

## 2007 ASSEMBLY BILL 906

1 AN ACT *to amend* 115.88 (1m); and *to create* 115.88 (1m) (b) of the statutes;  
2 relating to: state special education aid for the salaries of certain pupil services  
3 personnel and granting rule-making authority.

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*Analysis by the Legislative Reference Bureau*

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

4 SECTION 1. 115.88 (1m) of the statutes is amended to read:  
5 115.88 (1m) PROGRAM AID. (a) If Subject to par. (b), upon receipt of the plan  
6 under s. 115.77 (4), if the state superintendent is satisfied that the special education  
7 program has been maintained during the preceding school year in accordance with  
8 law, the state superintendent shall certify to the department of administration in  
9 favor of each county, cooperative educational service agency, and school district  
10 maintaining such special education program a sum equal to the amount expended

**ASSEMBLY BILL 906****SECTION 1**

1 by the county, agency, and school district during the preceding year for salaries of  
2 personnel enumerated in sub. (1), the salary portion of any authorized contract for  
3 physical or occupational therapy services; the salary portion of any contract to  
4 provide special education services to pupils attending a charter school, as authorized  
5 under sub. (1); and other expenses approved by the state superintendent, as costs  
6 eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

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

21 **SECTION 2.** 115.88 (1m) (b) of the statutes is created to read:

22 115.88 **(1m)** (b) The department shall promulgate rules establishing the  
23 percentage of the salaries of licensed school nurses, licensed school social workers,  
24 licensed school psychologists, and licensed school counselors that may be certified  
25 under pars. (a) and (am) as costs eligible for reimbursement. For each category of

**ASSEMBLY BILL 906**

1 personnel, the department shall base the percentage on the average percentage of  
2 work time that the category spends providing services to children with disabilities,  
3 including conducting evaluations under s. 115.782.

4 **SECTION 3. Initial applicability.**

5 (1) This act first applies to state aid distributed in the 2008–09 school year.

6 (END)