

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SB44)**

Received: **06/04/2003**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Merrifield**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Elections - miscellaneous  
Education - handicapped ed.**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

LFB:.....Merrifield -

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**Topic:**

SAGE

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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>
/?	mlief 06/04/2003	kgilfoy 06/04/2003		_____			
/1			jfrantze 06/04/2003	_____	sbasford 06/04/2003		
/2	mlief	kgilfoy	chaskett	_____	lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	06/09/2003	06/09/2003	06/09/2003	_____	06/09/2003		
/3	mlief 06/10/2003	csicilia 06/10/2003	rschluet 06/10/2003	_____	mbarman 06/10/2003		

FE Sent For:

<END>

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/1			jfrantze 06/04/2003	_____	sbasford 06/04/2003		
/2	mlief	kgilfoy	chaskett	_____	lemery		

*SSCPK  
6-10-3*

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	06/09/2003	06/09/2003	06/09/2003	_____	06/09/2003		

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13 cjs  $\frac{6}{03}$

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/?	mlief 06/04/2003	kgilfoy 06/04/2003		_____			
/1		12-6/9 KMG	jfrantze 06/04/2003	_____	sbasford 06/04/2003		

FE Sent For:

**<END>**

2003 DRAFTING REQUEST

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Received: 06/04/2003

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Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Merrifield

This file may be shown to any legislator: NO

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May Contact:

Addl. Drafters:

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Education - handicapped ed.

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LFB:.....Merrifield -

Topic:

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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>
1?	mlief	1-6/4 Kmg	2-6/4	J/cph 8/4			

FE Sent For:

<END>

2003

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

LRB b 03541 1

**LFB BUDGET AMENDMENT  
[ONLY FOR LFB]**

MIL: King: \_\_\_\_\_

See form AMENDMENTS — COMPONENTS & ITEMS.

**LFB AMENDMENT  
TO 2003 SENATE BILL 44**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

*soon*

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :





State of Wisconsin  
2003 - 2004 LEGISLATURE

0354 / 11  
LRBb030772  
MJL:kmg:rs

2

SENATE AMENDMENT,  
TO 2003 SENATE BILL 44

SOON

1 At the locations indicated, amend the bill as follows:

2 1. Page 342, line 23: delete "118.255." and substitute "118.255 equal in the  
3 2004-05 fiscal year, to \$315,681,400 plus the amounts that lapsed to the general fund  
4 in the 2003-04 fiscal year from the appropriation accounts under pars. (cu) and (cv)."

5 2. Page 343, line 2: delete "fund." and substitute "fund." 

6 3. Page 823, line 7: after that line insert:

7 "SECTION 2021m. 118.43 (3) (intro.) of the statutes is amended to read:

8 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)  
9 and (ar) and sub. (4m), an achievement guarantee contract shall require the school  
10 board to do all of the following in each participating school:

11 SECTION 2021n. 118.43 (4m) of the statutes is created to read:

12 118.43 (4m) EXCEPTIONS. A school district participating in the program under  
13 this section on the effective date of this subsection .... [revisor inserts date], may

INS A

1 choose not to comply with the requirement to reduce class size to 15 in grades 2 and  
2 3.

3 SECTION 2021no. 118.43 (6) (b) (intro.) of the statutes is amended to read:

4 118.43 (6) (b) (intro.) From the appropriations under s. 20.255 (2) (cu) and (cv),  
5 subject to par. (c), the department shall pay to each school district that has entered  
6 into a contract with the department under this section, except for a school district  
7 under sub. (4m), an amount determined as follows:

8 SECTION 2021p. 118.43 (6) (bm) of the statutes is created to read:

9 118.43 (6) (bm) The department shall reduce the aid otherwise paid under this  
10 subsection to a school district under sub. (4m) by an amount equal to \$2,000  
11 multiplied by the number of low-income pupils enrolled in grades 2 and 3 in each  
12 school in the school district covered by a contract or renewal of a contract under this  
13 section.".

14

(END)

INS B

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB  
.....

INSA ✓

~~3~~ ~~before~~

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✓ 1. Page 343, line 2: ~~title~~ that line insert:

“SECTION 351m. 20.255 (2) (bb) of the statutes is created to read:

20.255 (2) (bb) *Special education aid; supplement.* A sum sufficient equal to the amounts lapsed to the general fund in the previous fiscal year from the appropriation accounts under pars. (cu) and (cv).”

For the payment of aids under for special education and school age parents program under ss. 115.88, 115.93, and 118.255

✓ 2. Page 818, line 13: after that line insert:

“SECTION 1998M. 115.88 (1m) (a) and (am) of the statutes are amended to read:

115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in sub. (1), including the salary portion of any authorized contract for physical or occupational therapy services, and other expenses approved by the state superintendent as costs eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb).

History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).

