, and
23 the department shall allow, claims for common carrier transportation costs as a
24 school medical service unless the department receives notice from the federal health
25 care financing administration that, under a change in federal policy, the claims are

1 not allowed. If the department receives the notice, a school district, cooperative
2 educational service agency, the Wisconsin Center for the Blind and Visually
3 Impaired, or the Wisconsin ~~School~~ Educational Services Program for the Deaf and
4 Hard of Hearing may submit, and the department shall allow, unreimbursed claims
5 for common carrier transportation costs incurred before the date of the change in
6 federal policy. The department shall promulgate rules establishing a methodology
7 for making reimbursements under this paragraph. All other expenses for the school
8 medical services provided by a school district or a cooperative educational service
9 agency shall be paid for by the school district or the cooperative educational service
10 agency with funds received from state or local taxes. The school district, the
11 Wisconsin Center for the Blind and Visually Impaired, the Wisconsin ~~School~~
12 Educational Services Program for the Deaf and Hard of Hearing, or the cooperative
13 educational service agency shall comply with all requirements of the federal
14 department of health and human services for receiving federal financial
15 participation.

16 2. 'Payment for school medical services administrative costs.' The department
17 shall reimburse a school district or a cooperative educational service agency specified
18 under subd. 1. and shall reimburse the department of public instruction on behalf
19 of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin ~~School~~
20 Educational Services Program for the Deaf and Hard of Hearing for 90% of the
21 federal share of allowable administrative costs, using time studies, beginning in
22 fiscal year 1999 2000. A school district or a cooperative education ~~education~~ educational
23 service agency may submit, and the department of health and family services shall
24 allow, claims for administrative costs incurred during the period that is up to 24
25 months before the date of the claim, if allowable under federal law.".

1 115.51 (2) “Hearing impaired” has the meaning given in the rules promulgated
2 by the state superintendent to define “hearing impairments” under s. 115.76 (5) (a)
3 2.

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

5 **115.52 Wisconsin Educational Services Program for the Deaf and Hard**
6 **of Hearing.** (1) **DEFINITION.** In this section, “program” means the Wisconsin
7 Educational Services Program for the Deaf and Hard of Hearing.

8 (1m) **PURPOSE.** The purpose of the program is to serve as a statewide
9 educational resource relating to hearing impairments to benefit all Wisconsin
10 children who are hearing impaired.

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

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

17 (a) *School.* 1. ‘Residents 3 to 20 years old.’ The program shall operate a school
18 at which any resident of this state 3 to 20 years old who is hearing impaired, and for
19 the duration of a school term any resident of this state who is hearing impaired and
20 becomes 21 years old during that school term, shall be received and taught free of
21 charge if the individualized education program for the resident under s. 115.787 and
22 the educational placement under s. 115.79 specify the school operated by the
23 program as the appropriate placement.

24 2. ‘Residents 21 years old or older’ The state superintendent may admit to the
25 school operated by the program a resident of the state who is hearing impaired and

1 is 21 years of age or older prior to the beginning of a school term upon the payment
2 of fees fixed by the state superintendent and upon the recommendation of the
3 secretary of health and family services, the director of the technical college system,
4 or the director of the program.

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

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

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

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

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

23 1. Provide evaluation services to assist local educational agencies, cooperative
24 educational service agencies, county children with disabilities education boards,
25 private schools, and others.

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

4 3. Develop and disseminate curriculum and instructional materials.

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

7 5. Provide training, technical assistance, and consultation services for parents
8 of children who are hearing impaired and for professionals who work with children
9 who are hearing impaired.

10 6. Provide access to educational materials to children who are hearing
11 impaired.

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

13 8. Serve as a clearinghouse for information about children who are hearing
14 impaired.

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

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

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

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

24 (c) *Additional services.* 1. 'Birth to 3 services.' The program may provide
25 instruction or services, or both, for children who are under the age of 3 and are

1 hearing impaired and their parents. The instruction or services are subject to the
2 approval of, and shall comply with requirements established by, the department.

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

9 3. 'Summer programs.' The program shall provide summer programs each year
10 for children who are hearing impaired.

11 4. 'Independent living skills.' With the approval of the state superintendent,
12 the program may allow individuals to receive instruction in and practice
13 independent living skills in state-owned housing at the program's facility in
14 Delavan.

15 (d) *Provision of services.* In addition to providing services at the program's
16 facility in Delavan, the program may provide services at any location in the state and
17 may operate regional satellite facilities throughout the state to provide services.

18 (4) NONDISCRIMINATION. All pupils in the program may equally and freely enjoy
19 the benefits and privileges of the program, have the use of the library and books of
20 instruction, and receive board, lodging, and linens, without discrimination, except
21 that the director of the program may determine that board, lodging, and linens may
22 not be provided to an individual because appropriate services are not available for
23 that individual at the program's residential facilities.

24 (5) CHARGES. The state superintendent may charge for meals, living quarters,
25 laundry, and other services furnished to employees of the program and their families.

1 The state superintendent may charge for services furnished to visitors to the
2 program's facilities and participants in training programs and institutes.

