



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0974/1
ARG:kjf

DOA:.....Kretschmann, BB0178 - Early College Credit Changes

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

1. The Early College Credit and Dual Enrollment Programs

This bill eliminates 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 courses to earn high school credit or postsecondary credit or both. An institution of higher education is defined to mean an institution within the UW System, a tribally controlled college, or a private, nonprofit institution of higher education located in this state. The cost of tuition for each course is divided among the state, 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 district or private school.

The bill replaces the ECCP with a requirement that the UW System implement a program to provide tuition-free courses to high school students. See EDUCATION - HIGHER EDUCATION.

This bill also eliminates a program under which high school students may take courses at technical colleges. Under this program, a public school pupil who satisfies

certain criteria, including providing timely notice to the pupil's school district, may apply to attend a technical college for the purpose of taking one or more courses. With an exception, the technical college district board must admit the pupil to the technical college if the pupil meets course prerequisites and there is space available in the course. The pupil is eligible to receive both high school and technical college credit for courses successfully completed at the technical college. If the course is not comparable to courses offered in the school district, the school district must pay to the technical college the pupil's tuition and fees for each course taken for high school credit, and the pupil is not responsible for any portion of the tuition and fees for the course.

The bill replaces this program with a requirement that the technical college districts implement a program to provide tuition-free courses to high school students. See EDUCATION - HIGHER EDUCATION.

HIGHER EDUCATION

1. Dual enrollment at UW schools and technical colleges

This bill requires the Board of Regents of the UW System and technical college district boards to establish policies and implement programs under which students attending high school in this state are admitted, respectively, to the UW System or technical colleges as nondegree students and may enroll in courses offered for credit at a UW System school or technical college. The student must meet the requirements and prerequisites of the course and there must be space available in the course. In establishing the policies and implementing the program, the Board of Regents or technical college district board must consult with DPI and coordinate with the school districts and the governing bodies of private schools where the high school students are enrolled. The Board of Regents and technical college district boards may not charge tuition or fees to any high school student, or to the school district or private school in which the student is enrolled, in connection with the student's participation in the program or the student's enrollment in any course under this program. The UW school or technical college in which the student is enrolled must award postsecondary credit for any course successfully completed. The student must notify the school board of the public high school he or she attends, or the governing body of the private school he or she attends, of the student's intention to enroll in a UW school or technical college and of any course to be taken. If the student will be taking the course for high school credit, the school board or private school governing body must determine whether the course satisfies high school graduation requirements and the number of high school credits to award the student for the course, if any, and notify the student of these determinations. These programs replace the existing Early College Credit Program and dual enrollment program in technical colleges. See EDUCATION - PRIMARY AND SECONDARY EDUCATION.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 20.255 (2) (cy) of the statutes is amended to read:

20.255 (2) (cy) *Aid for transportation; open enrollment and early college credit program.* The amounts in the schedule to reimburse parents for the costs of transportation of open enrollment pupils under ss. 118.51 (14) (b) and 118.52 (11) (b) and for the payment of state aid under s. 118.55 (7g) for the transportation of pupils attending a course at an institution of higher education and receiving credit for the course under s. 118.55 (3) (b).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 20.445 (1) (d) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 3. 36.11 (3) (a) of the statutes is amended to read:

36.11 (3) (a) The Subject to s. 36.25 (56), the board shall establish the policies for admission within the system and within these policies each institution shall establish specific requirements for admission to its courses of instruction. No sectarian or partisan tests or any tests based upon race, religion, national origin of U.S. citizens or sex shall ever be allowed in the admission of students thereto.

SECTION 4. 36.11 (3) (b) of the statutes is amended to read:

36.11 (3) (b) Subject to s. 36.31 (2m), the board shall establish policies for the appropriate transfer of credits between institutions within the system, including postsecondary credits earned by a high school pupil enrolled in a course at an institution within the system under the program under s. ~~118.55~~ 36.25 (56). If the

board determines that postsecondary credits earned by a high school pupil under the program under s. ~~118.55~~ 36.25 (56) are not transferable under this paragraph, the board shall permit the individual to take an examination to determine the individual's competency in the subject area of the course and, if the individual receives a passing score on the examination, shall award equivalent credits to the individual.