(am) If the operator of a charter school established under s. 118.40 (2r) operates a special education program and the state superintendent is satisfied that the operator of the charter school is complying with 20 USC 1400 to 1491o, the state superintendent shall certify to the department of administration in favor of the operator of the charter school a sum equal to the amount that the operator of the

mm

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fix font

no cs


✓

1 charter school expended during the previous school year for salaries of full-time or  
2 part-time licensed teachers, licensed coordinators of special education, licensed  
3 school social workers, licensed school psychologists, paraprofessionals, licensed  
4 consulting teachers to work with any teacher of regular education programs who has  
5 a child with a disability in a class and any other personnel, as determined by the state  
6 superintendent. Certified costs under this paragraph are eligible for reimbursement  
7 from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb). The state  
8 superintendent may audit costs under this paragraph and adjust reimbursement to  
9 cover only actual, eligible costs.

History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).

10 **SECTION 1998n.** 115.88 (2), (2m), (3), (4) and (6) of the statutes are amended  
11 to read:

12 115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)  
13 the state superintendent is satisfied that the transportation of children with  
14 disabilities has been maintained during the preceding year in accordance with the  
15 law, the state superintendent shall certify to the department of administration in  
16 favor of each county, cooperative educational service agency, or school district  
17 transporting such pupils an amount equal to the amount expended for such  
18 transportation as costs eligible for reimbursement from the ~~appropriation~~  
19 appropriations under s. 20.255 (2) (b) and (bb). Pupils for whom aid is paid under  
20 this subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection  
21 applies to any child with a disability who requires special assistance in  
22 transportation, including any such child attending regular classes who requires  
23 special or additional transportation. This subsection does not apply to any child with



1 a disability attending regular or special classes who does not require any special or  
2 additional transportation.

History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).

3 **(2m) OTHER TRANSPORTATION AID.** If the operator of a charter school established  
4 under s. 118.40 (2r) transports children with disabilities and the state  
5 superintendent is satisfied that the operator of the charter school is complying with  
6 20 USC 1400 to 1491o, the state superintendent shall certify to the department of  
7 administration in favor of the operator of the charter school a sum equal to the  
8 amount that the operator of the charter school expended during the previous school  
9 year for transportation under this subsection as costs eligible for reimbursement  
10 from the appropriations under s. 20.255 (2) (b) and (bb). The state superintendent  
11 may audit costs under this subsection and adjust reimbursement to cover only  
12 actual, eligible costs.

History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).

13 **(3) BOARD AND LODGING AID.** There shall be paid the amount expended for board  
14 and lodging and transportation between the boarding home and the special  
15 education program of nonresident children enrolled under s. 115.82 (1) in the special  
16 education program. The department shall certify to the department of  
17 administration in favor of each school district, cooperative educational service  
18 agency, county children with disabilities education board, state agency of another  
19 state or private, nonsectarian special education service which operates the special  
20 education program while providing board, lodging and transportation an amount  
21 equal to the amount expended for such board and lodging and transportation as costs  
22 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
23 (b) and (bb).

History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).



1           (4) HOSPITALS AND CONVALESCENT HOME AID. The full cost of special education for  
 2 children in hospitals and convalescent homes for orthopedically disabled children  
 3 shall be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb).  
 4 The supervision of such instruction shall be under the department and the school  
 5 board of the school district in which the hospital or convalescent home is located. The  
 6 school board of the district in which the hospital or convalescent home is located shall  
 7 submit to the department an itemized statement of all revenues and expenditures  
 8 for the actual cost of such instruction and any other information it requires.

History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).

9           (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. The department shall certify to  
 10 the department of administration, in favor of each school district, an amount equal  
 11 to the amount expended for salaries and travel expenses, as determined in advance  
 12 by the state superintendent, for providing special education outside the school  
 13 district of employment, as eligible for reimbursement from the ~~appropriation~~  
 14 appropriations under s. 20.255 (2) (b) and (bb).

History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).

15           **SECTION 1998.** 115.88 (8) of the statutes is amended to read:

16           115.88 (8) <sup>no</sup> ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in  
 17 a public special education program located in another state and the state  
 18 superintendent is satisfied that the program in which the child is enrolled complies  
 19 with this subchapter, the state superintendent shall certify to the department of  
 20 administration in favor of the school district in which the child resides or the school  
 21 district attended by the child under s. 118.51 or 121.84 (1) (a) or (4) a sum equal to  
 22 the amount expended by the school district during the preceding year for the  
 23 additional costs associated with the child's special education program as costs

1 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
2 (b) and (bb). ←

3 NOTE: NOTE: NOTE: Sub. (8) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:  
History: 1997 a. 164; 1999 a. 9, 117; 2001 a. 16; s. 13.93 (2) (c).

4 3. Page 818, line 21: after that line insert:

5 "SECTION 1999<sup>c</sup>. 115.882 of the statutes, as affected by 2003 Wisconsin Act ...  
6 (this act), is amended to read:

7 115.882 Payment of state aid. Funds appropriated under s. 20.255 (2) (b)  
8 and (bb) shall be used first for the purpose of s. 115.88 (4). Costs eligible for  
9 reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and  
10 (bb) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be  
11 reimbursed at a rate set to distribute the full amount appropriated for  
12 reimbursement for the costs, less the amount paid by the department of health and  
13 family services under s. 20.435 (4) (hm) and (o) under s. 49.45 (39) (b) 1m., not to  
14 exceed 100%.

