



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRBs0285/1  
FFK/KRP/MIM:all

**SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 821**

February 19, 2020 - Offered by Senators SHILLING, SCHACHTNER, BEWLEY, CARPENTER, ERPENBACH, HANSEN, JOHNSON, LARSON, MILLER, RINGHAND, RISSER, SMITH, L. TAYLOR and WIRCH.

1     **AN ACT** *to repeal* 115.436 (2) (c), 115.436 (3) (a), 115.436 (3) (am), 115.881 (3) and  
2         115.884 (2); *to renumber* 115.745 (2); *to renumber and amend* 115.745 (1);  
3         *to amend* 20.255 (2) (ac), 20.255 (2) (bd), 20.255 (2) (da), 20.255 (2) (dj), 40.22  
4         (1), 40.22 (2m) (intro.), 40.22 (2r) (intro.), 40.22 (3) (intro.), 115.364 (1) (a),  
5         115.364 (1) (am), 115.364 (1) (b), 115.364 (2) (a) 1., 115.364 (2) (a) 2., 115.364 (2)  
6         (a) 3., 115.364 (2) (b) 2. a., 115.364 (2) (b) 2. b., 115.436 (2) (intro.), 115.436 (3)  
7         (b), 115.447 (title), 115.447 (1), 115.447 (2) (intro.), 115.881 (2), 115.884 (1)  
8         (intro.) and 119.04 (1); and *to create* 20.255 (1) (kt), 20.505 (8) (hm) 5m., 40.26  
9         (6) (intro.), (a) and (b), 115.364 (1) (c), 115.436 (2) (b), 115.436 (3) (ac), 115.436  
10        (3) (ag), 115.447 (2m), 115.745 (1) (b), 115.745 (2) (b), 115.884 (3) and 121.15  
11        (3m) of the statutes; **relating to:** general school aids, aid for special education,  
12        high-cost special education aid, sparsity aid, school mental health programs  
13        aid, summer school grants, special education transition readiness grants, tribal

1 language revitalization grants, Wisconsin Retirement System teacher  
2 annuitants who are rehired by or provide services to a school district, and  
3 making an appropriation.

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### ***Analysis by the Legislative Reference Bureau***

This bill makes changes to laws related to general school aids and various categorical aid programs and provides additional funding for general school aids and various categorical aid programs in the 2020-21 school year. The bill also allows certain retired teachers who are Wisconsin Retirement System annuitants to return to work as a teacher without suspending annuity payments and without resuming participation in the WRS.

#### **GENERAL SCHOOL AIDS**

Under current law, the amount appropriated each fiscal year for general school aid is an amount set by law. Beginning in the 2020-21 school year, this bill directs the Department of Public Instruction, the Department of Administration, and the Legislative Fiscal Bureau annually to jointly certify to the Joint Committee on Finance an estimate of the amount necessary to appropriate in the following school year to ensure that general school aids equal two-thirds of partial school revenues (in general, the sum of general school aids and school property taxes). Under the bill, JCF determines the amount appropriated as general school aids for each odd-numbered school year (for example, 2020-21) and the amount is set by law for each even-numbered school year (for example, 2021-2022).

The bill provides an additional \$130,000,000 in the 2020-21 school year for general school aids.

#### **AID FOR SPECIAL EDUCATION AND SCHOOL AGE PARENT PROGRAMS**

This bill provides an additional \$79,100,000 in the 2020-21 school year for special education and school age parent programs. Under current law, special education aid, aid for providing physical or mental health treatment services to certain private school and tribal school pupils, and aid for school age parents are funded by a single appropriation. These types of aid are paid on the basis of eligible costs incurred in the prior year and are subject to proration if the amount of money appropriated is insufficient to reimburse the total amount of eligible costs. By increasing the amount appropriated for these aid programs, the bill increases the proration amount for aid paid under these programs in the 2020-21 school year.

Under current law, DPI provides 1) special education aid to school districts, cooperative education service agencies, county children with disabilities education boards, and independent charter schools; 2) aid to school districts, CESAs, and CCDEBs for providing physical or mental health treatment services to private school and tribal school pupils; and 3) aid for school age parent programs to school districts only.

