

Section #. 115.782 (2) (b) 1. of the statutes is amended to read:

local or state

115.782 (2) (b) 1. Review existing evaluation data on the child, including evaluations and information provided by the child's parents, ~~previous interventions and the effects of those interventions,~~ * current classroom-based assessments and observations, and observations by teachers and related services providers. in the classroom

History: 1997 a. 164; 1999 a. 117.

X
Section #. 115.782 (2) (b) 2. ^{(intro.) and to} of the statutes ^{are} is amended to read:

(intro.) ~~XXXXXXXXXX~~
115.782 (2) (b) 2. On the basis of that review and information provided by the child's parents, identify the additional data, if any, that are needed, ~~and the qualifications of the evaluators that are~~ ~~needed~~, to determine all of the following:

- a. Whether the child ~~has a particular category of disability~~ ^{is a child with a} or, in case of a reevaluation of a child, and the educational needs of the child whether the child continues to have such a disability.
- b. The present levels of ~~performance and educational~~ ^{academic achievement and} needs of the child. related developmental
- c. Whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services.
- d. Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable, annual goals specified in the child's individualized education program and to participate, as appropriate, in the general curriculum.

History: 1997 a. 164; 1999 a. 117.

and such educational needs

✓

(h)

Section #. 115.782 (2) (d) of the statutes is renumbered 115.78(1m)~~(h)~~ and amended to read:

115.78 (1m) ~~(d)~~ ^(h) If ~~a~~ ^{the} child is attending a public school in a nonresident school district under s. 118.51 or 121.84 (1) (a) or (4), ~~when the individualized education program team conducts its initial evaluation of the child or any reevaluation of the child under sub. (4), the team shall include at least one person designated by the school board of the child's school district of residence who has knowledge or special expertise about the child.~~

History: 1997 a. 164; 1999 a. 117.

SEC. RP, ✓
115.782 (2) (e)

SEC. CR, ✓
115.782 (2) (f)

^(B) 115.782(2)(f) The local educational agency shall ensure that ^{the} evaluation of ^a child with a disability who transfers from one school district to another in the same school year is coordinated with the child's prior and subsequent schools as necessary and as ^{expeditiously} as possible to ensure prompt completion of all evaluations.

X

Section #. 115.782 (3) (a) of the statutes is amended to read:

115.782 (3) (a) Upon the completion of the administration of ~~tests~~ ^{assessments} and other evaluation materials, the individualized education program team shall determine whether the child is a child with a disability. The individualized education program team may not determine that a child is a child with a disability solely because the child has received insufficient instruction in reading ^{or} math or because the child has limited proficiency in English.

History: 1997 a. 164; 1999 a. 117.

^{including} ⁱⁿ the essential components of reading instruction, as defined in 20 USC 6368(3)

Section #. 115.782 (3) (b) of the statutes is amended to read:

★ 115.782 (3) (b) ^{plain} ~~If the individualized education program team determines that a child is a child with a disability, the team shall prepare an evaluation report that includes documentation of determination of eligibility. The local educational agency shall ask each individualized education program team participant if he or she wants a copy of the evaluation report or additional time before the individualized education program team develops the child's individualized education program. If any individualized education program team participant requests a copy of the evaluation report at any point in the process of developing the child's individualized education program or considering the child's educational placement, the local educational agency shall give a copy of the report to each individualized education program team participant before continuing with the process. If no individualized education program team participant requests a copy of the evaluation report, the local educational agency shall give a copy to the child's parents with the notice of placement under s. 115.792 (2).~~ ^{plain}

History: 1997 a. 164; 1999 a. 117.

of the evaluation report, including the documentation of eligibility

for special education
The

→ SEC. RP. 115.782 (3) (c)

Section #. 115.782 (4) (a) 1. [✓] of the statutes ^{and 2.} ~~is~~ ^{are} amended to read:

115.782 (4) (a) 1. Evaluates a child with a disability in accordance with this section before determining that the child is no longer a child with a disability.

History: 1997 a. 164; 1999 a. 117.

^ except that an evaluation is not required before the termination of a child's eligibility for special education and related services because he or she graduated with a regular diploma or because he or she reached the age of 21. In those circumstances, the local educational agency shall provide the child with a summary of the child's academic achievement and functional performance, including recommendations on how to assist the child in meeting his or her postsecondary goals.