History: 1997 a. 164; 1999 a. 9; 2001 a. 104. ✓

15 SECTION 1999n. 115.93 of the statutes is amended to read:

16 115.93 State aid. If upon receipt of the reports under s. 115.92 (2) the state  
17 superintendent is satisfied that the school age parents program has been maintained  
18 during the preceding school year in accordance with the rules under s. 115.92 (3), the  
19 state superintendent shall certify to the department of administration in favor of  
20 each school district maintaining the program a sum equal to the amount expended  
21 by the school district during the preceding school year for salaries of teachers and  
22 instructional aides, special transportation and other expenses approved by the state  
23 superintendent as costs eligible for reimbursement from the ~~appropriation~~  
24 appropriations under s. 20.255 (2) (b) and (bb)."

History: 1983 a. 374; 1985 a. 29 ss. 1707s, 3202 (43); 1985 a. 56; 1987 a. 27, 338; 1989 a. 31; 1991 a. 269; 1995 a. 27; 1997 a. 27; 1999 a. 9.



✓ 4. Page 821, line 15: after that line insert:

“SECTION 2009m. 118.255 (4) of the statutes is amended to read:

118.255 (4) If the state superintendent is satisfied that the health treatment services program has been maintained during the preceding school year in accordance with law, the state superintendent shall certify to the department of administration in favor of each school board, cooperative educational service agency and county children with disabilities education board maintaining such health treatment services, an amount equal to the amount expended for items listed in s. 115.88 (1m) by the school board, cooperative educational service agency and county children with disabilities education board during the preceding year for these health treatment services as costs eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb).”

✓  
and  
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History: 1973 c. 307; 1977 c. 83; 1981 c. 317; 1983 a. 27; 1983 a. 189 s. 329 (17m); 1983 a. 512; 1987 a. 27, 338; 1993 a. 492; 1995 a. 27; 1997 a. 27, 164; 1999 a. 9.

✓ 5. Page 1134, line 5: after that line insert:

“(1~~a~~)<sup>Z</sup> SPECIAL EDUCATION SUPPLEMENTAL APPROPRIATION. The treatment of sections 115.88 (1m)(a) and (am), (2) (6), (8), 115.882 (by SECTION 1999), 115.93, and 118.255 (4) of the statutes takes effect on July 1, 2004.”

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20.255  
(2) (bb),

(2m), (3),  
(4),

Creation of s. 20.255(2)(bb)  
and the





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0354A<sup>2</sup>  
MJL:kmgjf

LFB:.....Merrifield - SAGE

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

*SOW* *RMR*

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 343, line 2: after that line insert:
- 3 "SECTION 351m. 20.255 (2) (bb) of the statutes is created to read:
- 4 20.255 (2) (bb) *Special education aid; supplement.* A sum sufficient equal to
- 5 the amounts lapsed to the general fund in the previous fiscal year from the
- 6 appropriation accounts under pars. (cu) and (cv) for the payment of aids for special
- 7 education and school age parents program under ss. 115.88, 115.93, and 118.255."
- 8 2. Page 818, line 13: after that line insert:
- 9 "SECTION 1998m. 115.88 (1m) (a) and (am) of the statutes are amended to read:
- 10 115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state
- 11 superintendent is satisfied that the special education program has been maintained

1 during the preceding school year in accordance with law, the state superintendent  
2 shall certify to the department of administration in favor of each county, cooperative  
3 educational service agency and school district maintaining such special education  
4 program a sum equal to the amount expended by the county, agency and school  
5 district during the preceding year for salaries of personnel enumerated in sub. (1),  
6 including the salary portion of any authorized contract for physical or occupational  
7 therapy services, and other expenses approved by the state superintendent as costs  
8 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
9 (b) and (bb).

10 (am) If the operator of a charter school established under s. 118.40 (2r) operates  
11 a special education program and the state superintendent is satisfied that the  
12 operator of the charter school is complying with 20 USC 1400 to 1491o, the state  
13 superintendent shall certify to the department of administration in favor of the  
14 operator of the charter school a sum equal to the amount that the operator of the  
15 charter school expended during the previous school year for salaries of full-time or  
16 part-time licensed teachers, licensed coordinators of special education, licensed  
17 school social workers, licensed school psychologists, paraprofessionals, licensed  
18 consulting teachers to work with any teacher of regular education programs who has  
19 a child with a disability in a class and any other personnel, as determined by the state  
20 superintendent. Certified costs under this paragraph are eligible for reimbursement  
21 from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb). The state  
22 superintendent may audit costs under this paragraph and adjust reimbursement to  
23 cover only actual, eligible costs.

24 SECTION 1998n. 115.88 (2), (2m), (3), (4) and (6) of the statutes are amended  
25 to read:

1           115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)  
2 the state superintendent is satisfied that the transportation of children with  
3 disabilities has been maintained during the preceding year in accordance with the  
4 law, the state superintendent shall certify to the department of administration in  
5 favor of each county, cooperative educational service agency, or school district  
6 transporting such pupils an amount equal to the amount expended for such  
7 transportation as costs eligible for reimbursement from the ~~appropriation~~  
8 appropriations under s. 20.255 (2) (b) and (bb). Pupils for whom aid is paid under  
9 this subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection  
10 applies to any child with a disability who requires special assistance in  
11 transportation, including any such child attending regular classes who requires  
12 special or additional transportation. This subsection does not apply to any child with  
13 a disability attending regular or special classes who does not require any special or  
14 additional transportation.

