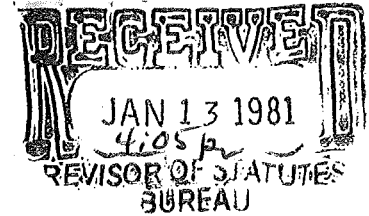


A- V 6

CERTIFICATE



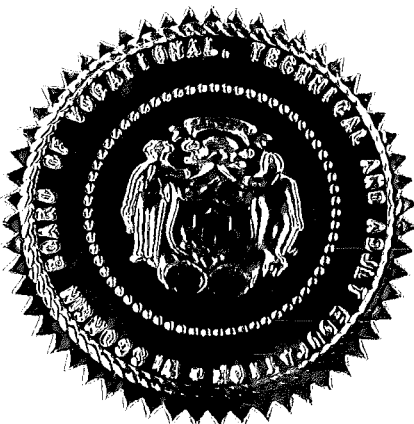
STATE OF WISCONSIN)
Board of Vocational, Technical and) SS
Adult Education)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Robert P. Sorensen, Director of the Wisconsin Board of Vocational, Technical, and Adult Education and custodian of the official records of said board, do hereby certify that the annexed rules relating to District Budget Limitations Appeals Process were duly approved and adopted by this board on August 21, 1980.

I further certify that said copy has been compared by me with the original on file in this board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the agency at Hill Farms State Office Building in the city of Madison, this 12 day of January, 1981.



Robert P. Sorensen
Robert P. Sorensen
State Director

3-1-81

PROPOSED
ORDER OF THE WISCONSIN
BOARD OF VOCATIONAL, TECHNICAL
AND ADULT EDUCATION REPEALING, AMENDING AND ADOPTING
RULES

Relating to rules concerning District Budget Limitations Appeal Process.

Analysis prepared by the Wisconsin Board of Vocational, Technical and Adult Education. Section 38.29, Stats., places a limit of 9.5 percent on the annual increase in a district's budgeted non-federal operational cost. District boards may appeal to the State Board to exclude from the budget limitation, costs associated with:

- a. The development of new or expanded programs primarily for handicapped students, women or racial minority groups;
- b. Documented heat and utility cost increases which exceed 9.5 percent of the previous year's expenditures for heat and utilities;
- c. Utilization of a new or remodeled facility for the first year during which the new or remodeled facility will be used; or

- d. Compliance with an order of a court or federal or state agency other than an order issued by the State Board.

In addition, the State Board is required to hold a public hearing in a district submitting an appeal prior to a decision allowing or disallowing costs.

The rules below define terms used in the appeal process and specify the criteria that will be used by the State Board in reviewing district budget limitation appeals. The rules also establish appeal filing deadlines of July 1 for cost increases in an ensuing fiscal year and February 1 for cost increases in a current fiscal year. The procedures for administrative hearings detailed in Chapter A-V 4, Wisconsin Administrative Code, which will be promulgated at approximately the same time as these rules will be used to conduct the required public hearing.

Pursuant to authority vested in the Wisconsin Board of Vocational, Technical and Adult Education by section 227.014(2) Wis. Stats., and in interpretation of section 38.29 Wis. Stats., the Wisconsin Board of Vocational, Technical and Adult Education hereby repeals, amends and adopts rules governing the District Budget Limitations Appeal Process conducted by the Agency as follows:

Chapter A-V 6 (title) is amended to read:

Chapter A-V 6

DISTRICT BUDGET LIMITATIONS COST CONTROL APPEALS PROCESS

Section A-V 6.01 is amended to read:

A-V 6.01 Purpose and application of rules. This chapter shall apply in all proceedings and hearings before the board of ~~vocational, technical and adult education~~ on matters pertaining to appeals from district budget limitations. ~~(cost control)~~, except as otherwise provided by statute.

Section A-V 6.02 (intro) and (1) are amended to read:

A-V 6.02 Definitions. ~~In addition to~~ The definitions contained listed in Chapter Chapters A-V 1, and A-V 4, Wis. Adm. Code, and the following apply to this chapter:

(1) APPEAL. Appeal means an request, application in the format required by s. A-V 4.09, Wis. Adm. Code, signed by the district board chairman, requesting that the board to conduct a hearing to hear and consider arguments, receive testimony, admit exhibits, and inquire into the necessity of exceeding ~~cost control~~ district budget limitations as specified in s.38.29, Stats.