### **HIGH-COST SPECIAL EDUCATION AID**

Under current law, if the costs incurred to provide special education and related services to a child with a disability exceed \$30,000 in one school year, DPI pays the school board, CESA, CCDEB, or operator of the independent charter school that incurred those costs 90 percent of the costs that exceeded \$30,000. This additional aid is known as high-cost special education aid. The bill increases the amount DPI pays an eligible entity for high-cost special education aid to 100 percent of the costs that exceed \$30,000.

Under current law, if the amount appropriated for high-cost special education aid is insufficient to pay the full amount to the eligible entities, DPI must prorate payments among all eligible entities. The bill converts the appropriation for high-cost special education aid from a sum certain to a sum sufficient, eliminating the need to prorate aid due to an insufficient appropriation amount.

### **SPECIAL EDUCATION TRANSITION GRANTS**

This bill changes the per individual amount for grants awarded to school districts and independent charter schools under the special education transition grant program. Under current law, a school district or independent charter school is awarded \$1,000 per qualifying individual. Under the bill, a school district or independent charter school is awarded the lesser of 1) \$1,500 per qualifying individual or 2) an amount per qualifying individual that is determined by dividing the amount appropriated for these grants in a school year by the total number of individuals who qualify for the grants in that school year.

The bill also provides an additional \$1,500,000 for special education transition readiness grants in the 2020-21 school year. DPI awards special education transition readiness grants to school districts and independent charter schools to support special education workforce transition support services.

### **SPARSITY AID**

This bill makes certain additional school districts eligible for sparsity aid. Under current law, a school district is eligible for sparsity aid in the amount of \$400 per pupil if the school district's membership in the previous school year did not exceed 745 pupils and if the membership divided by the school district's area in square miles is less than ten. Also, under current law, a school district that was eligible to receive sparsity aid in the previous school year but that is not eligible to receive sparsity aid in the current school year because the school district's membership exceeded 745 pupils may receive up to 50 percent of the aid the school district received in the previous school year.

Under this bill, beginning in the 2020-21 school year, a school district with the same density of pupils per square mile and a membership that exceeds 745 pupils is eligible for sparsity aid in the amount of \$100 per pupil. The bill also provides that, beginning in the 2020-21 school year, a school district that is ineligible for sparsity aid because it no longer satisfies the pupils per square mile requirement may receive 50 percent of the aid the school district received in the previous school year.

The bill provides an additional \$10,100,000 for sparsity aid in the 2020-21 school year.

**SCHOOL MENTAL HEALTH PROGRAMS; AID**

Under current law, DPI must make payments to school districts, independent charter schools, and private schools participating in a parental choice program that increased the amount they spent to employ, hire, or retain social workers during the two previous school years (eligible local education agency). Under current law, DPI first pays each eligible local education agency 50 percent of the amount by which the eligible local education agency increased its expenditures for social workers over the previous two school years. If, after making these payments, there is money remaining in the appropriation for this aid program, DPI makes additional payments to eligible local education agencies. The amount of these additional payments is determined based on the amount remaining in the appropriation and the amount spent by eligible local education agencies to employ, hire, and retain social workers during the previous school year.

This bill expands eligibility for the first round of payments under this aid program to include increased spending on school counselors, school social workers, school psychologists, or school nurses, or any combination thereof (pupil services professionals), during the previous two school years. Additionally, the bill expands eligibility for the second round of payments to any school district, independent charter school, or private school participating in a parental choice program that made expenditures to employ, hire, or retain pupil services professionals during the previous school year. In other words, for the second round of payments, the bill eliminates the requirement that a school district, independent charter school, or private school increased its expenditures on pupil services professionals.

The bill provides an additional \$19,000,000 for aid for school mental health programs in the 2020-21 school year.