15           (2m) OTHER TRANSPORTATION AID. If the operator of a charter school established  
16 under s. 118.40 (2r) transports children with disabilities and the state  
17 superintendent is satisfied that the operator of the charter school is complying with  
18 20 USC 1400 to 1491o, the state superintendent shall certify to the department of  
19 administration in favor of the operator of the charter school a sum equal to the  
20 amount that the operator of the charter school expended during the previous school  
21 year for transportation under this subsection as costs eligible for reimbursement  
22 from the appropriations under s. 20.255 (2) (b) and (bb). The state superintendent  
23 may audit costs under this subsection and adjust reimbursement to cover only  
24 actual, eligible costs.

1           (3) BOARD AND LODGING AID. There shall be paid the amount expended for board  
2 and lodging and transportation between the boarding home and the special  
3 education program of nonresident children enrolled under s. 115.82 (1) in the special  
4 education program. The department shall certify to the department of  
5 administration in favor of each school district, cooperative educational service  
6 agency, county children with disabilities education board, state agency of another  
7 state or private, nonsectarian special education service which operates the special  
8 education program while providing board, lodging and transportation an amount  
9 equal to the amount expended for such board and lodging and transportation as costs  
10 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
11 (b) and (bb).

12           (4) HOSPITALS AND CONVALESCENT HOME AID. The full cost of special education for  
13 children in hospitals and convalescent homes for orthopedically disabled children  
14 shall be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb).  
15 The supervision of such instruction shall be under the department and the school  
16 board of the school district in which the hospital or convalescent home is located. The  
17 school board of the district in which the hospital or convalescent home is located shall  
18 submit to the department an itemized statement of all revenues and expenditures  
19 for the actual cost of such instruction and any other information it requires.

20           (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. The department shall certify to  
21 the department of administration, in favor of each school district, an amount equal  
22 to the amount expended for salaries and travel expenses, as determined in advance  
23 by the state superintendent, for providing special education outside the school  
24 district of employment, as eligible for reimbursement from the ~~appropriation~~  
25 appropriations under s. 20.255 (2) (b) and (bb).

1           **SECTION 1998no.** 115.88 (8) of the statutes is amended to read:

2           115.88 (8) **ENROLLMENT OUT OF STATE.** If a child with a disability is enrolled in  
3 a public special education program located in another state and the state  
4 superintendent is satisfied that the program in which the child is enrolled complies  
5 with this subchapter, the state superintendent shall certify to the department of  
6 administration in favor of the school district in which the child resides or the school  
7 district attended by the child under s. 118.51 or 121.84 (1) (a) or (4) a sum equal to  
8 the amount expended by the school district during the preceding year for the  
9 additional costs associated with the child's special education program as costs  
10 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
11 (b) and (bb).”.

12           **3.** Page 818, line 21: after that line insert:

13           “**SECTION 1999c.** 115.882 of the statutes, as affected by 2003 Wisconsin Act ....  
14 (this act), is amended to read:

15           **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)  
16 and (bb) shall be used first for the purpose of s. 115.88 (4). Costs eligible for  
17 reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and  
18 (bb) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be  
19 reimbursed at a rate set to distribute the full amount appropriated for  
20 reimbursement for the costs, less the amount paid by the department of health and  
21 family services under s. 20.435 (4) (hm) and (o) under s. 49.45 (39) (b) 1m., not to  
22 exceed 100%.

23           **SECTION 1999n.** 115.93 of the statutes is amended to read:

1           **115.93 State aid.** If upon receipt of the reports under s. 115.92 (2) the state  
2 superintendent is satisfied that the school age parents program has been maintained  
3 during the preceding school year in accordance with the rules under s. 115.92 (3), the  
4 state superintendent shall certify to the department of administration in favor of  
5 each school district maintaining the program a sum equal to the amount expended  
6 by the school district during the preceding school year for salaries of teachers and  
7 instructional aides, special transportation and other expenses approved by the state  
8 superintendent as costs eligible for reimbursement from the appropriation  
9 appropriations under s. 20.255 (2) (b) and (bb).”.

10           **4.** Page 821, line 15: after that line insert:

11           “SECTION 2009m. 118.255 (4) of the statutes is amended to read:

12           118.255 (4) If the state superintendent is satisfied that the health treatment  
13 services program has been maintained during the preceding school year in  
14 accordance with law, the state superintendent shall certify to the department of  
15 administration in favor of each school board, cooperative educational service agency  
16 and county children with disabilities education board maintaining such health  
17 treatment services, an amount equal to the amount expended for items listed in s.  
18 115.88 (1m) by the school board, cooperative educational service agency and county  
19 children with disabilities education board during the preceding year for these health  
20 treatment services as costs eligible for reimbursement from the appropriation  
21 appropriations under s. 20.255 (2) (b) and (bb).”.

