1989 Assembly Bill 519

Date of enactment: **April 23, 1990**
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1989 WISCONSIN ACT 297

AN ACT *to renumber and amend* 115.28 (19); and *to create* 115.28 (19) (b) of the statutes, **relating to:** federal aid received by the department of public instruction for the education of handicapped children and state tuition payments.

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

SECTION 1. 115.28 (19) of the statutes is renumbered 115.28 (19) (a) and amended to read:

115.28 **(19)** (a)   Continue to award federal aid received under 20 USC 1411 (c) (1) (A) to any school district which received such funds in the 1982–83 school year in order to fund the educational costs associated with the transfer of handicapped pupils from a state institution. This paragraph does not apply after July 1, 1991.

SECTION 2. 115.28 (19) (b) of the statutes is created to read:

115.28 **(19)** (b) Ensure that federal aid received under 20 USC 1411 (c) (1) (A) after July 1, 1991, is not used to supplant or replace funding available from other sources.

SECTION 3. **Nonstatutory provisions.** (1) Notwithstanding section 115.88 (7) (a) of the statutes, any discretionary federal aid received under 20 USC 1411 (c) (1) (A) during the 1990–91 school year by a school district that incurred a financial burden in that school year as a result of the transfer of handicapped pupils from a state institution shall not be deducted from costs aidable under section 115.88 of the statutes when calculating aids paid under that section in the 1991–92 school year.

(2) Notwithstanding section 121.83 (1) (a) of the statutes, any discretionary federal aid received under 20 USC 1411 (c) (1) (A) during the 1990–91 school year by a school district that incurred a financial burden in that school year as a result of the transfer of handicapped pupils from a state institution shall not be treated as an offsetting receipt for purposes of determining net school cost under section 121.83 of the statutes.