Section A-V 6.03 is amended to read:

A-V 6.03 Submission of appeals. (1) Any district may file an appeal with the board pursuant to s. A-V 4.09, Wis. Adm. Code provided the district board has passed a resolution to that effect, and the requirements and deadlines listed in subs. (2) to (4) are met.

(2) Appeals must be received by the board either:

(a) For the next fiscal year prior to July 1,

together with a printed or duplicated copy of its approved annual budget document for the upcoming fiscal year, ~~and~~ a copy of the projected cost allocation schedule for the same fiscal year, and other information in the format required by the board;

or

(b) For the current fiscal year by February 1

together with the information required in par. (a) and sub. (4)(a), and the student FTE records for all courses in which students are first scheduled to attend a class before January 1 including the previous summer session.

(3) The appeal shall stipulate the specific item(s) being appealed under s.38.29(3), Stats., together with dollar amounts and documentation for each. Such substantiating justification shall include evidence as to why and how the budget limitations, based on comparison of the cost allocation schedules required under subs. (2) and (4), would prevent support for the item(s) specified under s.38.29(3).

(4) Appeal hearings will be scheduled either:

(a) In September following receipt, prior to

September 1, of the previous year's actual cost allocation schedules; or

(b) In February following receipt of the appeal received by February 1 and the information required in sub. (2)(b).

Section A-V 6.04 (1) and (7) are amended to read:

A-V 6.04 General Provisions. (1) Terms, definitions and procedures shall be as specified in the current vocational, technical and adult education WTAE uniform financial accounting manual (see s.38.04(11), Stats.) unless otherwise specified by statute or ~~administrative rule~~ under this section.

(7) Proposed decisions ~~Decisions~~ made by WBVTE on district budget limitation appeal hearings conducted under s.38.29, Stats. shall be communicated to local districts by October 15~~th~~ and March 15.

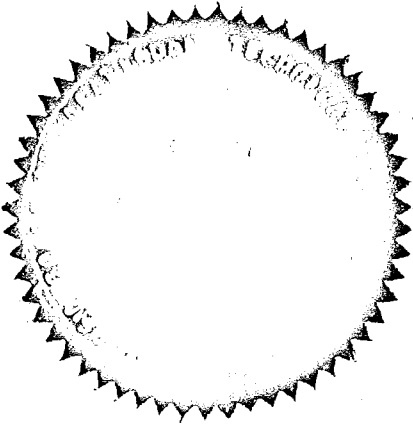
Section A-V 6.05 is repealed and recreated to read:

A-V 6.05 Appeal hearings. The hearing shall be conducted pursuant to Chapter 227, Stats., and Chapter A-V 4, Wis. Adm. Code.

The rules, amendments and repeals contained in this order shall take effect as provided in s.227.026(1)(intro), Stats.

November 21, 1980

Wisconsin Board of Vocational,
Technical and Adult Education



Robert P. Sorensen

Robert P. Sorensen

State Director



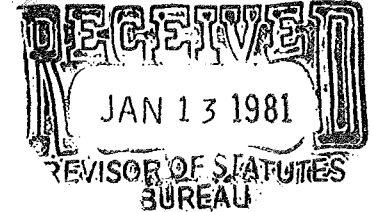
State of Wisconsin \

BOARD OF VOCATIONAL, TECHNICAL & ADULT EDUCATION

ROBERT P. SORENSEN, Ph.D.

State Director
4802 Sheboygan Avenue, 7th Floor
MADISON, WISCONSIN 53702

January 12, 1981



Mr. Orlan L. Prestegard
Revisor of Statutes
State Capitol, Room 411 W
Madison, WI 53702

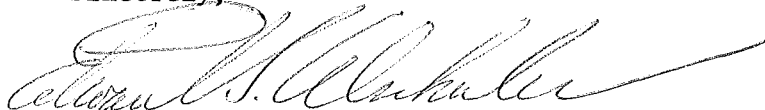
Dear Mr. Prestegard:

Enclosed for further processing as Administrative Code, is Chapter A-V 6, District Budget Limitations Appeals Process, Wisconsin Administrative Code, adopted by this Board on August 21, 1980. This rule has passed through both standing committees of the Legislature.

As per your requirement, we have included a certified copy and one additional copy for your use.

Please do not hesitate to contact me if any further information is needed.

Sincerely,


Edward S. Alschuler
Legal Counsel

ESA:cw

Enclosure