SECTION 5. 36.11 (3) (c) of the statutes is amended to read:

36.11 (3) (c) Subject to s. 36.31 (2m), the board may establish policies for the appropriate transfer of credits with other educational institutions outside the system, including postsecondary credits earned by a high school pupil enrolled in a course at an educational institution outside the system through the program under s. ~~118.55~~ 36.25 (56). If the board determines that postsecondary credits earned by a high school pupil under the program under s. ~~118.55~~ 36.25 (56) are not transferable under this paragraph, the board shall permit the individual to take an examination to determine the individual's competency in the subject area of the course and, if the individual receives a passing score on the examination, shall award equivalent credits to the individual.

SECTION 6. 36.25 (56) of the statutes is created to read:

36.25 (56) DUAL ENROLLMENT PROGRAM. (a) In this subsection, "transcripted credit" means that the institution in which a high school student is enrolled under this subsection awards postsecondary credit for successful course completion and issues a transcript from the institution documenting successful completion of the course and the credits awarded for the course, if such a transcript is requested.

(b) The board shall establish policies and implement a program under which students attending high school in this state are admitted to the system as nondegree

students and may enroll in courses of instruction offered for transcribed credit at any institution if all of the following apply:

1. The student meets the requirements and prerequisites of the course.
2. There is space available in the course.

(c) In establishing the policies and implementing the program under par. (b), the board shall consult with the department of public instruction and coordinate with the school districts and the governing bodies of private schools where the high school students are enrolled.

(d) 1. A public school student who intends to enroll in an institution under this subsection shall notify the school board of the school district in which he or she is enrolled and a student attending a private school who intends to enroll in an institution under this subsection shall notify the governing body of the private school he or she attends of that intention no later than March 1 if the student intends to enroll in the fall semester, and no later than October 1 if the student intends to enroll in the spring semester. The notice shall include the titles of the courses in which the student intends to enroll and the number of credits of each course, and shall specify whether the student will be taking the courses for high school credit as well as postsecondary credit.

2. If the public school student specifies in the notice under subd. 1. that he or she intends to take a course at an institution for high school credit, the school board shall determine whether the course satisfies any of the high school graduation requirements under s. 118.33 and the number of high school credits to award the student for the course, if any. If the student attending a private school specifies in the notice under subd. 1. that he or she intends to take a course at an institution for high school credit, the governing body of the participating private school shall

determine whether the course satisfies any requirements necessary for high school graduation and the number of high school credits to award the student for the course, if any. In cooperation with the system, the state superintendent shall develop guidelines to assist school districts and participating private schools in making the determinations. The school board or governing body shall notify the student of its determinations, in writing, before the beginning of the semester in which the student will be enrolled. If the public school student disagrees with the school board's decision regarding satisfaction of high school graduation requirements or the number of high school credits to be awarded, the student may appeal the school board's decision to the state superintendent within 30 days after the decision. The state superintendent's decision shall be final and is not subject to review under subch. III of ch. 227. If the student attending a participating private school disagrees with any decision of a governing body under this subdivision, the student may appeal the decision to the governing body within 30 days after the decision.

(e) The board may not charge any tuition, academic fees, or segregated fees to any high school student, or to the school district or private school in which the student is enrolled, in connection with the student's participation in the program under par. (b) or the student's enrollment in any course under this program.

(f) The board shall implement the program under this subsection no later than 30 days after the effective date of this paragraph [LRB inserts date]. If at the time the board implements the program under this subsection the institution in which a student is or will be enrolled has already received payment of any tuition, academic fees, or segregated fees as provided in s. 118.55 (5) or (6), 2017 stats., for the first semester commencing after the effective date of this paragraph [LRB inserts date], the board shall refund all such tuition and fees received.

