

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget 6-7329** Drafter: **fknepp**
 By: **Kretschmann** Secondary Drafters:
 Date: **2/19/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **fern.knepp@legis.wisconsin.gov**
krista.pleviak@legis.wisconsin.gov
DOASBOStatLanguage@wisconsin.gov

Pre Topic:

DOA:.....Kretschmann, BB0436 -

Topic:

Special education policy compile

Instructions:

See attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|-----------------------|----------------------|-----------------|-----------------|
| /? | kpleviak 2/19/2019 | kfollett 2/19/2019 | | | |
| /P1 | | | lparisi 2/19/2019 | | State S&L |

FE Sent For: **<END>**

Knepp, Fern

From: Hanaman, Cathlene
Sent: Tuesday, February 19, 2019 8:32 AM
To: Knepp, Fern; Pleviak, Krista
Subject: FW: Statutory Language Drafting Request - 2019-21

From: Kretschmann, Kyle - DOA <Kyle.Kretschmann@wisconsin.gov>
Sent: Monday, February 18, 2019 5:40 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>; Kretschmann, Kyle - DOA <Kyle.Kretschmann@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Special Education Policy Changes

Tracking Code: BB0436

SBO Team: EWD

SBO Analyst: Kretschmann, Kyle
Phone: 608-266-8593
E-mail: kyle.kretschmann@wisconsin.gov

Agency Acronym: 255

Agency Number: 255

Priority: High

Intent:

Combine LRB-0748/P1, LRB-0749/P1 and LRB-0751/P1 into a single special education policy change draft.

Attachments: False

Please send completed drafts to SBOSTatlanguage@spmail.enterprise.wistate.us



State of Wisconsin
2019 - 2020 LEGISLATURE

W: 02/19/19

PI
LRB-2138(2) wheels
...
KRPEFFK: gff

DOA:.....Kretschmann, BB0436 - Special education policy compile

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

Anal: title: sub-sub:
1. Special education funding

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

~~*** ANALYSIS FROM -0748/P1 ***~~

EDUCATION

eliminates

PRIMARY AND SECONDARY EDUCATION

This bill ~~repeals~~ supplemental special education aid on July 1, 2020. Under current law, DPI provides supplemental special education aid to a school district that in the previous year had revenue limit authority per pupil that was below the statewide average, that had expenditures for special education that were more than 16 percent of the school district's total expenditures, and that had a membership that was less than 2,000 pupils. Under current law, a school district may not receive both supplemental special education aid and high-cost special education aid in the same school year.

2

Supplemental special education aid.

additional

~~*** ANALYSIS FROM -0749/P1 ***~~

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill increases the amount DPI pays to school boards, cooperative educational service agencies, county children with disabilities education boards, and operators of independent charter schools for costs incurred to provide special education and related services to a child with a disability that exceed \$30,000 in one school year from 90 percent of the costs that exceed \$30,000 to 100 percent of the costs

1.

Additional special education aid

BI

(additional special education aid)

that exceed \$30,000. Under current law, if the amount appropriated for additional special education aid is insufficient to pay the full amount to the eligible entities, DPI must prorate payments among all eligible entities. The bill converts the appropriation for the aid to a sum sufficient, eliminating the need to prorate aid due to an insufficient appropriation.

Special education transition grants.

*** ANALYSIS FROM 0751/P1 ***

EDUCATION

PRIMARY AND SECONDARY EDUCATION

This bill changes the per individual amount for grants awarded to school districts and independent charter schools under the special education transition grant program. Under current law, a school district or independent charter school is awarded \$1,000 per qualifying individual. Under the bill, a school district or independent charter school is awarded the lesser of 1) \$1,500 per qualifying individual or 2) an amount per qualifying individual that is determined by dividing the amount appropriated for these grants in a school year by the total number of individuals who qualify for the grants in that school year.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. 20.255 (2) (bd) of the statutes is amended to read:
2 20.255 (2) (bd) *Additional special education aid.* The amounts in the schedule
3 for A sum sufficient for the payment of aid under s. 115.881.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 2. 20.255 (2) (be) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 SECTION 3. 115.881 (2) of the statutes is amended to read:
6 115.881 (2) For each child whose costs exceeded \$30,000 under sub. (1), the
7 department shall, from the appropriation under s. 20.255 (2) (bd), pay an eligible
8 applicant in the current school year an amount equal to 0.90 multiplied by that
9 portion of the cost costs under sub. (1) that exceeded \$30,000.

