

CR 92-119

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF PUBLIC INSTRUCTION)

I, State Superintendent of the Department of Public Instruction and custodian of the official records of said Department, do hereby certify that the annexed rule relating to learning assistance programs was duly approved and adopted by this Department on the first day of the month following publication in the Wisconsin Administrative Register.

I further certify that said copy has been compared by me with the original on file in this Department and the same is a true copy thereof, and of the whole of such original.

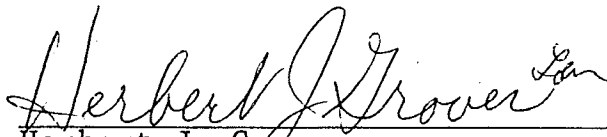
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IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the official seal of the Department at General Executive Facility (GEF) 3, 125 South Webster Street, P.O. Box 7841, in the city of Madison, this 8th day of April, 1993.



Herbert J. Grover
State Superintendent
State Department of Public Instruction

**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
AMENDING RULES**

The state superintendent of public instruction hereby repeals PI 30.02(3)(c)3, renumbers and amends PI 30.02(3)(c)4, amends PI 30.02(2)(intro.), PI 30.03(2)(d), PI 30.04(2)(c), PI 30.06(2) and (3), and creates PI 30.02(1)(e) and (f), (2)(g), (2m), PI 30.07 and PI 30.08, relating to learning assistance programs.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 115.363(4)(b)4 and 227.11(2)(a), Stats.

Statute interpreted: s. 115.363, Stats.

1989 Wisconsin Act 31 created a learning assistance program under s. 115.363, Stats. The Act appropriated \$1,434,000 and required the state superintendent to make grants to school districts under 4 categories. The Act allocated \$434,000 in the 1989-90 and 1990-91 school years for school districts with a membership of less than 12,000 in which more than 3.5 percent of the membership consists of limited-English speaking pupils from Indo-Chinese language groups. This allocation, although no longer required by statute, will continue for the 1992-93 school year but may change in subsequent years.

1991 Wisconsin Acts 39 and 269 created two new categories under the learning assistance program. The categories include grants for the following:

1. Projects that provide educational, health, mental health, nutritional and social services to low-income preschoolers and their families.
2. Projects to assist pupils who failed to score above the state minimum performance standard on the 3rd grade reading test under s. 121.02(1)(r), Stats.

1991 Wisconsin Act 269 appropriated an additional \$1,000,000 to be allocated to projects that provide the services described above for low-income preschoolers and their families.

No additional money was appropriated for the learning assistance program to fund the reading deficiencies category. Therefore, money will be re-distributed from the original 4 categories in order to award grants under the reading deficiencies category.

The proposed rules establish application requirements and primary criteria for awarding grants in each of the categories. The proposed rules describe the types of activities which will be considered for funding under each program area. The proposed rules also require the state superintendent to set targeted funding levels and to notify school boards of these funding levels on a biennial basis. This will allow the department to provide for those categories with the greatest need for funds. The proposed rules also include some minor amendments.

The department promulgated these rules as emergency rules effective July 7, 1992, in order to make grant awards under the 2 new categories for the 1992-93 school year.

SECTION 1. PI 30.02(1)(e) and (f) are created to read:

PI 30.02(1)(e) Assist pupils who failed to score above the state minimum performance standard on the 3rd grade reading test under s. 121.02(1)(r), Stats., as specified under s. 115.363(1)(e), Stats., and s. PI 30.07.

(f) Provide educational, health, mental health, nutritional, and social services to low-income preschoolers and their families as specified under s. 115.363(1)(f), Stats., and s. PI 30.08.

SECTION 2. PI 30.02(2)(intro.) is amended to read:

PI 30.02(2)(intro.) ~~Annually, the~~ A board of a school district which intends to apply for a grant under the learning assistance program shall submit an application which contains all of the following information:

SECTION 3. PI 30.02(2)(g) is created to read:

PI 30.02(2)(g) Any additional requirements under ss. PI 30.03 to 30.08.

SECTION 4. PI 30.02(2m) is created to read:

PI 30.02(2m) Except as specified under s. PI 30.08(2), the state superintendent shall establish targeted funding levels for each category on a biennial basis. The state superintendent shall notify each school board of the funding levels by letter which shall be distributed with application materials.

SECTION 5. PI 30.02(3)(c)3 is repealed.

SECTION 6. PI 30.02(3)(c)4 is renumbered PI 30.02(3)(c)3.

SECTION 7. PI 30.03(2)(d) is amended to read:

PI 30.03(2)(d) The application shall be approved and signed by the department of health and social services in ~~the county or~~ one or more counties in which the school district lies.

SECTION 8. PI 30.04(2)(c) is amended to read:

PI 30.04(2)(c) The application shall be co-signed by the department of health and social services in ~~the county or~~ one or more counties in which the school district lies.

