

**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, BB0437 -

**Topic:**

Bilingual-bicultural program compile

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 2/19/2019	kfollett 2/19/2019			
/P1			mbarman 2/19/2019		State S&L
/P2	chanaman 2/21/2019	anienaja 2/21/2019	lparisi 2/21/2019		State S&L

FE Sent For: **<END>**

## Knepp, Fern

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

Let me know if you want me to run any compiles

**From:** Kretschmann, Kyle - DOA <Kyle.Kretschmann@wisconsin.gov>  
**Sent:** Monday, February 18, 2019 5:42 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: Bilingual Bicultural Program Changes

Tracking Code: BB0437

SBO Team: EWD

SBO Analyst: Kretschmann, Kyle  
Phone: 608-266-8593  
E-mail: [kyle.kretschmann@wisconsin.gov](mailto:kyle.kretschmann@wisconsin.gov)

Agency Acronym: 255

Agency Number: 255

Priority: High

Intent:

Combine LRB-0764/P3, LRB-0765/P3 and LRB-0773/P3 into a single draft related to bilingual bicultural programs.

Attachments: False

Please send completed drafts to [SBOSatlanguage@spsmail.enterprise.wistate.us](mailto:SBOSatlanguage@spsmail.enterprise.wistate.us)



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2139/P1  
P1C all

In 2-19

DOA:.....Kretschmann, BB0437 - Bilingual-bicultural program compile  
**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

1. Bilingual-bicultural education; aid programs.

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

**Analysis by the Legislative Reference Bureau**  
**\*\*\* ANALYSIS FROM -0764/P3 \*\*\***  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

1. **Limited-English pupils; targeted aid program**

Beginning in the 2020-21 school year, this bill requires DPI to provide additional aid to school districts for limited-English pupils, whose English proficiency is in one of the three lowest classifications. The amount of the additional aid is \$100 per eligible pupil, unless the amount appropriated for the aid program is insufficient, in which case DPI prorates the aid payments. Current law requires each school board to assess the language proficiency of each limited-English pupil and to classify, among other things, the pupil's English language proficiency. *LEP*

**\*\*\* ANALYSIS FROM -0765/P3 \*\*\***  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

2. **Bilingual-bicultural education supplemental aid**

This bill creates a new bilingual-bicultural categorical aid program for school districts. Under the bill, beginning in the 2020-21 school year, DPI must annually pay each school district an amount equal to \$100 times the number of limited-English

proficient (LEP) pupils enrolled in the school district in the previous school year for whom the school district was not required to provide a bilingual-bicultural education program. If there are insufficient funds to provide the total aid amount in any fiscal year, DPI must prorate the payments.

Under current law, a school district is required to provide a bilingual-bicultural education program to LEP pupils who attend a school in the school district if the school meets any of the following thresholds:

1. Within a language group, ten or more LEP pupils are enrolled in kindergarten to grade three.
2. Within a language group, 20 or more LEP pupils are enrolled in grades 4 to 8.
3. Within a language group, 20 or more LEP pupils are enrolled in grades 9 to 12.

\*\*\* ANALYSIS FROM -0773/P3 \*\*\*

EDUCATION

PRIMARY AND SECONDARY EDUCATION

beginning in the 2020-21 school year

**3. Bilingual-bicultural education program grants**

This bill creates a grant program under which DPI may award grants in amounts determined by DPI, to school districts and independent charter schools to support bilingual-bicultural education programs or other educational programming for limited-English proficient pupils enrolled in the school district or independent charter school.   
LEP

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) (cb) of the statutes is created to read:

2 20.255 (2) (cb) *Bilingual-bicultural education; grants.* The amounts in the  
3 schedule for bilingual-bicultural education grants under s. 115.958.

\*\*\*\*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) (cc) of the statutes is amended to read:

5 20.255 (2) (cc) *Bilingual-bicultural education aids.* The amounts in the  
6 schedule for bilingual-bicultural education programs under subch. VII of ch. 115 s.  
7 115.995.

8 SECTION 3. 20.255 (2) (cc) of the statutes is amended to read:

1           20.255 (2) (cc) *Bilingual-bicultural education aids*. The amounts in the  
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3 of ~~ch. 115 s. 115.995~~.