Section #. 115.782 (4) (a) 2. of the statutes is amended to read:

115.782 (4) (a) 2. Reevaluates a child with a disability in accordance with this section if the local educational agency determines that conditions warrant a reevaluation or if the child's parent or teacher requests a reevaluation, but at least once every 3 years.

History: 1997 a. 164; 1999 a. 117.

* ~~of~~ The individualized all education program team shall reevaluate a child no more frequently than once a year unless the child's parent and the local educational agency agree otherwise; and at least once every 3 years unless the child's parent and the local educational agency agree that a reevaluation is unnecessary. ~~One~~ Plain

X

Section #. 115.787 (2) (b) of the statutes is amended to read:

115.787 (2) (b) A statement of measurable annual goals for the child, including ~~benchmarks or short-term objectives, related to meeting~~ the child's needs that result from the child's disability to enable the child to be involved in and ^{make} progress in the general curriculum, and to ~~meeting~~ ^{meet} each of the child's other educational needs that result from the child's disability.

History: 1997 a. 164; 1999 a. 117.

academic and functional goals, designed to meet

→ sec. CR; 115-787 (2)(b) X
115-787 (2)(b) = For a child with a disability who takes alternate assessments aligned with alternate achievement standards, a description of benchmarks or short-term objectives.

Section #. 115.787 (2) (c) (intro.) of the statutes is amended to read:

115.787 (2) (c) (intro.) A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child to do all of the following:

History: 1997 a. 164; 1999 a. 117.

based on peer-reviewed ^{research} research
to the extent practicable

✓

Section #. 115.787 (2) (e) of the statutes is amended to read:

appropriate accommodations that are necessary to measure the academic achievement and

115.787 (2) (e) 1. A statement of any individual ~~modifications in the administration of any state-~~
wide or local educational agency-wide assessment of pupil achievement that are needed for the child
* to participate in the assessment. assessments

2. If the individualized education program team determines that a child ~~will not participate in~~
a particular statewide or local educational agency-wide assessment of pupil achievement, or part
of such an assessment, a statement of why ~~that assessment is not~~ appropriate for the child and how
the child will be assessed through alternative means.

History: 1997 a. 164; 1999 a. 117.

the child cannot participate in the regular assessment and why the particular alternate assessment selected is

functional performance of the child on

will take an alternate assessment on

SEC. RC. 115.787 (2)(g) 1. and 2.

115.787 (2)(g) 1. Beginning not later than in
the first individualized education program that
will be in effect when the child is 16, the age of 16,
and updated annually thereafter, a statement of
the appropriate, measurable annual goals
for the child based on age-appropriate transition
assessments related to training, education,
employment and, where appropriate, independent
living skills.

2. A description of the transition
services, including courses of study, needed
to assist the child in reaching the goals
under subsec. 10.

X

Section #. 115.787 (2) (g) 3. of the statutes is amended to read:

115.787 (2) (g) 3. Beginning at least one year before the child attains the age of 18, and annually thereafter until the child is no longer eligible for special education and related services, a statement that the child has been informed of the ^{child's} parental rights that will transfer to the child on reaching the age of 18 under s. 115.807.

History: 1997 a. 164; 1999 a. 117.

X

SEC. RC. 115.787 (3)(h) 2.
115.787 (3) (h) 2. When periodic reports on the progress the child is making toward meeting the annual goals under subd. (c) will be provided.

such as quarterly reports or other periodic reports issued concurrently with report cards.

X

Section #. 115.787 (3) (a) of the statutes is amended to read:

115.787 (3) (a) In developing each child's individualized education program, the individualized education program team shall consider the strengths of the child, the concerns of the child's parents for enhancing the education of their child ~~and~~ ^{and} the results of the initial evaluation or most recent reevaluation of the child.

History: 1997 a. 164; 1999 a. 117.

and the ^{academic} ^{developmental} and functional needs of the child



Section #. 115.787 (3) (b) 1. of the statutes is amended to read:

115.787 (3) (b) 1. In the case of a child whose behavior impedes his or her learning or that of others, consider, ~~when appropriate, strategies, including~~ positive behavioral interventions, and supports to address that behavior.

History: 1997 a. 164; 1999 a. 117.

the use of

X

Section #. 115.787 (3) (b) 4. of the statutes is amended to read:

USE 4x
communication

115.787 (3) (b) 4. Consider the ~~communicative~~ needs of the child, and, in the case of a child who is hearing impaired, consider the child's language and ~~communicative~~ needs, opportunities for direct communications with peers and professional personnel in the child's language and ~~communicative~~ mode, academic level and full range of needs, including opportunities for direct instruction in the child's language and ~~communicative~~ mode.