SECTION 7. 36.27 (1) (a) of the statutes is amended to read:

36.27 (1) (a) Subject to par. (b) and s. 36.25 (56) (e), the board may establish for different classes of students differing tuition and fees incidental to enrollment in educational programs or use of facilities in the system. Except as otherwise provided in this section, the board may charge any student who is not exempted by this section a nonresident tuition. ~~The~~ Subject to s. 36.25 (56) (e), the board may establish special rates of tuition and fees for the extension and summer sessions and such other studies or courses of instruction as the board deems advisable.

SECTION 8. 38.04 (11) (a) 2. of the statutes is amended to read:

38.04 (11) (a) 2. In consultation with the state superintendent of public instruction, the board shall establish, by rule, a uniform format for district boards to use in reporting the number of pupils attending district schools under ~~ss. 38.12 (14) and s.~~ 118.15 (1) (b), (cm), and (d) and in reporting pupil participation in technical preparation programs under s. 118.34, including the number of courses taken for advanced standing in the district's associate degree program ~~and for technical college credit.~~

SECTION 9. 38.04 (21) (a) of the statutes is amended to read:

38.04 (21) (a) The number of pupils who attended district schools under ~~ss. 38.12 (14) and s.~~ 118.15 (1) (b), (cm), and (d) in the previous school year.

SECTION 10. 38.04 (21) (c) of the statutes is repealed.

SECTION 11. 38.12 (14) of the statutes is repealed.

SECTION 12. 38.12 (15) of the statutes is created to read:

38.12 (15) DUAL ENROLLMENT PROGRAM. (a) In this subsection, "transcripted credit" means that the technical college in which a high school student is enrolled under this subsection awards postsecondary credit for successful course completion

and issues a transcript from the technical college documenting successful completion of the course and the credits awarded for the course, if such a transcript is requested.

(b) Each district board shall establish policies and implement a program under which students attending high school in this state and residing in the district are admitted to the technical colleges of the district as nondegree students and may enroll in courses of instruction offered for transcribed credit at any such technical college if all of the following apply:

1. The student meets the requirements and prerequisites of the course.
2. There is space available in the course.

(c) In establishing the policies and implementing the program under par. (b), the district board shall consult with the department of public instruction and coordinate with the school districts and the governing bodies of private schools where the high school students are enrolled.

(d) 1. A public school student who intends to enroll in a technical college under this subsection shall notify the school board of the school district in which he or she is enrolled and a student attending a private school who intends to enroll in a technical college under this subsection shall notify the governing body of the private school he or she attends of that intention no later than March 1 if the student intends to enroll in the fall semester, and no later than October 1 if the student intends to enroll in the spring semester. The notice shall include the titles of the courses in which the student intends to enroll and the number of credits of each course, and shall specify whether the student will be taking the courses for high school credit as well as postsecondary credit.

2. If the public school student specifies in the notice under subd. 1. that he or she intends to take a course at a technical college for high school credit, the school

board shall determine whether the course satisfies any of the high school graduation requirements under s. 118.33 and the number of high school credits to award the student for the course, if any. If the student attending a private school specifies in the notice under subd. 1. that he or she intends to take a course at a technical college for high school credit, the governing body of the participating private school shall determine whether the course satisfies any requirements necessary for high school graduation and the number of high school credits to award the student for the course, if any. In cooperation with the board and district boards, the state superintendent shall develop guidelines to assist school districts and participating private schools in making the determinations. The school board or governing body shall notify the student of its determinations, in writing, before the beginning of the semester in which the student will be enrolled. If the public school student disagrees with the school board's decision regarding satisfaction of high school graduation requirements or the number of high school credits to be awarded, the student may appeal the school board's decision to the state superintendent within 30 days after the decision. The state superintendent's decision shall be final and is not subject to review under subch. III of ch. 227. If the student attending a participating private school disagrees with any decision of a governing body under this subdivision, the student may appeal the decision to the governing body within 30 days after the decision.

(e) Notwithstanding s. 38.24 (1m), the district board may not charge any fees to any high school student, or to the school district or private school in which the student is enrolled, in connection with the student's participation in the program under par. (b) or the student's enrollment in any course under this program.