4           **SECTION 4.** 20.255 (2) (cd) of the statutes is created to read:

5           20.255 (2) (cd) *Bilingual-bicultural education supplemental aid*. The amounts  
6 in the schedule for bilingual-bicultural education aid under s. 115.957.

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7           **SECTION 5.** 20.255 (2) (ce) of the statutes is created to read:

8           20.255 (2) (ce) *Bilingual-bicultural education; targeted aid*. The amounts in  
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reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 6.** 115.957 of the statutes is created to read:

11          **115.957 Bilingual-bicultural education supplemental aid. (1)**  
12 Beginning in the 2020-21 school year and annually thereafter, from the  
13 appropriation under s. 20.255 (2) (cd), the department shall pay each school district  
14 an amount equal to \$100 multiplied by the number of limited-English proficient  
15 pupils enrolled in the school district in the previous school year for whom the school  
16 board was not required to provide a bilingual-bicultural education program under  
17 s. 115.97 in the previous school year.

18          **(2)** If the appropriation under s. 20.255 (2) (cd) in any fiscal year is insufficient  
19 to pay the full amount under sub. (1), the department shall prorate the payments to  
20 school districts entitled to aid in that fiscal year.

21          **SECTION 7.** 115.958 of the statutes is created to read:

1           **115.958 Bilingual-bicultural education grants.** (1) A school board or the  
2 operator of a charter school established under s. 118.40 (2r) or (2x) may apply to the  
3 department for a grant to support bilingual-bicultural education programs or other  
4 educational programming for limited-English proficient pupils enrolled in the  
5 school district or charter school.

6           (2) Beginning in the 2020-21 school year, from the appropriation under s.  
7 20.255 (2) (cb), the department may award grants under sub. (1) to school districts  
8 and charter schools established under s. 118.40 (2r) and (2x) in amounts determined  
9 by the department.

10           (3) A school district or charter school established under s. 118.40 (2r) or (2x)  
11 that receives a grant under this section shall use the grant moneys to develop,  
12 implement, and provide bilingual-bicultural education programs or other  
13 educational programming to meet the specific needs of limited-English proficient  
14 pupils enrolled in the school district or charter school.

15           (4) The department may promulgate rules to implement and administer this  
16 section.

17           **SECTION 8.** 115.96 (1) of the statutes is renumbered 115.96 (1) (intro.) and  
18 amended to read:

19           **115.96 (1) COUNT OF LIMITED-ENGLISH PROFICIENT PUPILS.** (intro.) Annually, on  
20 or before March 1, each school board shall conduct a count of the limited-English  
21 proficient pupils in the public schools of the district, assess the language proficiency  
22 of such pupils, and classify such pupils by language group, grade level, age, and  
23 English language proficiency. The department shall establish, by rule, 6  
24 classifications of English language proficiency, of which the first classification is the  
25 least proficient and the 6th classification is fully proficient.

1           **SECTION 9.** 115.993 of the statutes is amended to read:

2           **115.993 Report on bilingual-bicultural education.** Annually, on or before  
3 August 15, the school board of a district operating a bilingual-bicultural education  
4 program under this subchapter shall report to the state superintendent the number  
5 of pupils, including both limited-English proficient pupils and other pupils,  
6 instructed the previous school year in bilingual-bicultural education programs, the  
7 number of eligible limited-English proficient pupils, as defined in s. 115.994 (1),  
8 instructed the previous school year in bilingual-bicultural education programs, an  
9 itemized statement on oath of all disbursements on account of the  
10 bilingual-bicultural education program operated during the previous school year,  
11 and a copy of the estimated budget for that program for the current school year.

12           **SECTION 10.** 115.994 of the statutes is created to read:

13           **115.994 Targeted aid program. (1)** In this section, “eligible limited-English  
14 proficient pupil” means a limited-English proficient pupil whose English language  
15 proficiency is in one of the first 3 classifications established by the department, by  
16 rule, under s. 115.96 (1).