History: 1997 a. 164; 1999 a. 117.

X

SEC. RP, 115.787 (3) (d)

✓
SEC. CR; 115.787(4)(c)

^(B)
115.787(4)(c) ~~In making changes to a~~

~~child's individualized education program~~ After
the annual individualized
the annual individualized education program
meeting for a school year, the child's parent
and the local educational agency may agree

not to convene an individualized education
meeting for the
program meeting for the purpose of making
to the child's individualized education program
changes, ~~are~~ instead may develop a

written document to ~~amend or~~ modify
current
the child's individualized education program. (C)



Section #. 115.787 (6) (a) 2. of the statutes is amended to read:

115.787 (6) (a) 2. The requirements relating to ~~transition planning~~ annual goals and transition services under sub. (2) (g) 1. and 2. do not apply with respect to a child with a disability who is convicted of a crime under state law and incarcerated in a state prison and whose eligibility under this subchapter will end, because of his or her age, before he or she will be released from prison. †

History: 1997 a. 164; 1999 a. 117.

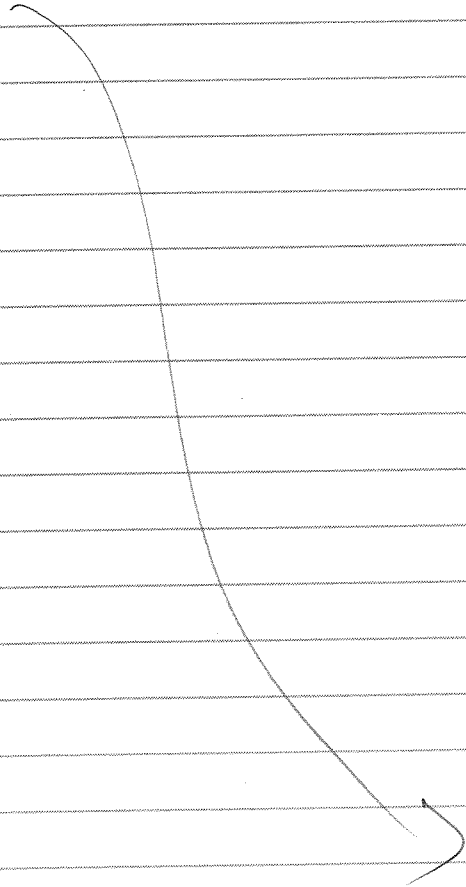
X

SEC. RN: 115-791 (3) (intro.) , 115-791 (3)(a) (intro.)

X

SEC. RN: 115-791 (3)(a) ; 115-791 (3)(b) 1.

~~SEC. RA. 115-791 (3)(b) ; 115-791 (3)(a) 2.~~



X

Section #. 115.791 (3) (b) of the statutes is renumbered 115.791(3)(a)2. and amended to

read:

115.791 (3) (a) 2. Compliance with sub. (2) (a) would likely result in ^{serious} physical or ~~serious emotional~~ harm to the child.

History: 1997 a. 164.

SEC. RN; 115.791 (3) (c); 115.791 (3) (a) 3.

SEC. RN; 115.791 (3) (d); 115.791 (3) (a) 4.

SEC. CR; 115.791 (3) (b) (intro.) and 2.

115.791 (3) (b) (intro.) ^(B) Notwithstanding the notice requirement in sub. (2) (a) [↑] a ^{court} ~~wpt~~ or ^{hearing} hearing officer may determine not to reduce or deny for failure to provide such notice the cost of reimbursement if any of the following apply:

A 2. Compliance with sub. (2) (a) would likely result in serious emotional harm to the child.

✓

Section #. 115.792 (2) (d) of the statutes is amended to read:

115.792 (2) (d) A description of each ~~evaluative~~ ^{evaluation} procedure, ~~test~~ ^{assessment}, record or report that the local educational agency used as a basis for the proposed or refused action. →

History: 1997 a. 164; 1999 a. 117.

✓

→ SEC. RP, 115-792 (2) (e)

X

Section #. 115.792 (2) (g) of the statutes is amended to read:

115.792 (2) (g) A statement that the parents of a child with a disability have procedural safeguards under this section and, if this notice is not an initial referral for evaluation, ^{keep} ~~or reevaluation, or a notice of an individualized education program meeting~~ ^{strike} the way in which the parents may obtain a description of the procedural safeguards under sub. (3).