**SUMMER SCHOOL GRANTS; URBAN SCHOOL DISTRICTS**

Under current law, DPI must award a grant to a first class city school district (currently, only Milwaukee Public Schools) for the purpose of developing, redesigning, or implementing a summer school program. This bill expands the summer school grant program to include additional urban school districts. Under the bill, an urban school district is a school district that had a membership of at least 18,000 pupils in the previous school year. The bill requires DPI to annually allocate \$2,000,000 to MPS and to allocate the remaining amount appropriated equally to the other urban school districts. The bill provides an additional \$3,600,000 for summer school grants in the 2020-21 school year.

**TRIBAL LANGUAGE REVITALIZATION GRANTS**

Under current law, a school board, CESA, or Head Start agency may apply to DPI for a grant to support instruction in one or more American Indian languages. Under this bill, beginning in the 2020-21 school year, an applicant also may apply to DPI for a two-year grant to develop, implement, and provide American Indian heritage, language, and cultural instruction programs for children participating in Head Start programs and for pupils in grades kindergarten to two.

The bill also authorizes DPI to contract with the Great Lakes Inter-Tribal Council, Inc., to implement and administer those grant programs and provides an

additional \$262,200 for tribal language revitalization grants in the 2020-21 school year.

### **WRS ANNUITIES FOR TEACHERS RETURNING TO WORK**

Under current law, if a WRS annuitant, or a disability annuitant who has attained his or her normal retirement date, is appointed to a position with a WRS-participating employer, or provides employee services to a WRS-participating employer in which he or she is expected to work at least two-thirds of what is considered full-time employment by the Department of Employee Trust Funds, the annuity must be suspended and no annuity payment is payable until after the participant again terminates covered employment.

This bill creates an exception to this requirement for an annuitant who retired from employment as a teacher with a school district who is subsequently rehired or provides employee services as a teacher after retirement if 1) the participating employer is a school district; 2) at least 30 days have elapsed from the date the person left covered employment with a school district; 3) at the time the person initially retires from a school district, the person does not have an agreement with any school district to return to employment; and 4) the person elects to not become a participating employee at the time the person is rehired as a teacher by a school district or enters into a contract to provide employee services as a teacher after retirement. In other words, the bill allows a teacher annuitant who retired from a school district to return to work as a teacher for a school district that is a participating employer and elect to not become a participating employee for purposes of the WRS, and instead continue to receive his or her annuity.

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

1           **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
2           the following amounts for the purposes indicated:

**2019-20           2020-21**

3           **20.255   Public instruction, department of**

4           (1)    EDUCATIONAL LEADERSHIP

5           (k)   Tribal language revitalization

6                      grant program operations                      PR-S    A                      -0-                      100,000

7           **SECTION 2.** 20.255 (1) (k) of the statutes is created to read:

1           20.255 (1) (kt) *Tribal language revitalization grant program operations.* The  
2 amounts in the schedule to pay operational and administrative costs incurred by the  
3 Great Lakes Inter-Tribal Council, Inc., to implement and administer the tribal  
4 language revitalization grant programs under s. 115.745. All moneys transferred  
5 from the appropriation account under s. 20.505 (8) (hm) 5m. shall be credited to this  
6 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered  
7 balance on June 30 of each year shall revert to the appropriation account under s.  
8 20.505 (8) (hm).

9           **SECTION 3.** 20.255 (2) (ac) of the statutes is amended to read:

10           20.255 (2) (ac) *General equalization aids.* ~~The amounts in the schedule~~ A sum  
11 sufficient for the payment of educational aids under ss. 121.08, 121.09, 121.095,  
12 121.105, and 121.137 and subch. VI of ch. 121 equal to the amount determined by the  
13 joint committee on finance under s. 121.15 (3m) (c) in the 2020-21 fiscal year and  
14 biennially thereafter, and equal to the amount determined by law in the 2021-22  
15 fiscal year and biennially thereafter.

16           **SECTION 4.** 20.255 (2) (bd) of the statutes is amended to read:

17           20.255 (2) (bd) *Additional special education aid.* ~~The amounts in the schedule~~  
18 ~~for~~ A sum sufficient for the payment of aid under s. 115.881.