SECTION 9. PI 30.06(2) and (3) are amended to read:

PI 30.06(2) Under A grant under s. 115.363(6), Stats., ~~\$434,000 of the amount allocated for the learning assistance program shall be paid~~ may be awarded to eligible districts under this section. The main purpose of the program under this section shall be to provide services to LES pupils as specified in s.

115.363(1)(d), Stats., although the program may include any of the program elements described in s. 115.363(1), Stats., which are intended to benefit LES pupils.

(3) Each eligible district selected for funding under sub. (2) shall receive an amount determined by multiplying the number of LES pupils in the eligible district by a per pupil amount determined by the state superintendent, based on the total number of LES pupils in all eligible districts selected for funding and the amount of the appropriation funding level set by the state superintendent under s. PI 30.02(2m). The count of LES pupils under s. 115.96(1), Stats., taken in March of the previous school year shall be used to determine the number of LES pupils in the eligible district.

SECTION 10. PI 30.07 and 30.08 are created to read:

PI 30.07 PROGRAMS TO ASSIST PUPILS WHO FAILED TO SCORE ABOVE THE STATE MINIMUM PERFORMANCE STANDARD ON THE 3RD GRADE READING TEST UNDER SECTION 121.02(1)(r), STATS.

(1) In this section:

(a) "Eligible district" means a school district in which at least 20% of the pupils who took the 3rd grade reading test in either of the previous 2 school years failed to score above the state minimum performance standard.

(b) "State minimum performance standard" means the state minimum performance standard on the test administered under s. 121.02(1)(r), Stats.

(2) An eligible district may submit a project proposal for the planning, development, or implementation of an exemplary or demonstration program that will improve the reading ability of the pupils being served by the program. The proposal shall include annual process objectives to be met by the end of each school year.

(3) A grant may not be awarded to fund a project submitted under sub. (2) until the state superintendent determines that the applicant has met the following requirements:

(a) Demonstrates that the process objectives of the program under sub. (2) have been met.

(b) Submits the evaluation described under s. PI 30.02(2)(e) which shall

NUTRITIONAL AND SOCIAL SERVICES TO LOW-INCOME PRESCHOOLERS AND THEIR FAMILIES.

(1) In this section:

(a) "Low income" means children eligible for free and reduced priced lunch under 42 USC 1758 (b).

(b) "Preschoolers" means children ages 3 to 5 years.

(c) "Family member" means an individual related by blood, marriage or adoption to a preschooler.

(2)(a) Under 115.363(1)(f) Stats., \$1,000,000 of the amount allocated for the learning assistance program shall be awarded to school districts to support the planning, development or implementation of a program to provide educational, health, mental health, nutritional and social services to low-income preschoolers and their family members.

(b) A program under par. (a) shall pursue practices which are appropriate for the development of the participants in preschool programs and shall provide for one or more of the following requirements in addition to the requirements in s. PI 30.02(2):

1. Coordination of services under par. (a).
2. Enhancement of school readiness for low-income preschoolers.
3. Extension of existing program of services for low-income preschoolers.
4. Participation of service providers and recipients in the program design.
5. Provision of program of services which include parents as participants.
6. Availability of the program to all preschoolers.

(3) Program components which may be funded under this section include the following:

(a) Providing professional services to low-income preschoolers and their family members which are developed in cooperation with participating parents and a local early childhood collaborative council established to address the items identified under sub. (2)(b).

(b) Providing professional educational, health, mental health, nutritional or social services to low-income preschoolers who are enrolled in the district's kindergarten program or programs operated under s. 120.13(13) or (14), Stats.,

or to their family members.

(c) Providing contributory funding to a collaborative program operated by the school district and one or more other local agencies or non-profit organizations providing one or more of the services under this section.

(e) Providing transportation, home visits, program aides, supplies, equipment, on-site food and health services and other special services for low-income preschoolers enrolled in the school district's kindergarten or pre-school program.

(4) Priority for funding under this section shall be given to the following in addition to the priorities established under s. PI 30.02(3):

(a) Districts with the highest percentage of families whose children are eligible to receive free and reduced lunch under 42 USC 1758(b).

(b) Districts which have used or are proposing to use a local early childhood collaborative council to help plan a comprehensive service delivery system.

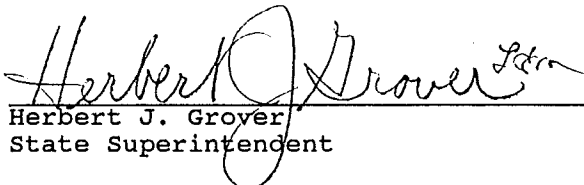
(c) Districts which propose to establish an integrated service rather than pull out segregated services.

(d) Districts which are advocating for developmentally appropriate practices to be used for all children ages 3 to 5 years in the district.

(e) Programs which combine all the items listed under s. 115.363(1)(f), Stats.

The rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.

Dated this 8th day of April, 1993.


Herbert J. Grover
State Superintendent

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