★
★

History: 1997 a. 164; 1999 a. 117.

SEC. RP, X 115-792 (2) (i)

X

Section #. 115.792 (3) (b) (intro.) of the statutes is amended to read:

115.792 (3) (b) (intro.) The local educational agency shall give to the parents of a child with a disability, upon the child's initial referral for evaluation, upon ~~each notification of an individualized education program meeting and upon reevaluation of the child,~~ a full explanation written ~~so as to~~ ^{in an understandable manner} ~~be easily understood by the general public,~~ and in the native language of the child's parents unless it clearly is not feasible to do so, of the procedural safeguards available under this section and under applicable federal law relating to all of the following:

History: 1997 a. 164; 1999 a. 117.

once a year but also

the first occurrence of the filing of a request for a hearing under 50115080, and upon request by the child's parent

Section #. 115.792 (3) (b) 5. of the statutes is amended to read:

115.792 (3) (b) 5. Opportunity to present and resolve complaints.

History: 1997 a. 164; 1999 a. 117.

Section #. 115.792 (3) (b) 11. of the statutes is amended to read:

115.792 (3) (b) 11. Civil actions.

History: 1997 a. 164; 1999 a. 117.

including the period in which
to file a civil action.

X

Section #. 115.80 (1) (a) 1. of the statutes is amended to read:

115.80 (1) (a) 1. A parent, or the attorney representing the child, may file a written request with the division for a hearing within one year after the refusal or proposal of the local educational agency to initiate or change his or her child's evaluation, individualized education program, educational placement or the provision of a free appropriate public education, ~~except that, if the local educational agency has not previously provided the parent or the attorney representing the child with notice of the right to request a hearing under this subdivision, he or she may file a request under this subdivision within one year after the local educational agency provides the notice.~~ The division shall develop a model form to assist parents in filing a request under this subdivision.

*
*
*
↓

History: 1997 a. 164, 251; 1999 a. 117.

unless the
parent was prevented from ^{requesting} requesting
a hearing due to specific
misrepresentations by the local
educational agency that it had
resolved the problem ^{forming} forming the ^{the} the
basis of the request for a hearing,
or due to the local educational
agency's ^{withholding} withholding of information
from the parent that was required
to be provided to the parent
under this subchapter

X

Section #. 115.80 (1) (b) of the statutes is amended to read:

115.80 (1) (b) A local educational agency may file a written request with the division for a hearing to override a parent's refusal to grant consent for an initial evaluation, ^{strike} a ^{or} reevaluation ~~or an initial educational placement~~ ^{plain} or to contest the payment of an independent educational evaluation. *

History: 1997 a. 164, 251; 1999 a. 117.

X
SEC. CR; 115.80 (1)(e)

(B) 115.80(1)(e). If the parent of a child with a disability files a written request with the division for a hearing and the local educational agency has not ^{previously} sent a ~~prior~~ written notice to the parent regarding the subject matter of the hearing request, ^{under s. 115.792 (1)(B)} the local educational agency shall, within 10 days of the division receiving the hearing request, send to the child's parent a written explanation of why the agency proposed or refused to take the action raised in the hearing request, a description of other options that the individualized education program team considered and the reason why those options were rejected, a

description each
description of each evaluation procedure, [^]
or report that the
assessment, [^] record, [^] or report that the
agency used as the basis for the proposed
or refused action; [^] and a description of
the factors that are relevant ^{relevant} to the agency's
proposal or
proposal or refusal. [^] A response by a local
educational agency under this paragraph [✓] does
not preclude the agency from asserting that
the parent's request for a hearing is
insufficient under subd. [^] 2. [^]

7
§ 2. A hearing requested by a parent
or attorney under par. (a) 1. [^] may not occur
until the parent or attorney files a request [^]
that meets the requirements of par. (a) 2. [^] The
request under par. (a) 2. shall be considered
sufficient unless the agency notifies the

hearing officer and the local educational agency believes
~~agency~~ ^{parent} in writing that the ~~agency~~ believes
the request does not meet the requirements
a notice under
within 5 days of receiving a notice under
this subdivision; the hearing officer shall
determine whether the request meets the
requirements under par. (a)2. and notify
the parties (.)