19           **SECTION 5.** 20.255 (2) (da) of the statutes is amended to read:

20           20.255 (2) (da) *Aid for school mental health programs.* The amounts in the  
21 schedule for aid to school districts and independent charter schools employ, hire, and  
22 retain pupil services professionals under s. 115.364.

23           **SECTION 6.** 20.255 (2) (dj) of the statutes is amended to read:

1           20.255 (2) (dj) *Summer school programs; grants; urban school districts*. The  
2           amounts in the schedule for grants to school boards districts for summer school grant  
3           programs under s. 115.447.

4           **SECTION 7.** 20.505 (8) (hm) 5m. of the statutes is created to read:

5           20.505 (8) (hm) 5m. The amount transferred to s. 20.255 (1) (kt) shall be the  
6           amount in the schedule under s. 20.255 (1) (kt).

7           **SECTION 8.** 40.22 (1) of the statutes is amended to read:

8           40.22 (1) Except as provided in sub. (2) and s. 40.26 (6), each employee  
9           currently in the service of, and receiving earnings from, a state agency or other  
10          participating employer shall be included within the provisions of the Wisconsin  
11          retirement system as a participating employee of that state agency or participating  
12          employer.

13          **SECTION 9.** 40.22 (2m) (intro.) of the statutes is amended to read:

14          40.22 (2m) (intro.) ~~An~~ Except as otherwise provided in s. 40.26 (6), an employee  
15          who was a participating employee before July 1, 2011, who is not expected to work  
16          at least one-third of what is considered full-time employment by the department,  
17          as determined by rule, and who is not otherwise excluded under sub. (2) from  
18          becoming a participating employee shall become a participating employee if he or she  
19          is subsequently employed by the state agency or other participating employer for  
20          either of the following periods:

21          **SECTION 10.** 40.22 (2r) (intro.) of the statutes is amended to read:

22          40.22 (2r) (intro.) ~~An~~ Except as otherwise provided in s. 40.26 (6), an employee  
23          who was not a participating employee before July 1, 2011, who is not expected to work  
24          at least two-thirds of what is considered full-time employment by the department,  
25          as determined by rule, and who is not otherwise excluded under sub. (2) from

1 becoming a participating employee shall become a participating employee if he or she  
2 is subsequently employed by the state agency or other participating employer for  
3 either of the following periods:

4 **SECTION 11.** 40.22 (3) (intro.) of the statutes is amended to read:

5 40.22 (3) (intro.) ~~A~~ Except as otherwise provided in s. 40.26 (6), a person who  
6 qualifies as a participating employee shall be included within, and shall be subject  
7 to, the Wisconsin retirement system effective on one of the following dates:

8 **SECTION 12.** 40.26 (6) (intro.), (a) and (b) of the statutes are created to read:

9 40.26 (6) (intro.) Subsections (1) to (5) do not apply to a participant who applies  
10 for an annuity or lump sum payment during the period in which at least 30 days have  
11 elapsed between the participant's termination of employment as a teacher with a  
12 school district that is a participating employer, and becoming a teacher as an  
13 employee or contractor providing employee services as a teacher with any school  
14 district that is a participating employer if all of the following conditions are met:

15 (a) At the time the participant terminates his or her employment as a teacher  
16 with a school district, the participant does not have an agreement with any school  
17 district that is a participating employer to return to employment as a teacher or enter  
18 into a contract to provide employee services as a teacher for the school district.

19 (b) The participant elects on a form provided by the department to not become  
20 a participating employee.

21 **SECTION 13.** 115.364 (1) (a) of the statutes is amended to read:

22 115.364 (1) (a) "Eligible independent charter school" is a school under contract  
23 with one of the entities under s. 118.40 (2r) (b) 1. or with the director under s. 118.40  
24 (2x) that increased the amount it expended in the preceding school year to employ,  
25 hire, or retain ~~social workers~~ pupil services professionals over the amount it



1 expended in the school year immediately preceding the preceding school year to  
2 employ, hire, or retain ~~social workers~~ pupil services professionals.

