



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 131
[2003 Assembly Bill 183]

Youth Options Program

2003 Acts: www.legis.state.wi.us/2003/data/acts/

Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

GENERAL BACKGROUND

A pupil who is enrolled in a public school in the 11th or 12th grade and meets certain eligibility criteria may attend an institution of higher education (IHE) (University of Wisconsin System or a tribally controlled college or private, nonprofit institution of higher education in Wisconsin that participates in the youth options program) or a technical college to take courses under the youth options program.

If a pupil is taking a course under the youth options program at an *IHE* for high school credit and the course *is not comparable* to a course offered in the school district (noncomparable course), the school district must pay for tuition, fees, books, and other necessary materials directly related to the course. (If the pupil is attending a private IHE, the school district's obligation is limited to a statutory formula relating to average costs and, in the 2003-04 school year, was capped at \$259 per credit on a semester basis.) Under prior law, there was no limit on the amount of credits for noncomparable courses at an IHE for which a school district could be required to pay, although there was a prohibition against taking more than 15 credit hours per semester at an IHE and a prohibition against participating in the youth options program more than two semesters once the pupil gained 12th grade status. However, if a pupil is taking a course under the youth options program at an IHE for high school credit and the course *is comparable* to a course offered in the school district or if the pupil is taking a course at an IHE for postsecondary credit only, the pupil is responsible for the tuition, fees, books, and other necessary materials.

If a pupil attends *technical college* under the youth options program, the school district must pay the cost of tuition, fees, and books for the pupil at the technical college for noncomparable courses taken for high school credit. Under prior law, there was no limit on the amount of credits for noncomparable courses taken for high school credit at a technical college for which a school district could be required to

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

pay. In addition, under prior law, if a pupil was attending technical college for 10 or more credits during a semester under the youth options program, the school board also was required to pay for comparable courses for 1/2 of the credits taken, up to six credits per semester.

2003 WISCONSIN ACT 131

2003 Wisconsin Act 131 makes the following changes to prior law:

1. 18-Credit Payment Limit Permitted

The act provides that a school board *may* establish a written policy limiting the number of credits for which the school board will pay under the youth options program to the equivalent of 18 postsecondary semester credits per pupil.

As under prior law, with respect to IHEs, the school district is only required to pay for noncomparable courses taken for high school credit. However, with respect to technical colleges, the act repeals the provision which required payment for 1/2 of *comparable* courses (up to six credits) for a pupil who is attending technical college for 10 or more credits in that semester. Thus, under the act, a school district could establish a policy limiting its payment to the equivalent of 18 postsecondary semester credits for noncomparable courses taken for high school credit, regardless of whether the pupil attended an IHE or technical college.

The act repeals the prohibition against taking more than 15 credit hours per semester at an IHE and the prohibition against participating in the youth options program for more than two semesters once the pupil gains 12th grade status.

Under prior law and under the act, an eligible pupil may apply to attend courses under the youth options program that are not paid for by the school district.

2. Failing or Uncompleted Course

The act provides that if a pupil receives a failing grade or fails to complete a course for which the school board has made payment under the youth options program, the pupil's parent or guardian (or the pupil if he or she is an adult) must reimburse the school board *upon* the school board's request. If a school board has requested reimbursement and has not been reimbursed, the act provides that the pupil is ineligible to participate in the youth options program.

3. Technical College Admission

Under prior law, if an eligible pupil applied to attend a technical college under the youth options program, the technical college was required to admit the pupil if the pupil met the requirements and prerequisites of the course for which the pupil applied, unless the technical college district board rejected the applicant because of a record of disciplinary problems.¹ The Department of Public Instruction had interpreted prior law as requiring that a technical college admit a pupil under the youth options program even if space was not available.

¹ A school board may refuse to permit a pupil to attend a technical college under the youth options program if the pupil is a child with a disability and the school board determines that the cost to the school district for special services required for the pupil would impose an undue financial burden on the school district.

The act requires a technical college to admit an eligible pupil under the youth options program (unless the pupil is rejected because of disciplinary problems) if there is space available in the course *after* admission of individuals who are not attending the technical college under the youth options program. Thus, pupils under the youth options program would *not* take priority for admission over others applying to attend a technical college.

The act does not change prior law with respect to admission to IHEs; thus, an IHE may admit a pupil under the youth options program only if it has space available.

Effective Date: The act becomes effective March 13, 2004, and first applies to those attending an IHE or technical college under the youth options program in the 2004-05 school year.

Prepared by: Joyce L. Kiel, Senior Staff Attorney

March 8, 2004

JLK:rv:jal:wu;wu