

83 WisACT 374

- 1632 -

1983 Assembly Bill 812

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AN ACT to repeal 115.76 (3) (h) and 118.135 (title); to renumber 118.135; to renumber and amend 118.13; to amend 115.80 (3) (d); and to create subchapter VI of chapter 115 and 118.13 (3) of the statutes, relating to the establishment of school district programs for school age mothers and granting rule-making authority.

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

SECTION 3. 115.76 (3) (h) of the statutes is repealed.

SECTION 4. 115.80 (3) (d) of the statutes is amended to read:

115.80 (3) (d) The multidisciplinary team shall recommend a child to the school board for special education if it deems it in the best interests of the child, ~~except that a pregnant girl shall be recommended for special education only if she has not graduated from high school, is under the age of 21 and if she and her parent consent that she be recommended for special education.~~

SECTION 5. Subchapter VI of chapter 115 of the statutes is created to read:

CHAPTER 115
SUBCHAPTER VI
EDUCATION FOR SCHOOL AGE MOTHERS

115.91 Definition. In this subchapter, "school age mother" means any person under the age of 21 who is not a high school graduate and is either pregnant or, within the immediately preceding 120 days, has given birth or had her pregnancy otherwise terminated.

115.92 Establishment of programs; rules. (1) Any school board may establish a program for school age mothers who are residents of the school district. The program shall be designed to provide services and instruction to meet the needs of school age mothers.

(2) (a) Annually, and at such other times as the department requires, every school board that establishes a program under this subchapter shall submit a written report to the department. The report shall specify the number of school age mothers instructed or provided service, their residences and the period of time each was instructed or otherwise served during the school year.

(b) Annually, on or before August 15, each school board maintaining a program under this subchapter shall submit to the department an itemized statement on oath of all receipts and disbursements related to the program during the preceding school year.

(3) The state superintendent shall by rule establish criteria for the approval of programs established under this subchapter for the purpose of determining those programs eligible for aid under s. 115.93.

115.93 State aid. (1) Except as provided under sub. (2), if, upon receipt of the reports under s. 115.92 (2), the state superintendent is satisfied that the school age mothers' program has been maintained during the preceding school year in accordance with the rules under s. 115.92 (3), he or she shall certify to the department of administration in favor of each school district maintaining the program a sum equal to 63% of the amount expended by the school district during the preceding school year for salaries of teachers and instructional aids, special transportation and other expenses approved by the state

superintendent. The department of administration shall pay such amounts to the school district from the appropriation under s. 20.255 (2) (b).

(2) If the appropriation under s. 20.255 (2) (b) in any year is insufficient to pay the full amount of aid under sub. (1), state aid payments shall be prorated among the entitled school districts.

SECTION 6. 118.13 of the statutes is renumbered 118.13 (1) and amended to read:

118.13 (1) No person may be excluded from or discriminated against in admission to any public school or in obtaining the advantages, privileges and courses of study of such public school on account of sex, race, religion, physical condition, including pregnancy, developmental disability as defined in s. 51.01 (5) or national origin. No separate school or department may be maintained for any person on account of sex, race, religion or national origin. Any member of a school board who votes to exclude from any public school any child on account of sex, race, religion, physical condition, including pregnancy, developmental disability as defined in s. 51.01 (5) or national origin may be fined not more than \$100 or imprisoned not less than 30 days nor more than 6 months or both. The superintendent may promulgate rules necessary to carry out the purposes of this section.

SECTION 7. 118.135 (title) of the statutes is repealed.

SECTION 8. 118.135 of the statutes is renumbered 118.13 (2).

SECTION 9. 118.13 (3) of the statutes is created to read:

118.13 (3) Each school board shall make available to any school age mother who is a resident of the school district program modifications and services that will enable the pupil to continue her education. In this subsection, "school age mother" has the meaning specified in s. 115.91.

SECTION 11. **Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	115.93

SECTION 12. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
115.76 (3) (i)	pars. (a) to (h)	pars. (a) to (g)
119.04 (1)	118.135	118.13

SECTION 13. **Effective date.** This act takes effect on July 1, 1984.