3 **SECTION 14.** 115.364 (1) (am) of the statutes is amended to read:

4 115.364 (1) (am) “Eligible private school” means a private school participating  
5 in a parental choice program under s. 118.60 or 119.23 that increased the amount it  
6 expended in the preceding school year to employ, hire, or retain ~~social workers~~ pupil  
7 services professionals over the amount it expended in the school year immediately  
8 preceding the preceding school year to employ, hire, or retain ~~social workers~~ pupil  
9 services professionals.

10 **SECTION 15.** 115.364 (1) (b) of the statutes is amended to read:

11 115.364 (1) (b) “Eligible school district” is a school district that increased the  
12 amount it expended in the preceding school year to employ, hire, or retain ~~social~~  
13 ~~workers~~ pupil services professionals over the amount it expended in the school year  
14 immediately preceding the preceding school year to employ, hire, or retain ~~social~~  
15 ~~workers~~ pupil services professionals.

16 **SECTION 16.** 115.364 (1) (c) of the statutes is created to read:

17 115.364 (1) (c) “Pupil services professional” means a school counselor, school  
18 social worker, school psychologist, or school nurse.

19 **SECTION 17.** 115.364 (2) (a) 1. of the statutes is amended to read:

20 115.364 (2) (a) 1. Subject to par. (b), from the appropriation under s. 20.255 (2)  
21 (da), pay to an eligible school district an amount equal to 50 percent of the amount  
22 by which the school district increased its expenditures in the preceding school year  
23 to employ, hire, or retain ~~social workers~~ pupil services professionals over the amount  
24 it expended in the school year immediately preceding the preceding school year to  
25 employ, hire, or retain ~~social workers~~ pupil services professionals.

**SECTION 18.** 115.364 (2) (a) 2. of the statutes is amended to read:

115.364 **(2)** (a) 2. Subject to par. (b), from the appropriation under s. 20.255 (2) (da), pay to an eligible independent charter school an amount equal to 50 percent of the amount by which the independent charter school increased its expenditures in the preceding school year to employ, hire, or retain ~~social workers~~ pupil services professionals over the amount it expended in the school year immediately preceding the preceding school year to employ, hire, or retain ~~social workers~~ pupil services professionals.

**SECTION 19.** 115.364 (2) (a) 3. of the statutes is amended to read:

115.364 **(2)** (a) 3. Subject to par. (b), from the appropriation under s. 20.255 (2) (da), pay to an eligible private school an amount equal to 50 percent of the amount by which the private school increased its expenditures in the preceding school year to employ, hire, or retain ~~social workers~~ pupil services professionals over the amount it expended in the school year immediately preceding the preceding school year to employ, hire, or retain ~~social workers~~ pupil services professionals.

**SECTION 20.** 115.364 (2) (b) 2. a. of the statutes is amended to read:

115.364 **(2)** (b) 2. a. Subject to subd. 2. b., if, after making the payments required under par. (a), moneys remain in the appropriation account under s. 20.255 (2) (da), the state superintendent shall reimburse eligible school districts, private schools participating in a parental choice program under s. 118.60 or 119.23, and independent charter schools under contract with one of the entities under s. 118.40 (2r) (b) 1. or with the director under s. 118.40 (2x) for an amount equal to expenditures made by the school district, private school, or independent charter school in the preceding school year to employ, hire, or retain ~~social workers~~ pupil services professionals less the any amount of increased expenditures for which the

1 school district, private school, or independent charter school was reimbursed under  
2 par. (a).

3 **SECTION 21.** 115.364 (2) (b) 2. b. of the statutes is amended to read:

4 115.364 (2) (b) 2. b. If the appropriation under s. 20.255 (2) (da) in any fiscal  
5 year is insufficient to pay the full amount of aid under subd. 2. a., the state  
6 superintendent shall prorate state aid payments among the school districts, private  
7 schools, and independent charter schools eligible for the aid.

8 **SECTION 22.** 115.436 (2) (intro.) of the statutes is amended to read:

9 115.436 (2) (intro.) A school district is eligible for sparsity aid under this section  
10 if it the school district's membership in the previous school year divided by the school  
11 district's area in square miles is less than 10 and the school district satisfies all one  
12 of the following criteria:

13 **SECTION 23.** 115.436 (2) (b) of the statutes is created to read:

14 115.436 (2) (b) The school district's membership in the previous school year was  
15 greater than 745.

