

## Chapter PI 30

### SPECIAL EDUCATION AID

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#### Subchapter I — General Provisions

**PI 30.01 Purpose.** This chapter establishes criteria for awarding special education aid under ch. 115, Stats.

**History:** CR 06-098: cr. Register May 2007 No. 617, eff. 6-1-07; EmR0816: emerg. am. eff. 5-30-08; CR 08-052: am. Register December 2008 No. 636, eff. 1-1-09.

**PI 30.02 Definitions.** In this chapter:

(1) "CCDEB" means a county children with disabilities education board under s. 115.817, Stats.

(2) "CESA" means a cooperative educational service agency under ch. 116, Stats.

(3) "Department" means the Wisconsin department of public instruction.

(4) "Nonadministrative costs" means those costs of providing special education and related services to an individual child with disabilities pursuant to that child's individualized education program and excludes secretarial and administrative costs, such as the salaries and fringe benefits of principals, special education directors and pupil services directors.

(5) "Related services" has the meaning defined in s. 115.76 (14), Stats.

(6) "School district" has the meaning defined in s. 115.01 (3), Stats.

(7) "State superintendent" means the superintendent of public instruction for the state of Wisconsin.

**History:** CR 06-098: cr. Register May 2007 No. 617, eff. 6-1-07; EmR0816: emerg. cr. (7), eff. 5-30-08; CR 08-052: cr. (7) Register December 2008 No. 636, eff. 1-1-09.

#### Subchapter II — Grants for High Cost Special Education

**PI 30.03 Purpose.** This subchapter establishes approval criteria for awarding additional special education aid under ss. 115.881 and 20.255 (2) (bd), Stats.

**History:** EmR0816: emerg. cr. eff. 5-30-08; CR 08-052: cr. Register December 2008 No. 636, eff. 1-1-09.

**PI 30.04 Eligibility.** A school board, board of control of a CESA, CCDEB, or operator of a charter school established under s. 118.40 (2r), Stats., may apply to the department for aid under this chapter if the applicant incurred, in the previous school year, more than \$30,000 of nonadministrative costs for providing special education and related services to a child and those costs were not eligible for reimbursement under s. 115.88, 115.93, or 118.255, Stats., 20 USC 1400 et seq., or federal Medicaid.

**History:** CR 06-098: cr. Register May 2007 No. 617, eff. 6-1-07; EmR0816: emerg. renum. from PI 30.03, eff. 5-30-08; CR 08-052: renum. from PI 30.03 Register December 2008 No. 636, eff. 1-1-09.

**PI 30.05 Grants for high cost special education.**

(1) GENERAL INFORMATION. Under s. 115.881, Stats., the department shall, from the appropriation under s. 20.255 (2) (bd), Stats., award grants to eligible applicants that meet the requirements

under this chapter to partially reimburse them for high special education costs under s. PI 30.04.

(2) GRANT APPLICATION REQUIREMENTS. To receive a grant under this chapter, annually by December 1, an eligible applicant shall report to the department, on a form developed by the department, all of the following:

(a) The number of special education pupils whose costs described under s. PI 30.04 in the previous school year exceeded \$30,000.

(b) The name of each pupil reported under par. (a).

(c) The total nonadministrative costs incurred in the education of each pupil under par. (b).

**Note:** PI 1570 Claim for High Cost Special Education Program, may be obtained by writing to the Wisconsin Department of Public Instruction, P.O. Box 7841, Madison, WI 53707-7841 or by visiting the school finance website at <http://www.dpi.wi.gov/forms/xls/fl1570.xls>.

(3) CALCULATION AND AWARDING OF GRANTS. (a) The department shall calculate the aidable costs for eligible applicants by subtracting from the total nonadministrative cost under sub. (2) (c), an average per pupil cost that was reimbursed to the recipients of the federal individuals with disabilities education act under 20 USC 1400 et. seq., state special education categorical aid under s. 20.255 (2) (b), Stats., and federal Medicaid.

(b) The department shall award an amount equal to .90 multiplied by the amount calculated under par. (a) that exceeds \$30,000.

(c) If the amount of grants needed to fully fund all the eligible applicants is more than the amount available in the appropriation under s. 20.255 (2) (bd), Stats., the department shall prorate the grants equally among all eligible applicants.

(d) The department shall annually award funds calculated under this subsection by the third Monday in June.

**History:** CR 06-098: cr. Register May 2007 No. 617, eff. 6-1-07; EmR0816: emerg. renum. from PI 30.04, eff. 5-30-08; CR 08-052: renum. from PI 30.04 Register December 2008 No. 636, eff. 1-1-09.

#### Subchapter III — Special Education Aid for the Salaries of Certain Pupil Services Personnel

**PI 30.06 Purpose.** This subchapter establishes the percentage of the salaries of certain pupil services personnel that may be certified under s. 115.88 (1m) (a) and (am), Stats., as costs eligible for reimbursement pursuant to s. 115.88 (1m) (b), Stats.

**History:** EmR0816: emerg. cr. eff. 5-30-08; CR 08-052: cr. Register December 2008 No. 636, eff. 1-1-09.

**PI 30.07 Percentage of salaries for reimbursement.**

(1) Under s. 115.88 (1m) (a), (am) and (b), Stats., the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency, school district, and operator of a charter school established under s. 118.40 (2r), Stats., maintaining a special education program, if he or she is satisfied that the special education program has been maintained during the preceding school year in accordance with applicable state and federal law, for costs eligible for reimburse-

ment from the appropriation under s. 20.255 (2) (b), Stats. These costs include the percentage of the salaries of personnel established under sub. (2).

**(2)** The percentage of the salaries that may be certified as costs eligible for reimbursement for pupil services personnel under s. 115.88 (1m) (b), Stats., are as follows:

(a) School nurses; 29 percent.

(b) School social workers; 59 percent.

(c) School psychologists; 84 percent.

(d) School counselors; 10 percent.

**(3)** If the funds appropriated under s. 20.255 (2), Stats., are insufficient to fully reimburse eligible costs under sub. (2), the reimbursement of those costs shall be prorated.

**History:** EmR0816; emerg. cr. eff. 5-30-08; CR 08-052; cr. Register December 2008 No. 636, eff. 1-1-09.