10 SECTION 4. 115.881 (3) of the statutes is repealed.

3.

1 SECTION 5. 115.881 (4) of the statutes is repealed.

2 SECTION 6. 115.883 of the statutes is repealed.

3 SECTION 7. 115.884 (1) (intro.) of the statutes is amended to read:

4 115.884 (1) (intro.) In the 2016-17 2019-20 school year and each school year
5 thereafter, from the appropriation under s. 20.255 (2) (bf), the department shall
6 award an incentive grant in the amount of \$1,000 per individual determined under
7 sub. (3) to a school district, or to an operator of a charter school established under s.
8 118.40 (2r) or (2x), that applies for a grant under this section and that if the school
9 district or operator demonstrates to the satisfaction of the department that the
10 individual satisfies all of the following criteria:

11 SECTION 8. 115.884 (2) of the statutes is repealed.

12 SECTION 9. 115.884 (3) of the statutes is created to read:

13 115.884 (3) The per individual grant amount under sub. (1) is the lesser of the
14 following:

15 (a) In each school year, the amount determined by dividing the amount
16 appropriated under s. 20.255 (2) (bf) for that school year by the total number of
17 individuals statewide for whom a grant will be awarded under sub. (1) in that school
18 year.

19 (b) \$1,500.

One thousand five hundred dollars ..

ADDITIONAL

20 SECTION 9334. Initial applicability; Public Instruction.

21 (1) **HIGH-COST** SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (bd) and
22 115.881 (2) and (3) first applies to aid paid in the 2019-20 school year.

23 SECTION 9434. Effective dates; Public Instruction.

1 (1) SUPPLEMENTAL SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (be),
2 115.881 (4), and 115.883 takes effect on July 1, 2020.

3 (END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2138/P1
KRP&FFK:ah&kjf

DOA:.....Kretschmann, BB0436 - Special education policy compile

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

1. Special education funding

Additional special education aid. This bill increases the amount DPI pays to school boards, cooperative educational service agencies, county children with disabilities education boards, and operators of independent charter schools for costs incurred to provide special education and related services to a child with a disability that exceed \$30,000 in one school year from 90 percent of the costs that exceed \$30,000 to 100 percent of the costs that exceed \$30,000 (additional special education aid). Under current law, if the amount appropriated for additional special education aid is insufficient to pay the full amount to the eligible entities, DPI must prorate payments among all eligible entities. The bill converts the appropriation for the aid to a sum sufficient, eliminating the need to prorate aid due to an insufficient appropriation.

Supplemental special education aid. This bill eliminates supplemental special education aid on July 1, 2020. Under current law, DPI provides supplemental special education aid to a school district that in the previous year had revenue limit authority per pupil that was below the statewide average, that had expenditures for special education that were more than 16 percent of the school district's total

expenditures, and that had a membership that was less than 2,000 pupils. Under current law, a school district may not receive both supplemental special education aid and additional special education aid in the same school year.

Special education transition grants. This bill changes the per individual amount for grants awarded to school districts and independent charter schools under the special education transition grant program. Under current law, a school district or independent charter school is awarded \$1,000 per qualifying individual. Under the bill, a school district or independent charter school is awarded the lesser of 1) \$1,500 per qualifying individual or 2) an amount per qualifying individual that is determined by dividing the amount appropriated for these grants in a school year by the total number of individuals who qualify for the grants in that school year.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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13 appropriated under s. 20.255 (2) (bf) for that school year by the total number of
14 individuals statewide for whom a grant will be awarded under sub. (1) in that school
15 year.

16 (b) One thousand five hundred dollars.

17 **SECTION 9334. Initial applicability; Public Instruction.**

18 (1) ADDITIONAL SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (bd) and
19 115.881 (2) and (3) first applies to aid paid in the 2019-20 school year.

20 **SECTION 9434. Effective dates; Public Instruction.**

21 (1) SUPPLEMENTAL SPECIAL EDUCATION AID. The treatment of ss. 20.255 (2) (be),
22 115.881 (4), and 115.883 takes effect on July 1, 2020.

23 (END)