



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2007 Wisconsin Act 221
[2007 Assembly Bill 906]

Special Education Categorical Aid

The salaries of school nurses, school social workers, school psychologists, and school counselors providing services in a special education program of a school district, cooperative educational service agency, county children with disabilities education board, or independent charter school operating under s. 118.40 (2r), Stats., are among the costs eligible to be reimbursed (on a prorated basis if the funding is insufficient) from the appropriation for special education categorical aid.

If such a professional is also employed to provide services to other pupils outside the special education program, the portion of the professional's salary attributable to services provided outside the special education program are not eligible for reimbursement under special education categorical aid.

Under prior law, in practice, each such professional would have to keep records of time spent providing services in a special education program versus time spent providing services to pupils not in the special education program in order to calculate the percentage of salary eligible for reimbursement as special education categorical aid.

2007 Wisconsin Act 221 requires the Department of Public Instruction (DPI) to promulgate administrative rules establishing the percentage of the salaries for each of these four categories of professionals that is eligible for reimbursement as special education categorical aid. For each category, DPI must base the percentage on the average percentage of work time that professionals in that category spend providing services to children with disabilities, including conducting evaluations. Because this DPI-established percentage will be used to calculate what is eligible for reimbursement as special education categorical aid, the practice of each professional keeping records of how much time was spent providing services to children with disabilities and how much time was spent providing services to other pupils can be eliminated.

Effective Date and Initial Applicability: The Act takes effect on April 22, 2008 but first applies to state aid distributed in the 2008-09 school year.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.