



WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

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| <p>2003 Assembly Bill 183</p> | <p>Assembly Substitute Amendment 1, as Amended by Assembly Amendment 2 to Assembly Substitute Amendment 1</p> |
| <p><i>Memo published:</i> August 15, 2003</p> | <p><i>Contact:</i> Joyce L. Kiel, Senior Staff Attorney (266-3137)</p> |

CURRENT LAW

Under current law, a pupil enrolled in a public school in the 11th or 12th grade 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 2002-03 school year was capped at \$249 per credit on a semester basis.) However, if a pupil is taking a course 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. In addition, if the pupil is attending technical college for 10 or more credits during a semester, the school board also must pay for comparable courses for 1/2 of the credits taken, but no more than six credits.

ASSEMBLY SUBSTITUTE AMENDMENT 1, AS AMENDED

Assembly Substitute Amendment 1 to 2003 Assembly Bill 183, as amended by Assembly Amendment 2 to Assembly Substitute Amendment 1 (hereinafter, “amended substitute amendment”), would make the following changes to current law:

1. 18-Credit Payment Limit Permitted

The amended substitute amendment provides that a school board may establish a written policy limiting the number of credits for which the school board will pay to the equivalent of 18 postsecondary semester credits per pupil.

As under current 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 amended substitute amendment repeals the provision which requires payment for 1/2 of *comparable* courses (up to six credits) for a pupil who is attending technical college for 10 or more credits a semester. Thus, under the amended substitute amendment, 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 amended substitute amendment 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.

The amended substitute amendment does not change current law permitting a pupil to apply to attend courses under the youth options program that are not paid for by the school district; it simply permits a school district to establish a policy limiting the number of credits the school district is required to pay for.

2. Failing or Uncompleted Course

The amended substitute amendment provides that if a pupil receives a failing grade or fails to complete a course for which the school board has made payment, 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 amended substitute amendment provides that the pupil is ineligible to participate in the youth options program.

3. Technical College Admission

Under current law, if a pupil who is eligible to apply to attend a technical college applies, the technical college must admit the pupil if the pupil meets the requirements and prerequisites of the course for which the pupil applied, unless the technical college district board rejects the applicant because of a record of disciplinary problems.¹ The Department of Public Instruction has interpreted current law as

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.

requiring that a technical college admit a pupil under the youth options program even if space is not available.

The amended substitute amendment requires a technical college to admit an eligible pupil under the youth options program 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 amended substitute amendment does not change current law with respect to admission to IHEs; current law provides that an IHE may admit a pupil under the youth options program only if it has space available.

LEGISLATIVE HISTORY

Assembly Substitute Amendment 1 and Assembly Amendments 1 and 2 to the substitute amendment were offered by the Assembly Committee on Education. Assembly Amendment 1 to the substitute amendment (changing 18 credits to 24 credits) failed to be recommended for adoption on a vote of Ayes, 3; Noes, 12. Assembly Amendment 2 to the substitute amendment (changing the reference from 18 high school credits to the equivalent of 18 postsecondary semester credits) was recommended for adoption on a vote of Ayes, 15; Noes, 0. Assembly Substitute Amendment 1, as amended by Assembly Amendment 2 to the substitute amendment, was recommended for adoption on a vote of Ayes, 15; Noes, 0. The bill, as amended, was recommended for passage on a vote of Ayes, 12; Noes, 3.

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