22           **5.** Page 823, line 7: after that line insert:

23           “SECTION 2021m. 118.43 (3) (intro.) of the statutes is amended to read:

1 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)  
2 and (ar) and sub. (4m), an achievement guarantee contract shall require the school  
3 board to do all of the following in each participating school:

4 SECTION 2021n. 118.43 (4m) of the statutes is created to read:

5 118.43 (4m) EXCEPTIONS. A school district participating in the program under  
6 this section on the effective date of this subsection ... [revisor inserts date], may  
7 choose not to comply with the requirement to reduce class size to 15 in grades 2 and 3

8 *in any school, but the chosen grade or grades chosen are not eligible for aid under sub. (6).*

9 SECTION 2021no. 118.43 (6) (b) (intro.) of the statutes is amended to read:

10 118.43 (6) (b) (intro.) From the appropriations under s. 20.255 (2) (cu) and (cv),  
11 subject to par. (c), the department shall pay to each school district that has entered  
12 into a contract with the department under this section, except for a school district  
13 under sub. (4m), an amount determined as follows: ))

14 SECTION 2021p. 118.43 (6) (bm) of the statutes is created to read:

15 118.43 (6) (bm) The department shall reduce the aid otherwise paid under this  
16 subsection to a school district under sub. (4m) by an amount equal to \$2,000  
17 multiplied by the number of low-income pupils *in classes affected by a school*  
18 *district's choice not to reduce class size under sub. 4(m)*  
19 *school in the school district covered by a contract or renewal of a contract under this*  
*section.*

20 6. Page 1134, line 5: after that line insert:

21 "(1z) SPECIAL EDUCATION SUPPLEMENTAL APPROPRIATION. The treatment of  
22 sections 20.255 (2) (bb), 115.88 (1m) (a) and (am), (2), (2m), (3), (4), (6), and (8),

1 115.882 (by SECTION 1999c), 115.93, and 118.255 (4) of the statutes takes effect on  
2 July 1, 2004.?

3

(END)





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0354/2  
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3  
8CS  
stays

LFB:.....Merrifield - SAGE

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

RMR  
TODAY  
See P. 7

1 At the locations indicated, amend the bill as follows:

2 1. Page 343, line 2: after that line insert:

3 "SECTION 351m. 20.255 (2) (bb) of the statutes is created to read:

4 20.255 (2) (bb) *Special education aid; supplement.* A sum sufficient equal to  
5 the amounts lapsed to the general fund in the previous fiscal year from the  
6 appropriation accounts under pars. (cu) and (cv) for the payment of aids for special  
7 education and school age parents program under ss. 115.88, 115.93, and 118.255."

8 2. Page 818, line 13: after that line insert:

9 "SECTION 1998m. 115.88 (1m) (a) and (am) of the statutes are amended to read:

10 115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state  
11 superintendent is satisfied that the special education program has been maintained

1 during the preceding school year in accordance with law, the state superintendent  
2 shall certify to the department of administration in favor of each county, cooperative  
3 educational service agency and school district maintaining such special education  
4 program a sum equal to the amount expended by the county, agency and school  
5 district during the preceding year for salaries of personnel enumerated in sub. (1),  
6 including the salary portion of any authorized contract for physical or occupational  
7 therapy services, and other expenses approved by the state superintendent as costs  
8 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
9 (b) and (bb).

10 (am) If the operator of a charter school established under s. 118.40 (2r) operates  
11 a special education program and the state superintendent is satisfied that the  
12 operator of the charter school is complying with 20 USC 1400 to 1491o, the state  
13 superintendent shall certify to the department of administration in favor of the  
14 operator of the charter school a sum equal to the amount that the operator of the  
15 charter school expended during the previous school year for salaries of full-time or  
16 part-time licensed teachers, licensed coordinators of special education, licensed  
17 school social workers, licensed school psychologists, paraprofessionals, licensed  
18 consulting teachers to work with any teacher of regular education programs who has  
19 a child with a disability in a class and any other personnel, as determined by the state  
20 superintendent. Certified costs under this paragraph are eligible for reimbursement  
21 from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb). The state  
22 superintendent may audit costs under this paragraph and adjust reimbursement to  
23 cover only actual, eligible costs.

24 **SECTION 1998n.** 115.88 (2), (2m), (3), (4) and (6) of the statutes are amended  
25 to read:

1           115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)  
2 the state superintendent is satisfied that the transportation of children with  
3 disabilities has been maintained during the preceding year in accordance with the  
4 law, the state superintendent shall certify to the department of administration in  
5 favor of each county, cooperative educational service agency, or school district  
6 transporting such pupils an amount equal to the amount expended for such  
7 transportation as costs eligible for reimbursement from the ~~appropriation~~  
8 appropriations under s. 20.255 (2) (b) and (bb). Pupils for whom aid is paid under  
9 this subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection  
10 applies to any child with a disability who requires special assistance in  
11 transportation, including any such child attending regular classes who requires  
12 special or additional transportation. This subsection does not apply to any child with  
13 a disability attending regular or special classes who does not require any special or  
14 additional transportation.