16 **SECTION 24.** 115.436 (2) (c) of the statutes is repealed.

17 **SECTION 25.** 115.436 (3) (a) of the statutes is repealed.

18 **SECTION 26.** 115.436 (3) (ac) of the statutes is created to read:

19 115.436 (3) (ac) Beginning in the 2020-21 school year, from the appropriation  
20 under s. 20.255 (2) (ae) and subject to par. (b), the department shall pay all of the  
21 following:

22 1. To each school district eligible for sparsity aid under sub. (2) (a), \$400  
23 multiplied by the school district's membership in the previous school year.

24 2. To each school district eligible for sparsity aid under sub. (2) (b), \$100  
25 multiplied by the school district's membership in the previous school year.

**SECTION 27.** 115.436 (3) (ag) of the statutes is created to read:

115.436 (3) (ag) Beginning in the 2020-21 school year, from the appropriation under s. 20.255 (2) (ae), the department shall, subject to par. (b), pay to each school district that received aid under this section in the previous school year but does not satisfy the number of pupils per square mile requirement under sub. (2) in the current school year 50 percent of the amount the school district received under par. (a) or (ac) in the previous school year.

**SECTION 28.** 115.436 (3) (am) of the statutes is repealed.

**SECTION 29.** 115.436 (3) (b) of the statutes is amended to read:

115.436 (3) (b) If the appropriation under s. 20.255 (2) (ae) in any fiscal year is insufficient to pay the full amount under pars. ~~(a), (am)~~ (ac), (ag), and (ap), the department shall prorate the payments among the school districts entitled to aid under this subsection.

**SECTION 30.** 115.447 (title) of the statutes is amended to read:

**115.447 (title) Summer school programs; grants; urban school districts.**

**SECTION 31.** 115.447 (1) of the statutes is amended to read:

115.447 (1) In this section, “eligible “urban school district” means a 1st-class city school district that had a membership, as calculated under s. 121.07 (2), of at least 18,000 pupils in the previous school year.

**SECTION 32.** 115.447 (2) (intro.) of the statutes is amended to read:

115.447 (2) (intro.) Beginning in the 2018-19 school year and in each year thereafter, from the appropriation under s. 20.255 (2) (dj), the department shall award grants to eligible urban school districts to do any of the following:

**SECTION 33.** 115.447 (2m) of the statutes is created to read:

1           115.447 **(2m)** Beginning in the 2020-21 school year and in each school year  
2           thereafter, the department shall allocate in each school year \$2,000,000 for grants  
3           to an urban school district that is a 1st class city school district and shall allocate the  
4           remaining amount appropriated under s. 20.255 (2) (dj) equally among the urban  
5           school districts that are not 1st class city school districts.

6           **SECTION 34.** 115.745 (1) of the statutes is renumbered 115.745 (1) (intro.) and  
7           amended to read:

8           115.745 **(1)** (intro.) A school board, a cooperative educational service agency,  
9           or an agency determined by the state superintendent to be eligible for designation  
10          under 42 USC 9836 as a head start agency, in conjunction with a tribal education  
11          authority, may apply to the department for ~~a~~ any of the following grants:

12          (a) A grant for the purpose of supporting innovative, effective instruction in one  
13          or more American Indian languages.

14          **SECTION 35.** 115.745 (1) (b) of the statutes is created to read:

15          115.745 **(1)** (b) Beginning in the 2020-21 school year, a 2-year grant to develop,  
16          implement, and provide American Indian heritage, language, and cultural  
17          instruction programs for children participating in head start programs and for  
18          pupils in grades kindergarten to 2.

19          **SECTION 36.** 115.745 (2) of the statutes is renumbered 115.745 (2) (a).

