



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0271/1
TKK:wlj&ahe

**ASSEMBLY SUBSTITUTE AMENDMENT 2,
TO ASSEMBLY BILL 805**

January 29, 2018 - Offered by Representative KOOYENGA.

1 **AN ACT to repeal** 118.55 (2) (b); **to renumber and amend** 118.55 (2) (a); and **to**
2 **create** 118.55 (10) of the statutes; **relating to:** excluding certain college credit
3 in high school programs from the Early College Credit Program.

Analysis by the Legislative Reference Bureau

This substitute amendment excludes certain college-level courses offered to high school pupils from the Early College Credit Program.

Under the ECCP, a high school pupil, including a high school pupil attending a private school, may enroll in an institution of higher education for the purpose of taking one or more nonsectarian courses. Also under the ECCP, "institution of higher education" is defined to mean an institution within the University of Wisconsin System, a tribally controlled college, and a private, nonprofit institution of higher education located in this state. Under the ECCP, a pupil may take the course to earn high school credit or postsecondary credit or both. The cost of tuition for each course is divided among the Department of Workforce Development, the school board of the pupil's school or the governing body of the private school the pupil attends, and the pupil. The share that each responsible party pays is dependent on whether the course is taken for high school credit or postsecondary credit and whether a course similar to the course taken at the institution of higher education is comparable to a course offered by the school board or private school.

This substitute amendment provides that a course that satisfies all of the following requirements is not a course under the ECCP:

1. The course is offered to pupils under an agreement made before, on, or after the effective date of the substitute amendment between a school board or, for a private school pupil, the governing body of the private school the pupil attends, and either of the following:

a. The chancellor of one of the four-year institutions of the University of Wisconsin System.

b. The president of a private, nonprofit postsecondary institution.

2. Instruction in the course when offered to a public school pupil takes place in a school building in the school district or a school district facility or, when offered to a private school pupil, in the private school.

3. The teacher who provides instruction in the course when offered to a public school pupil is employed by the school district or, when offered to a private school pupil, by the governing body of the private school and the teacher has been certified or approved to teach the course by the participating University of Wisconsin System institution or private, nonprofit postsecondary institution.

This substitute amendment also eliminates a requirement that a private institution of higher education and a tribally controlled college notify the state superintendent of its intent to participate in the ECCP as a condition of participating in the ECCP.

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

1 **SECTION 1.** 118.55 (2) (a) of the statutes, as affected by 2017 Wisconsin Act 59,
2 is renumbered 118.55 (2) and amended to read:
3 **118.55 (2)** ENROLLMENT IN INSTITUTION OF HIGHER EDUCATION; APPLICATION.
4 Subject to ~~par. (b) and~~ sub. (7t) (c), any public high school pupil who is not attending
5 a technical college under s. 38.12 (14) or 118.15 (1) (b) and any high school pupil
6 attending a private school may enroll in an institution of higher education for the
7 purpose of taking one or more nonsectarian courses at the institution of higher
8 education, including during a summer semester or session. The pupil shall submit
9 an application to the institution of higher education in the previous school semester.
10 The pupil shall indicate on the application whether he or she will be taking the course
11 or courses for high school credit or postsecondary credit or both, if applicable. The
12 pupil shall also specify on the application that, if he or she is admitted, the institution

1 of higher education may disclose the pupil's grades, the courses that he or she is
2 taking, and his or her attendance record to the public or private school in which the
3 pupil is enrolled.

4 **SECTION 2.** 118.55 (2) (b) of the statutes is repealed.

5 **SECTION 3.** 118.55 (10) of the statutes is created to read:

6 118.55 (10) INAPPLICABILITY. (a) In this subsection:

7 1. "Private, nonprofit institution" means a private, nonprofit postsecondary
8 institution that is a member of the Wisconsin Association of Independent Colleges
9 and Universities or any successor organization.

10 2. "University of Wisconsin System institution" means a 4-year institution in
11 the University of Wisconsin System.

12 (b) This section does not apply to a course for which a public high school pupil
13 may earn postsecondary credit if all of the following apply:

14 1. The school board of the school district and one of the following have entered
15 into an agreement before, on, or after the effective date of this subdivision [LRB
16 inserts date], to provide a college credit in high school program to academically
17 qualified pupils under which participating pupils may take the course for
18 postsecondary credit:

19 a. The chancellor of a University of Wisconsin System institution.

20 b. The president of a private, nonprofit institution.

21 2. The instruction of pupils in the course takes place in a school building in the
22 school district or a school district facility.

23 3. The high school teacher who provides instruction in the course is employed
24 by the school district and has been certified or approved to provide the instruction
25 by one of the following:

1 a. For a course taught pursuant to an agreement under subd. 1. a., the
2 participating University of Wisconsin System institution.

3 b. For a course taught pursuant to an agreement under subd. 1. b., the
4 participating private, nonprofit institution.

5 (c) This section does not apply to a course for which a high school pupil
6 attending a private school may earn postsecondary credit if all of the following apply:

7 1. The governing body of the private school and one of the following have
8 entered into an agreement before, on, or after the effective date of this subdivision
9 [LRB inserts date], to provide a college credit in high school program to
10 academically qualified pupils under which participating pupils may take the course
11 for postsecondary credit:

12 a. The chancellor of a University of Wisconsin System institution.

13 b. The president of a private, nonprofit institution.

14 2. The instruction of pupils in the course takes place in the private school
15 building.

16 3. The high school teacher who provides instruction in the course is employed
17 by the governing body of the private school and has been certified or approved to
18 provide the instruction by one of the following:

19 a. For a course taught pursuant to an agreement under subd. 1. a., the
20 participating University of Wisconsin System institution.

21 b. For a course taught pursuant to an agreement under subd. 1. b., the
22 participating private, nonprofit institution.

23 **SECTION 4. Effective date.**

24 (1) This act takes effect on July 1, 2018.

25 **(END)**