SEC. CR. 115.80(1)(f) ✓
115.80(1)(f) ^(B) within 10 days of ^{the division} receiving
~~the request for a hearing under par. (a)1.~~
The local educational agency shall send to the
child's parent a written response that
addresses ^{issues} the issues raised in the hearing
request within 10 days of the division receiving
the request ↑ except that the agency has
15 days in which to respond if the agency
notifies the hearing officer ^{under} [✓] par. (e)2.
that the request is insufficient. ○

SEC. CR. 115.80(1)(g) ✓
115.80(1)(g) ^(B) A parent filing a written
request for a hearing under par. (a)1. may
amend its request only if the local educational

agency consents in writing and is given
the opportunity to resolve the issues
presented by the request through a meeting
~~held~~ under sub. (2m), ^{at meeting} or if the
hearing officer grants permission at least
5 days before the hearing is scheduled
to occur. ✓

SEC. CR. 115.80(1)(h)
115.80(1)(h) ³ If a hearing ~~is~~ requested
under par. (a) 1. may occur ~~only~~ if the
local educational agency has not resolved
the issues presented by the request to the
satisfaction of the parent within 30 days
of the receipt of the request. ✓

Section #. 115.80 (2) of the statutes is amended to read:

115.80 (2) The division shall maintain a list of qualified hearing officers who are not employed by or under contract with the department or the local educational agency, other than being appointed under this subsection, to serve as hearing officers in hearings under this section. Upon receipt of a written request for a hearing under sub. (1), the division shall appoint a hearing officer from the list.

History: 1997 a. 164, 251; 1999 a. 117.

and who do not have a personal or professional interest that conflicts with the person's objectivity in the hearing.

A hearing officer must possess knowledge of, and the ability to understand, state and federal special education laws, rules, and regulations, and legal interpretation by federal and state courts.

A hearing officer also must possess the knowledge and ability to conduct hearings in accordance with appropriate standard legal practice, and to render and write decisions in accordance with appropriate, standard legal practice.

Except as provided in par. (b) within 15 days of the division receiving a request for a hearing under par. (a) 1. and

SEC. CR. 115.80 (2m)
115.80 (2m) ✓

before the hearing is conducted

~~under this section~~ the local educational agency shall convene a meeting with the child's parents and the relevant members of the

individualized educational program team who have specific knowledge of the facts identified in the hearing request. At the meeting the parents may discuss the subject matter of the hearing request and the facts that form the basis of the request and the agency may resolve the issues.

(b) The meeting under par. (a) shall include a representative of the local educational agency who is authorized to make decisions on behalf of the agency. The meeting may not

include an agency attorney unless the child's parent is accompanied by an attorney. (C)

¶ (c) The parents and the local educational agency may ^{in writing} agree to waive the meeting under [✓] par. (a) or use mediation under s. 115.797. (C)

¶ (d) If the ^{child's} parents and the local educational agency resolve the subject matter of the hearing request at the meeting under par. (a), they shall execute ^{a written, signed} an agreement that is enforceable unless the parent or the agency ^{voids} voids the agreement within ^{business} 3 days of its execution. (C)

Section #. 115.80 (4) of the statutes is amended to read:

115.80 (4) At least 5 business days before a hearing is conducted under this section, other than an expedited hearing under 20 USC 1415 (k), each party shall disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing. The hearing officer may bar any party that fails to comply with this subsection from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

History: 1997 a. 164, 251; 1999 a. 117.

The party requesting the hearing may not raise issues at the hearing that were not raised in the notice filed under sub. (1)(a) ² unless the other party agrees.

Section #. 115.80 (5) of the statutes is ~~amended~~ ^{renumbered 115.80 (5) (a) and} to read:

115.80 (5) ^(a) A hearing officer may administer oaths and affirmations, issue subpoenas and enforce subpoenas under ss. 885.01 (4) and 885.12, regulate the course of the hearing and hold conferences for the settlement or simplification of the issues. The hearing officer is not bound by common law or statutory rules of evidence. The hearing officer shall admit all testimony having reasonable probative value, but shall exclude immaterial, irrelevant or unduly repetitious testimony. The hearing officer shall give effect to the rules of privilege recognized by law. A hearing officer has the authority to issue an order consistent with this subchapter and 20 USC 1415 (k) and to order whatever remedy is reasonably necessary to bring the parties into compliance with this subchapter. ^(b) The hearing officer's decision shall consist of findings of fact and conclusions of law and shall be based upon a preponderance of the evidence. The findings of fact shall be based solely upon the evidence received at the hearing.