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

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

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

12 115.53 (2) Arrange for vocational, trade or academic training for any pupil in
13 either the school operated by the Wisconsin Center for the Blind and Visually
14 Impaired or the Wisconsin School Educational Services Program for the Deaf and
15 Hard of Hearing qualified to take such training advantageously, in either a public
16 school or technical college or a private business establishment in Janesville or
17 Delavan. The public school and the technical college shall be paid the regular tuition
18 for full-time attendance and proportionally for part-time attendance by the school
19 district responsible for the provision of a free appropriate public education under
20 subch. V.

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

22 115.53 (3) (a) Arrange for otological or ophthalmic examination of any pupil or
23 prospective pupil of the Wisconsin School Educational Services Program for the Deaf
24 and Hard of Hearing. The examination shall be paid for from the appropriation in
25 s. 20.255 (1) (b), (gh) or (gs).

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

2 115.53 (4) Apply to the board of directors of the University of Wisconsin
3 Hospitals and Clinics Authority for admission to the University of Wisconsin
4 Hospitals and Clinics of any pupil at the school operated by the Wisconsin School
5 Educational Services Program for the Deaf and Hard of Hearing or the school
6 operated by the Wisconsin Center for the Blind and Visually Impaired.

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

12 (b) The net cost of hospital treatment shall be at the rate established under s.
13 233.40 (1) and shall be paid from the appropriation under s. 20.255 (1) (b), (gh) or (gs)
14 if the patient is a pupil at the school operated by the Wisconsin School Educational
15 Services Program for the Deaf and Hard of Hearing or from the appropriation under
16 s. 20.255 (1) (b), (gh), (gL) or (gs) if the patient is a pupil at the school operated by the
17 Wisconsin Center for the Blind and Visually Impaired. The state superintendent
18 likewise may authorize payment for the expense of transporting patients to and from
19 the hospital. The state superintendent shall make payments for the treatment to the
20 University of Wisconsin Hospitals and Clinics Authority. Funds collected by the
21 state superintendent on account of the hospitalization shall be credited to the
22 appropriation under s. 20.255 (1) (gh) for the school or center concerned.

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

24 115.53 (5) Arrange for visits by members of the staff of either the Wisconsin
25 School Educational Services Program for the Deaf and Hard of Hearing or the

1 Wisconsin Center for the Blind and Visually Impaired to other public schools or to
2 families of deaf children who are hearing impaired or children who are visually
3 impaired, whenever it appears to the state superintendent that such visits will be
4 of advantage to such children.

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

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

18 **22.** Page 925, line 14: after that line insert:

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

20 121.05 (1) (a) 8. Pupils enrolled in the school operated by the Wisconsin School
21 Educational Services Program for the Deaf and Hard of Hearing or the school
22 operated by the Wisconsin Center for the Blind and Visually Impaired under subch.
23 III of ch. 115 for whom the school district is paying tuition under s. 115.53 (2)
24 determined by multiplying the total number of periods in each day in which the

1 pupils are enrolled in the local public school by the total number of days for which
2 the pupils are enrolled in the local public school and dividing the product by 1,080.”

3 **23.** Page 929, line 5: after that line insert:

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

5 121.54 (3) TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board
6 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),
7 to any public or private elementary or high school, to the school operated by the
8 Wisconsin Center for the Blind and Visually Impaired or the school operated by the
9 Wisconsin School Educational Services Program for the Deaf and Hard of Hearing
10 or to any special education program for children with disabilities sponsored by a state
11 tax-supported institution of higher education, including a technical college,
12 regardless of distance, if the request for such transportation is approved by the state
13 superintendent. Approval shall be based on whether or not the child can walk to
14 school with safety and comfort. Section 121.53 shall apply to transportation provided
15 under this subsection.”

16 **24.** Page 1236, line 12: after that line insert:

17 “SECTION 3938s. 940.295 (2) (j) of the statutes is amended to read:

18 940.295 (2) (j) The Wisconsin School Educational Services Program for the
19 Deaf and Hard of Hearing under s. 115.52 and the Wisconsin Center for the Blind and
20 Visually Impaired under s. 115.525.”

21 **25.** Page 1349, line 10: after that line insert:

22 “(3q) DEAF AND HARD-OF-HEARING EDUCATION COUNCIL. Notwithstanding the
23 length of term specified in section 15.377 (2) of the statutes, as affected by this act,
24 one of the initial members of the deaf and hard-of-hearing education council

1 appointed under section 15.377 (2) (a) of the statutes, as affected by this act, one of
2 the initial members appointed under section 15.377 (2) (i) of the statutes, as affected
3 by this act, the initial member appointed under section 15.377 (2) (b) of the statutes,
4 as affected by this act, and the initial member appointed under section 15.377 (2) (c)
5 of the statutes, as affected by this act, shall serve for terms expiring on July 1, 2002;
6 the initial member appointed under section 15.377 (2) (d), (e) and (f) of the statutes,
7 as affected by this act, and one of the initial members appointed under section 15.377
8 (2) (i) of the statutes, as affected by this act, shall serve for terms expiring on July
9 1, 2003; and the initial member appointed under section 15.377 (2) (g) and (h) of the
10 statutes, as affected by this act, one of the initial members appointed under section
11 15.377 (2) (a) of the statutes, as affected by this act, and one of the members
12 appointed under section 15.377 (2) (i) of the statutes, as affected by this act, shall
13 serve for terms expiring on July 1, 2004.”.

14 (END)