17           **(2)** Beginning in the 2020-21 school year, from the appropriation under s.  
18 20.255 (2) (ce), the department shall pay to each school district \$100 multiplied by  
19 the number of eligible limited-English proficient pupils instructed the previous  
20 school year in bilingual-bicultural education programs, as reported to the state  
21 superintendent under s. 115.993.

22           **(3)** If the appropriation under s. 20.255 (2) (ce) in any fiscal year is insufficient  
23 to pay the full amount under sub. (2), the department shall prorate the payments  
24 among the school districts eligible to receive aid under sub. (2).

25

(END)

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

LRB-2139/P2dn

FFK&KRP: *all gmn*

*-Date-*

This draft reconciles LRB-2139/p1 and LRB-1704/p4. Both of these drafts should continue to appear in the compiled bill.





State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2139/P1  
FFK&KRP:all

DOA:.....Kretschmann, BB0437 - Bilingual-bicultural program compile  
**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

**1. Bilingual-bicultural education; aid programs**

**Limited-English pupils; targeted aid program.** Beginning in the 2020-21 school year, this bill requires DPI to provide additional aid to school districts for limited-English proficient (LEP) pupils whose English proficiency is in one of the three lowest classifications. The amount of the additional aid is \$100 per eligible pupil, unless the amount appropriated for the aid program is insufficient, in which case DPI prorates the aid payments. Current law requires each school board to assess the language proficiency of each LEP pupil and to classify, among other things, the pupil's English language proficiency.

**Bilingual-bicultural education supplemental aid.** This bill creates a new bilingual-bicultural aid program for school districts. Under the bill, beginning in the 2020-21 school year, DPI must annually pay each school district an amount equal to \$100 times the number of LEP pupils enrolled in the school district in the previous school year for whom the school district was not required to provide a bilingual-bicultural education program. If there are insufficient funds to provide the total aid amount in any fiscal year, DPI must prorate the payments.

Under current law, a school district is required to provide a bilingual-bicultural education program to LEP pupils who attend a school in the school district if the school meets any of the following thresholds:

- 1. Within a language group, ten or more LEP pupils are enrolled in kindergarten to grade three.
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***Bilingual-bicultural education program grants.*** This bill creates a grant program under which DPI may award grants beginning in the 2020-21 school year, in amounts determined by DPI, to school districts and independent charter schools to support bilingual-bicultural education programs or other educational programming for LEP pupils enrolled in the school district or independent charter school.

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:***

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

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INI  
2-8

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10 s. 115.97 in the previous school year.

11           (2) If the appropriation under s. 20.255 (2) (cd) in any fiscal year is insufficient  
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17           **SECTION 8.** 115.993 of the statutes is amended to read:

18           **115.993 Report on bilingual-bicultural education.** Annually, on or before  
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8 **(2)** Beginning in the 2020-21 school year, from the appropriation under s.  
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10 the number of eligible limited-English proficient pupils instructed the previous  
11 school year in bilingual-bicultural education programs, as reported to the state  
12 superintendent under s. 115.993.

13 **(3)** If the appropriation under s. 20.255 (2) (ce) in any fiscal year is insufficient  
14 to pay the full amount under sub. (2), the department shall prorate the payments  
15 among the school districts eligible to receive aid under sub. (2).

16 (END)

**2019-2020 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2139/P2ins  
FFK&KRP:all

1           Insert 2-8

\*\*\*NOTE: This is reconciled s. 20.255 (2) (cc). This SECTION has been affected by drafts with the following LRB numbers: -2139/p1 and -1704/p4.

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

LRB-2139/P2dn  
FFK&KRP:amn

February 21, 2019

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**SECTION 6**

1           **(3)** A school district or charter school established under s. 118.40 (2r) or (2x)  
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9 20.255 (2) (ce), the department shall pay to each school district \$100 multiplied by  
10 the number of eligible limited-English proficient pupils instructed the previous  
11 school year in bilingual-bicultural education programs, as reported to the state  
12 superintendent under s. 115.993.

13 **(3)** If the appropriation under s. 20.255 (2) (ce) in any fiscal year is insufficient  
14 to pay the full amount under sub. (2), the department shall prorate the payments  
15 among the school districts eligible to receive aid under sub. (2).

16 **(END)**