History: 1997 a. 164, 251; 1999 a. 117.

The decision shall be made on substantive grounds based on a determination of whether the child received a free appropriate public education.

SEC. CR; 115.80 (5) (c) ~~amended~~ ^(b)
115.80 (5) (c) In matters alleging a procedural violation, a hearing officer may find that a child did not receive a free appropriate public education only if the procedural inadequacies impeded the child's

right to a free appropriate public education, ^
significantly impeded the parents' opportunity
to participate in the decision making process
regarding the provision of a free appropriate
public education to the child, ^ or caused
a deprivation of educational benefits.

(m.f.) ~~(h)~~ Nothing in this ~~subsection~~ ^{paragraph} precludes
a hearing officer from ordering a local
educational agency to comply with procedural
requirements.

X

Section #. 115.80 (9) (a) of the statutes is renumbered 115.80(9)(a)(intro.) and amended to read:

115.80 (9) (a) ^(intro.) Subject to par. (b), a circuit court may award reasonable attorney fees and actual costs to the parents of a child with a disability who is the prevailing party in any action or proceeding brought in circuit court under this section ~~to~~ to any of the following:

History: 1997 a. 164, 251; 1999 a. 117.

SEC. CR. 115.80 (9) (a) ~~IMMAN~~ and 2.

115.80 (9) (a) 1. A prevailing party who is the parent of a child with a disability.

~~2. A prevailing party who is the local educational agency, against the attorney of a parent who files a hearing request or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of a parent who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation.~~

3. A prevailing party who is the local educational agency, against the attorney of a parent or against the parent ~~at the parent's request for~~

X

Section #. 115.80 (9) (b) 2. of the statutes is amended to read:

115.80 (9) (b) 2. Fees and costs may not be awarded under par. (a) if they relate to any meeting of the individualized education program team unless the meeting is convened as a result of an administrative hearing or judicial action, or for mediation under s. 115.797 that is conducted before filing a request for a hearing under sub. (1).

History: 1997 a. 164, 251; 1999 a. 117.

For the purposes of this subdivision, a meeting held under sub. (2m) is ~~not~~ ^{neither} a meeting convened as a result of an administrative hearing or judicial action nor an administrative hearing or judicial action.

✓
SEC. (AM, 115.81 (title))

115.81 (title) Children in child care (B)

~~institutions~~ residential care centers (B)



Section #. 115.812 (1) of the statutes is amended to read:

115.812 (1) PLACEMENT DISPUTES. If a dispute arises between a local educational agency and the department of health and family services, the department of corrections or a county department under s. 46.215, 46.22 or 46.23, or between local educational agencies under s. 115.81 (4) (c), over the placement of a child, the state superintendent shall resolve the dispute. This subsection applies only to placements in nonresidential educational programs made under s. 48.57 (1) (c) and to placements in ~~child caring institutions~~ made under s. 115.81.

History: 1997 a. 164.

residential care centers

INITIAL APPLICABILITY

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

SECTION # [93] **Initial applicability;** *#NS: inappl*

(#1) ()

The treatment of sections ...
115.80 (1)(a), (b), (c), (d), (e), (f), (g), and (h), (2), (2m), (4), (5), and (9)

of the statutes
first applies to *to requests for hearings filed on*
the effective date of this section.

(End)

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

SECTION # _____ **Initial applicability;**

(#1) ()

This act first
applies to

DN

Senator Olsen (bill)

In preparing this draft I used primarily Greg Dietz's draft, which you provided, and consulted with him frequently. I also compared many of the components to the ~~draft~~ federal law changes.

Please note the following questions that arose during the process:

¶ 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?

move ¶ 1. I did not include a definition of "day" because I believe ~~the~~ 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.

it as well.

¶ 3. I did not change 115-787 (2)(g)3.

("and annually thereafter until...") because there is no change in federal law.

¶ 4. Note the change cross-reference to federal law in s. 115.782 (3) (a). I think

correct? Also, I copied federal law

exactly here, but I don't think "instruction;

iii reading instruction" makes sense.

¶ 5. In s. 115.80 (1)(a) is 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 ~~child~~^{parent}
parent requests a hearing, not when
an LEA requests a hearing. Is that
correct?

I did not include p. 21, lines 5 to
12 or p. 22, lines 5 to 7 or 12 to 16. I
think all these provisions ~~regarding~~^{awarding} the
~~reimbursement~~ of 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.

RG