(f) The district board shall implement the program under this subsection no later than 30 days after the effective date of this paragraph [LRB inserts date]. If at the time the district board implements the program under this subsection the district board of the technical college in which a student is or will be enrolled has already received payment of fees as provided in s. 38.12 (14) (d), 2017 stats., for the first semester commencing after the effective date of this paragraph [LRB inserts date], the district board shall refund all such fees received.

SECTION 13. 38.22 (1) (intro.) of the statutes is amended to read:

38.22 (1) (intro.) Except as provided in subs. (1m) and (1s) and s. 38.12 ~~(14)~~ (15), every person who is at least the age specified in s. 118.15 (1) (b) is eligible to attend a technical college if the person is:

SECTION 14. 38.28 (1m) (a) 1. of the statutes is amended to read:

38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a technical college district, including debt service charges for district bonds and promissory notes for building programs or capital equipment, but excluding all expenditures relating to auxiliary enterprises and community service programs, all expenditures funded by or reimbursed with federal revenues, all receipts under ss. 38.12 (9) ~~and (14)~~, 38.14 (3) and (9), and 118.15 (2) (a), all receipts from grants awarded under ss. 38.04 (8), (28), and (31), 38.14 (11), 38.26, 38.27, 38.31, 38.33, 38.38, and 38.42, all fees collected under s. 38.24, and driver education and chauffeur training aids.

SECTION 15. 106.125 of the statutes is repealed.

SECTION 16. 115.28 (54m) of the statutes is amended to read:

115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the department’s Internet site a link to information about all of the educational options

available to children in the state who are at least 3 years old but not yet 18 years old, including public schools, private schools participating in a parental choice program, charter schools, virtual schools, full-time or part-time open enrollment in a nonresident school district, the ~~early college credit program~~ programs under ss. 36.25 (56) and 38.12 (15), and options for pupils enrolled in a home-based private educational program.

SECTION 17. 115.385 (1) (d) 1. of the statutes is repealed.

SECTION 18. 115.385 (4) of the statutes is amended to read:

115.385 (4) Annually, each public school, including a charter school, and each private school participating in a parental choice program under s. 118.60 or 119.23 shall provide a copy of the school's accountability report to the parent or guardian of each pupil enrolled in or attending the school. Each school shall simultaneously provide to the parent or guardian of each pupil enrolled in the school a list of the educational options available to children who reside in the pupil's resident school district, including public schools, private schools participating in a parental choice program, charter schools, virtual schools, full-time or part-time open enrollment in a nonresident school district, the ~~early college credit program~~ programs under ss. 36.25 (56) and 38.12 (15), and options for pupils enrolled in a home-based private educational program.

SECTION 19. 118.33 (3m) of the statutes is amended to read:

118.33 (3m) A course taken at a technical college by a child attending the school part-time or in lieu of high school under s. 118.15 (1) (b), or attending the school under s. 118.15 (1) (cm), does not fulfill any of the high school graduation requirements under sub. (1) (a) unless the state superintendent has approved the course for that purpose. If a pupil satisfies all of the high school graduation

requirements under subs. (1) and (1m) (a), the school board shall grant a high school diploma to the pupil regardless of whether the pupil satisfied all or a portion of the requirements while attending an institution of ~~higher education~~ the University of Wisconsin System under s. ~~118.55~~ 36.25 (56) or a technical college under s. 38.12 (15).

SECTION 20. 118.55 of the statutes is repealed.

SECTION 21. 118.57 (1) of the statutes is amended to read:

118.57 (1) Annually, by January 31, each school board shall publish as a class 1 notice, under ch. 985, and post on its Internet site a description of the educational options available to children in the school district, including public schools, private schools participating in a parental choice program, charter schools, virtual schools, full-time or part-time open enrollment in a nonresident school district, and the ~~early college credit program~~ programs under ss. 36.25 (56) and 38.12 (15).

SECTION 22. 120.12 (17) of the statutes is repealed.

SECTION 23. 121.05 (1) (a) 5. of the statutes is amended to read:

121.05 (1) (a) 5. Pupils attending a technical college under s. 118.15 (1) (b) ~~and pupils attending an institution of higher education under s. 118.55.~~

(END)