15           (2m) OTHER TRANSPORTATION AID. If the operator of a charter school established  
16 under s. 118.40 (2r) transports children with disabilities and the state  
17 superintendent is satisfied that the operator of the charter school is complying with  
18 20 USC 1400 to 1491o, the state superintendent shall certify to the department of  
19 administration in favor of the operator of the charter school a sum equal to the  
20 amount that the operator of the charter school expended during the previous school  
21 year for transportation under this subsection as costs eligible for reimbursement  
22 from the appropriations under s. 20.255 (2) (b) and (bb). The state superintendent  
23 may audit costs under this subsection and adjust reimbursement to cover only  
24 actual, eligible costs.

1           (3) BOARD AND LODGING AID. There shall be paid the amount expended for board  
2 and lodging and transportation between the boarding home and the special  
3 education program of nonresident children enrolled under s. 115.82 (1) in the special  
4 education program. The department shall certify to the department of  
5 administration in favor of each school district, cooperative educational service  
6 agency, county children with disabilities education board, state agency of another  
7 state or private, nonsectarian special education service which operates the special  
8 education program while providing board, lodging and transportation an amount  
9 equal to the amount expended for such board and lodging and transportation as costs  
10 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
11 (b) and (bb).

12           (4) HOSPITALS AND CONVALESCENT HOME AID. The full cost of special education for  
13 children in hospitals and convalescent homes for orthopedically disabled children  
14 shall be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb).  
15 The supervision of such instruction shall be under the department and the school  
16 board of the school district in which the hospital or convalescent home is located. The  
17 school board of the district in which the hospital or convalescent home is located shall  
18 submit to the department an itemized statement of all revenues and expenditures  
19 for the actual cost of such instruction and any other information it requires.

20           (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. The department shall certify to  
21 the department of administration, in favor of each school district, an amount equal  
22 to the amount expended for salaries and travel expenses, as determined in advance  
23 by the state superintendent, for providing special education outside the school  
24 district of employment, as eligible for reimbursement from the ~~appropriation~~  
25 appropriations under s. 20.255 (2) (b) and (bb).

1           **SECTION 1998no.** 115.88 (8) of the statutes is amended to read:

2           115.88 (8) **ENROLLMENT OUT OF STATE.** If a child with a disability is enrolled in  
3 a public special education program located in another state and the state  
4 superintendent is satisfied that the program in which the child is enrolled complies  
5 with this subchapter, the state superintendent shall certify to the department of  
6 administration in favor of the school district in which the child resides or the school  
7 district attended by the child under s. 118.51 or 121.84 (1) (a) or (4) a sum equal to  
8 the amount expended by the school district during the preceding year for the  
9 additional costs associated with the child's special education program as costs  
10 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
11 (b) and (bb).”.

12           **3.** Page 818, line 21: after that line insert:

13           “**SECTION 1999c.** 115.882 of the statutes, as affected by 2003 Wisconsin Act ....  
14 (this act), is amended to read:

15           **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)  
16 and (bb) shall be used first for the purpose of s. 115.88 (4). Costs eligible for  
17 reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and  
18 (bb) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be  
19 reimbursed at a rate set to distribute the full amount appropriated for  
20 reimbursement for the costs, less the amount paid by the department of health and  
21 family services under s. 20.435 (4) (hm) and (o) under s. 49.45 (39) (b) 1m., not to  
22 exceed 100%.

23           **SECTION 1999n.** 115.93 of the statutes is amended to read:

1           **115.93 State aid.** If upon receipt of the reports under s. 115.92 (2) the state  
2 superintendent is satisfied that the school age parents program has been maintained  
3 during the preceding school year in accordance with the rules under s. 115.92 (3), the  
4 state superintendent shall certify to the department of administration in favor of  
5 each school district maintaining the program a sum equal to the amount expended  
6 by the school district during the preceding school year for salaries of teachers and  
7 instructional aides, special transportation and other expenses approved by the state  
8 superintendent as costs eligible for reimbursement from the appropriation  
9 appropriations under s. 20.255 (2) (b) and (bb).”.

10           **4.** Page 821, line 15: after that line insert:

11           “**SECTION 2009m.** 118.255 (4) of the statutes is amended to read:

12           118.255 (4) If the state superintendent is satisfied that the health treatment  
13 services program has been maintained during the preceding school year in  
14 accordance with law, the state superintendent shall certify to the department of  
15 administration in favor of each school board, cooperative educational service agency  
16 and county children with disabilities education board maintaining such health  
17 treatment services, an amount equal to the amount expended for items listed in s.  
18 115.88 (1m) by the school board, cooperative educational service agency and county  
19 children with disabilities education board during the preceding year for these health  
20 treatment services as costs eligible for reimbursement from the appropriation  
21 appropriations under s. 20.255 (2) (b) and (bb).”.

