

1987 Assembly Bill 654

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## 1987 Wisconsin Act 338

AN ACT to repeal 115.88 (10); to amend 115.88 (1) (intro.), 115.88 (1) (b), 115.88 (2), 115.93 (1), 115.93 (1m) and 118.255 (4); and to create 115.882 and 115.93 (2) of the statutes, relating to state aid to counties, school districts and cooperative educational service agencies for handicapped education and transportation, school age parent programs and day care programs for student parents.

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

SECTION 1. 115.88 (1) (intro.) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

115.88 (1) PROGRAM AID. (intro.) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program ~~an amount a sum equal to the reimbursement percentage determined under sub. (10) (c) multiplied by 63% of the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in s. 115.83 (1), including the salary portion of any authorized contract for physical or occupational therapy services, except as provided in pars. (a) and (b), and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the county, agency and school district from the appropriation under s. 20.255 (2) (b).~~

SECTION 2. 115.88 (1) (b) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

115.88 (1) (b) Salaries of senior level school psychologists and senior level school social workers shall be reimbursed at ~~the reimbursement percentage determined under sub. (10) (c) 51%~~ without regard to whether they are employed in a program for handicapped children. The school district, county handicapped children's education board or cooperative educational service agency shall include in the report under s. 115.84 any information required by the state superintendent relating to use of a school psychologist or school social worker.

SECTION 3. 115.88 (2) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

115.88 (2) TRANSPORTATION AID. If upon receipt of the report under s. 115.84 the state superintendent is satisfied that the transportation of children with exceptional educational needs has been maintained during the preceding year in accordance with the law,

the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils ~~an amount equal to the reimbursement percentage determined under sub. (10) (c) multiplied by 63% of the amount expended for such transportation. Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). The department of administration shall pay such amounts to the county, agency or school district from the appropriation under s. 20.255 (2) (b). This subsection applies to any child with exceptional educational needs who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with exceptional educational needs attending regular or special classes who does not require any special or additional transportation.~~

SECTION 4. 115.88 (10) of the statutes, as created by 1987 Wisconsin Act 27, is repealed.

SECTION 5. 115.882 of the statutes is created to read:

**115.882 Proration of state aid.** If the appropriation under s. 20.255 (2) (b) in any one year is insufficient to pay the full amount of aid under ss. 115.88 and 118.255, state aid payments shall be prorated among the counties, school districts and cooperative educational service agencies entitled thereto.

SECTION 6. 115.93 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

115.93 (1) ~~If, 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 parents 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 an amount equal to the reimbursement percentage determined under s. 115.88 (10) (c) multiplied by 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).

SECTION 7. 115.93 (1m) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

115.93 (1m) Annually by August 15, the department of health and social services shall submit to the state superintendent a report identifying each school board that has entered into a contract with the department of health and social services for the provision of day care programs under s. 46.99. ~~Upon~~ Except as provided under sub. (2), upon receipt of the report the state superintendent shall certify to the department of administration in favor of each such school district ~~an amount equal to the reimbursement percentage determined under s. 115.88 (10) (c) multiplied by a sum equal to 63% of the amount expended by the school district during the preceding school year on educational services for student parents enrolled in the program under s. 46.99, including 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).~~

SECTION 8. 115.93 (2) of the statutes is created to read:

115.93 (2) If the appropriation under s. 20.255 (2) (b) in any year is insufficient to pay the full amount of

aid under subs. (1) and (1m), state aid payments shall be prorated among the entitled school districts.

SECTION 9. 118.255 (4) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

118.255 (4) If the state superintendent is satisfied that the health treatment services program has been maintained during the preceding school year in accordance with law he or she shall certify to the department of administration in favor of each school board, cooperative educational service agency and county handicapped children's education board maintaining such health treatment services, an amount ~~equal to the reimbursement percentage determined under s. 115.88 (10) (c) multiplied by 63% of the amount expended for items listed in s. 115.88 (1) by the school board, cooperative educational service agency and county handicapped children's education board during the preceding year for these health treatment services. The department of administration, upon such certification shall distribute the amounts to the appropriate school board, cooperative educational service agency and county handicapped children's education board.~~

SECTION 10. **Initial applicability.** (1) PUBLIC INSTRUCTION. (a) *Handicapped aid reimbursement.* The treatment of sections 115.88 (1) (intro.) and (b), (2) and (10), 115.882, 115.93 (1), (1m) and (2) and 118.255 (4) of the statutes first applies to state aids paid in the 1988-89 school year.