20          **SECTION 37.** 115.745 (2) (b) of the statutes is created to read:

21          115.745 **(2)** (b) The department may contract with and, from the appropriation  
22          under s. 20.255 (1) (kt), pay the Great Lakes Inter-Tribal Council, Inc., to implement  
23          and administer the grant programs under this section.

24          **SECTION 38.** 115.881 (2) of the statutes is amended to read:

115.881 (2) For each child whose costs exceeded \$30,000 under sub. (1), the department shall, from the appropriation under s. 20.255 (2) (bd), pay an eligible applicant in the current school year an amount equal to ~~0.90 multiplied by that~~ portion of the cost costs under sub. (1) that exceeded \$30,000.

**SECTION 39.** 115.881 (3) of the statutes is repealed.

**SECTION 40.** 115.884 (1) (intro.) of the statutes is amended to read:

115.884 (1) (intro.) In the ~~2016-17~~ 2020-21 school year and each school year thereafter, from the appropriation under s. 20.255 (2) (bf), the department shall award an incentive grant in the amount of \$1,000 per individual determined under sub. (3) to a school district, or to an operator of a charter school established under s. 118.40 (2r) or (2x), that applies for a grant under this section ~~and that~~ if the school district or operator demonstrates to the satisfaction of the department that the individual satisfies all of the following criteria:

**SECTION 41.** 115.884 (2) of the statutes is repealed.

**SECTION 42.** 115.884 (3) of the statutes is created to read:

115.884 (3) The per individual grant amount under sub. (1) is the lesser of the following:

(a) In each school year, the amount determined by dividing the amount appropriated under s. 20.255 (2) (bf) for that school year by the total number of individuals statewide for whom a grant will be awarded under sub. (1) in that school year.

(b) \$1,500.

**SECTION 43.** 119.04 (1) of the statutes, as affected by 2019 Wisconsin Act 83, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.445, 115.447, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board but not, unless explicitly provided in this chapter or in the terms of a contract, to the commissioner or to any school transferred to an opportunity schools and partnership program.

**SECTION 44.** 121.15 (3m) of the statutes is created to read:

121.15 (3m) (a) In this subsection:

1. “Partial school revenues” means the sum of state school aids, property taxes levied for school districts, and aid paid to school districts under ss. 79.095 (4) and 79.096, less all of the following:

a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school board’s increasing the services that it provides by adding responsibility for providing a service transferred to it from another school board.

b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3.

c. The amount of any revenue limit increase under s. 121.91 (4) (h).

d. The amount of any property taxes levied for the purpose of s. 120.13 (19).

1 e. An amount equal to the amount estimated to be paid under s. 119.23 (4) and  
2 (4m) multiplied by the sum of the applicable percentages specified in s. 121.08 (4) (b)  
3 1. and 2.

4 f. The amount by which the property tax levy for debt service on debt that has  
5 been approved by a referendum exceeds \$490,000,000.

6 2. "State school aids" means the amounts appropriated under s. 20.255 (1) (b)  
7 and (2), other than s. 20.255 (2) (az), (bb), (fm), (fp), (fq), (fr), (fu), (fv), (k), and (m),  
8 the amount appropriated under s. 20.505 (4) (es), and the amount, as determined by  
9 the secretary of administration, of the appropriation under s. 20.505 (4) (s) allocated  
10 for payments to telecommunications providers under contracts with school districts  
11 and cooperative educational service agencies under s. 16.971 (13), and to make  
12 information technology infrastructure grants under s. 16.9945.

13 (b) By May 15, 2020, and annually by May 15 thereafter, the department, the  
14 department of administration, and the legislative fiscal bureau shall jointly certify  
15 to the joint committee on finance an estimate of the amount necessary to appropriate  
16 under s. 20.255 (2) (ac) in the following school year to ensure that state school aids  
17 equal two-thirds of partial school revenues.

18 (c) By June 30, 2020, and biennially by June 30 thereafter, the joint committee  
19 on finance shall determine the amount appropriated under s. 20.255 (2) (ac) in the  
20 following school year.