22           **5.** Page 823, line 7: after that line insert:

23           “**SECTION 2021m.** 118.43 (3) (intro.) of the statutes is amended to read:



2021nr ✓

INS 7-14

Section 118.43 (6) (b) 8. of the statutes is amended to read:

118.43 (6) (b) 8. In the 2003-04 and 2004-05 school years, \$2,000 multiplied by the number of low-income pupils enrolled in grades eligible for funding in each school in the school district covered by contracts under sub. (3) (ar) and by renewals of contracts under sub. (2) (g)

History: 1995 a. 27; 1997 a. 27, 252; 1999 a. 9; 2001 a. 16.

and \$2,000 multiplied by the number of low-income pupils enrolled in those grades under sub. (4m) in which the class size

~~and \$2,000 multiplied by the number of low-income pupils enrolled in grades eligible for funding under sub. (4m)~~ has been reduced to 15

23





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0354/3  
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LFB:.....Merrifield - SAGE

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION  
**SENATE AMENDMENT ,**  
**TO 2003 SENATE BILL 44**

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 343, line 2: after that line insert:

3           “**SECTION 351m.** 20.255 (2) (bb) of the statutes is created to read:

4           20.255 (2) (bb) *Special education aid; supplement.* A sum sufficient equal to  
5           the amounts lapsed to the general fund in the previous fiscal year from the  
6           appropriation accounts under pars. (cu) and (cv) for the payment of aids for special  
7           education and school age parents program under ss. 115.88, 115.93, and 118.255.”

8           **2.** Page 818, line 13: after that line insert:

9           “**SECTION 1998m.** 115.88 (1m) (a) and (am) of the statutes are amended to read:

10           115.88 (**1m**) (a) If, upon receipt of the plan under s. 115.77 (4), the state  
11           superintendent is satisfied that the special education program has been maintained

1 during the preceding school year in accordance with law, the state superintendent  
2 shall certify to the department of administration in favor of each county, cooperative  
3 educational service agency and school district maintaining such special education  
4 program a sum equal to the amount expended by the county, agency and school  
5 district during the preceding year for salaries of personnel enumerated in sub. (1),  
6 including the salary portion of any authorized contract for physical or occupational  
7 therapy services, and other expenses approved by the state superintendent as costs  
8 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
9 (b) and (bb).

10 (am) If the operator of a charter school established under s. 118.40 (2r) operates  
11 a special education program and the state superintendent is satisfied that the  
12 operator of the charter school is complying with 20 USC 1400 to 1491o, the state  
13 superintendent shall certify to the department of administration in favor of the  
14 operator of the charter school a sum equal to the amount that the operator of the  
15 charter school expended during the previous school year for salaries of full-time or  
16 part-time licensed teachers, licensed coordinators of special education, licensed  
17 school social workers, licensed school psychologists, paraprofessionals, licensed  
18 consulting teachers to work with any teacher of regular education programs who has  
19 a child with a disability in a class and any other personnel, as determined by the state  
20 superintendent. Certified costs under this paragraph are eligible for reimbursement  
21 from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb). The state  
22 superintendent may audit costs under this paragraph and adjust reimbursement to  
23 cover only actual, eligible costs.

24 **SECTION 1998n.** 115.88 (2), (2m), (3), (4) and (6) of the statutes are amended  
25 to read:

1           115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)  
2 the state superintendent is satisfied that the transportation of children with  
3 disabilities has been maintained during the preceding year in accordance with the  
4 law, the state superintendent shall certify to the department of administration in  
5 favor of each county, cooperative educational service agency, or school district  
6 transporting such pupils an amount equal to the amount expended for such  
7 transportation as costs eligible for reimbursement from the ~~appropriation~~  
8 appropriations under s. 20.255 (2) (b) and (bb). Pupils for whom aid is paid under  
9 this subsection shall not be eligible for aid under s. 121.58 (2) or (4). This subsection  
10 applies to any child with a disability who requires special assistance in  
11 transportation, including any such child attending regular classes who requires  
12 special or additional transportation. This subsection does not apply to any child with  
13 a disability attending regular or special classes who does not require any special or  
14 additional transportation.

15           (2m) OTHER TRANSPORTATION AID. If the operator of a charter school established  
16 under s. 118.40 (2r) transports children with disabilities and the state  
17 superintendent is satisfied that the operator of the charter school is complying with  
18 20 USC 1400 to 1491o, the state superintendent shall certify to the department of  
19 administration in favor of the operator of the charter school a sum equal to the  
20 amount that the operator of the charter school expended during the previous school  
21 year for transportation under this subsection as costs eligible for reimbursement  
22 from the appropriations under s. 20.255 (2) (b) and (bb). The state superintendent  
23 may audit costs under this subsection and adjust reimbursement to cover only  
24 actual, eligible costs.

1           **(3) BOARD AND LODGING AID.** There shall be paid the amount expended for board  
2 and lodging and transportation between the boarding home and the special  
3 education program of nonresident children enrolled under s. 115.82 (1) in the special  
4 education program. The department shall certify to the department of  
5 administration in favor of each school district, cooperative educational service  
6 agency, county children with disabilities education board, state agency of another  
7 state or private, nonsectarian special education service which operates the special  
8 education program while providing board, lodging and transportation an amount  
9 equal to the amount expended for such board and lodging and transportation as costs  
10 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
11 (b) and (bb).

12           **(4) HOSPITALS AND CONVALESCENT HOME AID.** The full cost of special education for  
13 children in hospitals and convalescent homes for orthopedically disabled children  
14 shall be paid from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and (bb).  
15 The supervision of such instruction shall be under the department and the school  
16 board of the school district in which the hospital or convalescent home is located. The  
17 school board of the district in which the hospital or convalescent home is located shall  
18 submit to the department an itemized statement of all revenues and expenditures  
19 for the actual cost of such instruction and any other information it requires.

