



## 2005 ASSEMBLY BILL 362

April 22, 2005 – Introduced by Representatives TOWNS, KESTELL, HUNDERTMARK, TOWNSEND, NISCHKE, HAHN, GRONEMUS, MUSSER, OTT, GUNDERSON, UNDERHEIM, M. WILLIAMS, VRAKAS and KREIBICH, cosponsored by Senators OLSEN, DARLING, REYNOLDS, LASSA and ROESSLER. Referred to Committee on Education.

1     **AN ACT to amend** 115.88 (1) and 115.88 (1m) (a) of the statutes; **relating to:**  
2     services provided by a special education program.

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### *Analysis by the Legislative Reference Bureau*

Under current law, a school district receives state special education aid for the costs of contracting with a public or private agency for physical or occupational therapy services. This bill explicitly authorizes a school district to contract for a variety of services, including orientation and mobility training, educational interpreters, audiologists, and pupil transition services, and makes the costs of such a contract eligible for special education aid. The bill provides that a school district may contract for speech therapy services, and receive special education aid for the costs, only if speech therapists are unavailable for employment by the district.

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

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

3     **SECTION 1.** 115.88 (1) of the statutes is amended to read:  
4     115.88 (1) PERSONNEL. A school board, board of control of a cooperative  
5     educational service agency, or, upon authorization of the county board, a county

**ASSEMBLY BILL 362****SECTION 1**

1 children with disabilities education board may employ, for a special education  
2 program, either full-time or part-time licensed teachers, licensed coordinators of  
3 special education, licensed school social workers, licensed school psychologists,  
4 paraprofessionals, licensed consulting teachers to work with any teacher of regular  
5 education programs who has a child with a disability in a class, and any other  
6 personnel approved by the department. The board may contract with private or  
7 public agencies for physical or occupational therapy services, orientation and  
8 mobility training services, educational interpreter services, educational audiology,  
9 pupil transition services, or any other services determined by the board to be  
10 necessary to provide the child with a free appropriate public education, on the basis  
11 of demonstrated need. The board may also contract with private or public agencies  
12 for speech therapy services if the board determines that speech therapists are not  
13 available for employment by the board.

14 **SECTION 2.** 115.88 (1m) (a) of the statutes is amended to read:

15 115.88 (1m) (a) If, upon receipt of the plan under s. 115.77 (4), the state  
16 superintendent is satisfied that the special education program has been maintained  
17 during the preceding school year in accordance with law, the state superintendent  
18 shall certify to the department of administration in favor of each county, cooperative  
19 educational service agency, and school district maintaining such special education  
20 program a sum equal to the amount expended by the county, agency, and school  
21 district during the preceding year for salaries of personnel enumerated in sub. (1),  
22 including the salary portion of any authorized contract for ~~physical or occupational~~  
23 ~~therapy services~~ under sub. (1), and other expenses approved by the state  
24 superintendent as costs eligible for reimbursement from the appropriation under s.  
25 20.255 (2) (b).

