

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

LRB-3831/P1dn  
PG:lmk:ch

October 18, 2005

Senator Olsen:

In preparing this bill draft I used primarily Greg Dietz's draft, which you provided, and consulted with him frequently. Please note the following questions that arose during the process:

1. I did not include a definition of "day" because I believe s. 990.001 (4) would control. The definition of "evaluation" also seemed unnecessary, and the term "services plan" is not used in the draft so I deleted it as well.
2. In s. 115.782 (2) (a) 3. a., I did not change "child's native language" to "native language of the child's parents." OK?
3. I did not change s. 115.787 (2) (g) 3. ("and annually thereafter until ...") because there is no change in federal law.
4. Note the changed cross-reference to federal law in s. 115.782 (3) (a). Is that correct? Also, I copied federal law exactly here, but I don't think "instruction in reading instruction" makes sense.
5. In s. 115.80 (1) (a) 1., what happens if the parent is prevented from requesting a hearing due to misrepresentation by the LEA? Is there no deadline at all to file a request for a hearing under those circumstances?
6. Please check s. 115.80 (1) (e) to (g) carefully. I feel most uneasy about this portion of the draft. For example, as with all of the changes to s. 115.80, these are drafted to apply only when a parent requests a hearing, not when an LEA requests a hearing. Is that correct?
7. I did not include page 21, lines 5 to 12 or page 22, lines 5 to 7 or 12 to 16. I think all these provisions about awarding fees and costs are covered by chapter 802 of our statutes. See, for example, s. 802.05.

If you have questions or need more information, please let me know.

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