20           **(6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT.** The department shall certify to  
21 the department of administration, in favor of each school district, an amount equal  
22 to the amount expended for salaries and travel expenses, as determined in advance  
23 by the state superintendent, for providing special education outside the school  
24 district of employment, as eligible for reimbursement from the ~~appropriation~~  
25 appropriations under s. 20.255 (2) (b) and (bb).

1           **SECTION 1998no.** 115.88 (8) of the statutes is amended to read:

2           115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in  
3 a public special education program located in another state and the state  
4 superintendent is satisfied that the program in which the child is enrolled complies  
5 with this subchapter, the state superintendent shall certify to the department of  
6 administration in favor of the school district in which the child resides or the school  
7 district attended by the child under s. 118.51 or 121.84 (1) (a) or (4) a sum equal to  
8 the amount expended by the school district during the preceding year for the  
9 additional costs associated with the child's special education program as costs  
10 eligible for reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2)  
11 (b) and (bb).”.

12           **3.** Page 818, line 21: after that line insert:

13           “**SECTION 1999c.** 115.882 of the statutes, as affected by 2003 Wisconsin Act ....  
14 (this act), is amended to read:

15           **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)  
16 and (bb) shall be used first for the purpose of s. 115.88 (4). Costs eligible for  
17 reimbursement from the ~~appropriation~~ appropriations under s. 20.255 (2) (b) and  
18 (bb) under ss. 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be  
19 reimbursed at a rate set to distribute the full amount appropriated for  
20 reimbursement for the costs, less the amount paid by the department of health and  
21 family services under s. 20.435 (4) (hm) and (o) under s. 49.45 (39) (b) 1m., not to  
22 exceed 100%.

23           **SECTION 1999n.** 115.93 of the statutes is amended to read:

1           **115.93 State aid.** If upon receipt of the reports under s. 115.92 (2) the state  
2 superintendent is satisfied that the school age parents program has been maintained  
3 during the preceding school year in accordance with the rules under s. 115.92 (3), the  
4 state superintendent shall certify to the department of administration in favor of  
5 each school district maintaining the program a sum equal to the amount expended  
6 by the school district during the preceding school year for salaries of teachers and  
7 instructional aides, special transportation and other expenses approved by the state  
8 superintendent as costs eligible for reimbursement from the ~~appropriation~~  
9 appropriations under s. 20.255 (2) (b) and (bb).”.

10           **4.** Page 821, line 15: after that line insert:

11           “**SECTION 2009m.** 118.255 (4) of the statutes is amended to read:

12           118.255 (4) If the state superintendent is satisfied that the health treatment  
13 services program has been maintained during the preceding school year in  
14 accordance with law, the state superintendent shall certify to the department of  
15 administration in favor of each school board, cooperative educational service agency  
16 and county children with disabilities education board maintaining such health  
17 treatment services, an amount equal to the amount expended for items listed in s.  
18 115.88 (1m) by the school board, cooperative educational service agency and county  
19 children with disabilities education board during the preceding year for these health  
20 treatment services as costs eligible for reimbursement from the ~~appropriation~~  
21 appropriations under s. 20.255 (2) (b) and (bb).”.

22           **5.** Page 823, line 7: after that line insert:

23           “**SECTION 2021m.** 118.43 (3) (intro.) of the statutes is amended to read:

1           118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)  
2           and (ar) and sub. (4m), an achievement guarantee contract shall require the school  
3           board to do all of the following in each participating school:

4           **SECTION 2021n.** 118.43 (4m) of the statutes is created to read:

5           118.43 (4m) EXCEPTIONS. A school district participating in the program under  
6           this section on the effective date of this subsection .... [revisor inserts date], may  
7           choose not to comply with the requirement to reduce class size to 15 in grades 2 or  
8           3 in any school.

9           **SECTION 2021no.** 118.43 (6) (b) (intro.) of the statutes is amended to read:

10          118.43 (6) (b) (intro.) From the appropriations under s. 20.255 (2) (cu) and (cv),  
11          subject to par. (c), the department shall pay to each school district that has entered  
12          into a contract with the department under this section, except for a school district  
13          under sub. (4m), an amount determined as follows:

14          **SECTION 2021nr.** 118.43 (6) (b) 8. of the statutes is amended to read:

15          118.43 (6) (b) 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied  
16          by the number of low–income pupils enrolled in grades eligible for funding in each  
17          school in the school district covered by contracts under sub. (3) (ar) and by renewals  
18          of contracts under sub. (2) (g) and \$2,000 multiplied by the number of low–income  
19          pupils enrolled in those grades under sub. (4m) in which the class size has been  
20          reduced to 15.”.

21          **6.** Page 1134, line 5: after that line insert:

22          “(1z) SPECIAL EDUCATION SUPPLEMENTAL APPROPRIATION. The treatment of  
23          sections 20.255 (2) (bb), 115.88 (1m) (a) and (am), (2), (2m), (3), (4), (6), and (8),

1 115.882 (by SECTION 1999c), 115.93, and 118.255 (4) of the statutes takes effect on  
2 July 1, 2004.”.

3 (END)