21 **SECTION 45. Fiscal changes.**

22 (1) GENERAL EQUALIZATION AIDS. In the schedule under s. 20.005 (3) for the  
23 appropriation to the department of public instruction under s. 20.255 (2) (ac), the  
24 dollar amount for fiscal year 2020-21 is increased by \$130,000,000 for the purposes  
25 for which the appropriation is made.



1           (2) AIDS FOR SPECIAL EDUCATION AND SCHOOL AGE PARENTS PROGRAMS. In the  
2       schedule under s. 20.005 (3) for the appropriation to the department of public  
3       instruction under s. 20.255 (2) (b), the dollar amount for fiscal year 2020-21 is  
4       increased by \$79,100,000 for the purposes for which the appropriation is made.

5           (3) ADDITIONAL SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for  
6       the appropriation to the department of public instruction under s. 20.255 (2) (bd), the  
7       dollar amount for fiscal year 2020-21 is increased by \$4,500,000 for the purposes for  
8       which the appropriation is made.

9           (4) SPECIAL EDUCATION TRANSITION READINESS GRANTS. In the schedule under s.  
10      20.005 (3) for the appropriation to the department of public instruction under s.  
11      20.255 (2) (bg), the dollar amount for fiscal year 2020-21 is increased by \$1,500,000  
12      for the purpose for which the appropriation is made.

13          (5) SPARSITY AID. In the schedule under s. 20.005 (3) for the appropriation to the  
14      department of public instruction under s. 20.255 (2) (ae), the dollar amount for fiscal  
15      year 2020-21 is increased by \$10,100,000 for the purpose for which the appropriation  
16      is made.

17          (6) AID FOR SCHOOL MENTAL HEALTH PROGRAMS. In the schedule under s. 20.005  
18      (3) for the appropriation to the department of public instruction under s. 20.255 (2)  
19      (da), the dollar amount for fiscal year 2020-21 is increased by \$19,000,000 for the  
20      purpose for which the appropriation is made.

21          (7) SCHOOL-BASED MENTAL HEALTH SERVICES GRANTS. In the schedule under s.  
22      20.005 (3) for the appropriation to the department of public instruction under s.  
23      20.255 (2) (dt), the dollar amount for fiscal year 2020-21 is increased by \$3,750,000  
24      for the purpose for which the appropriation is made.

(8) SUMMER SCHOOL GRANTS; URBAN SCHOOL DISTRICTS. In the schedule under s. 20.005 (3) for the appropriation to the department of public instruction under s. 20.255 (2) (dj), the dollar amount for fiscal year 2020-21 is increased by \$3,600,000 for the purpose for which the appropriation is made.

(9) TRIBAL LANGUAGE REVITALIZATION GRANTS. In the schedule under s. 20.005 (3) for the appropriation to the department of public instruction under s. 20.255 (2) (km), the dollar amount for fiscal year 2020-21 is increased by \$262,200 for the purpose for which the appropriation is made.

**SECTION 46. Initial applicability.**

(1) WRS TEACHER ANNUITANTS. The treatment of ss. 40.22 (1), (2m) (intro.), (2r) (intro.), and (3) (intro.) and 40.26 (6) (intro.), (a), and (b) first applies to participants under the Wisconsin Retirement System who terminate employment on the effective date of this subsection.

(2) HIGH-COST SPECIAL EDUCATION AID. The treatment of s. 115.881 (2) and (3) first applies to aid paid in the 2020-21 school year.

(3) SUMMER SCHOOL GRANTS; URBAN SCHOOL DISTRICTS. The treatment of s. 115.447 (2) (intro.) first applies to grants awarded under s. 115.447 (2) in the 2020-21 school year.

**SECTION 47. Effective dates.** This act takes effect on July 1, 2020, except as follows:

(1) WRS TEACHER ANNUITANTS. The treatment of ss. 40.22 (1), (2m) (intro.), (2r) (intro.), and (3) (intro.) and 40.26 (6) (intro.), (a), and (b) and SECTION 46 (1) of this act take effect on the day after publication.

1           (2) GENERAL SCHOOL AIDS; FUNDING. The treatment of s. 121.15 (3m) takes effect  
2           on the day after publication.

3 (END)