



State of Wisconsin  
2007 - 2008 LEGISLATURE

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## 2007 ASSEMBLY BILL 439

July 3, 2007 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Colleges and Universities.

1     **AN ACT to renumber** 38.01 (1) and 38.04 (21) (a) to (e); **to amend** 38.04 (21)  
2           (intro.), 38.24 (1m) (b), 38.27 (1) (a), 39.435 (1), 39.435 (3), 85.107 (3) (am) and  
3           230.22 (3); and **to create** 38.01 (1d), 38.04 (8m), 38.04 (21) (cm) and 38.31 of the  
4           statutes; **relating to:** technical college adult basic education programs,  
5           eligibility for Wisconsin higher education grants, and granting rule-making  
6           authority.

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### ***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTE provided by the Joint Legislative Council in the bill.

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

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on strengthening Wisconsin families.

Under current law, s. 38.04 (21), stats., requires the Wisconsin technical college system (WTCS) board to submit an annual report to the department of administration,

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department of public instruction, department of workforce development, and to the legislature.

This bill amends s. 38.04 (21), stats., to include data related to adult basic education (ABE) among the information the board is required to include in the annual report.

The bill also requires the board to develop a plan to increase the number of pupils who enroll in diploma or degree programs, who previously completed an ABE program at a technical college. The plan requires the board to set 5-year goals with annual benchmarks for the number of students who transition from an ABE program to a technical college diploma or degree program.

Under current law, a technical college may require the prerequisite of a high school diploma, general educational development credential (GED), or high school equivalency diploma (HSED) to enroll in technical college diploma and degree programs.

This bill creates s. 38.31, stats., relating to a concurrent enrollment admissions program. Under the proposed program, the board shall allow pupils to concurrently enroll in a diploma or degree program and an ABE program. The proposed program also allows the board to require a high school diploma, GED, or HSED for enrollment in certain diploma and degree programs.

Under current law, s. 39.435 (1), stats., relating to Wisconsin higher education grants (WHEG) requires half-time enrollment in order for a pupil to be eligible for the higher education grant program.

This bill amends s. 39.435 (1), stats., to remove the requirement of half-time enrollment for higher education grant eligibility under s. 39.435 (1), stats., for students enrolled in the Wisconsin technical college system. The bill amends s. 39.435 (3), stats., relating to the amount of grants under s. 39.435 (1), stats., to reflect the modification of the half-time enrollment requirement under s. 39.435 (1), stats.

The bill also amends s. 39.435 (3), stats., to remove eligibility for grants under s. 39.435 (1), stats., for students who have earned more than 135 credits.

1       **SECTION 1.** 38.01 (1) of the statutes is renumbered 38.01 (1m).

2       **SECTION 2.** 38.01 (1d) of the statutes is created to read:

3       38.01 (1d) “Adult basic education program” includes the following programs:  
4       family literacy, general educational development, high school equivalency, English  
5       as a second language, and workplace education.

6       **SECTION 3.** 38.04 (8m) of the statutes is created to read:

7       38.04 (8m) ADULT BASIC EDUCATION TRANSITION PLAN. (a) Annually by January  
8       1, the board shall develop a plan to increase the number of students who enroll in  
9       vocational diploma or associate degree programs after completing an adult basic  
10      education program at a technical college. The plan shall specify each district board’s

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1 goals and objectives for such adult basic education graduate transition. The plan  
2 shall outline activities and programs that enhance adult basic education graduate  
3 transition and shall review the progress made by the board and by the district boards  
4 in the previous school year. The plan shall outline the efforts made to publicize  
5 activities and programs that enhance adult basic education graduate transition.

6 (b) Every 5th year, the board shall promulgate rules establishing 5-year goals  
7 with annual benchmarks for the number of students who enroll in vocational  
8 diploma or associate degree programs after completing an adult basic education  
9 program at a technical college.

10 **SECTION 4.** 38.04 (21) (intro.) of the statutes is amended to read:

11 38.04 (21) PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT. (intro.) (am)  
12 Annually by the 3rd Monday in February the board shall submit a report to the  
13 department of administration, department of public instruction and department of  
14 workforce development, and to the legislature under s. 13.172 (2).

15 (bm) The report under par. (am) shall specify all of the following by school  
16 district:

17 **SECTION 5.** 38.04 (21) (a) to (e) of the statutes are renumbered 38.04 (21) (bm)  
18 1. to 5.

19 **SECTION 6.** 38.04 (21) (cm) of the statutes is created to read:

20 38.04 (21) (cm) The report under par. (am) shall also specify all of the following:

21 1. The number of students who were enrolled in, and the number of students  
22 who completed, each adult basic education program at each technical college in the  
23 previous school year.

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1           2. The number of students who earned a certificate of general educational  
2 development or completing a high school equivalency diploma in the previous school  
3 year after completing an adult basic education program at a technical college.

4           3. The number of students who were enrolled in a vocational diploma or  
5 associate degree program at a technical college in the previous school year after  
6 completing an adult basic education program at a technical college, and the type of  
7 vocational diploma or associate degree program in which each such student was  
8 enrolled.

9           4. The number of students who completed a vocational diploma or associate  
10 degree program at a technical college in the previous school year after completing an  
11 adult basic education program at a technical college within the previous 5 school  
12 years.

13           5. The type of adult basic education program completed by each student under  
14 subds. 2., 3., and 4.

15           **SECTION 7.** 38.24 (1m) (b) of the statutes is amended to read:

16           38.24 **(1m)** (b) *Postsecondary and vocational-adult programs.* Uniform fees  
17 based on not less than 14% of the combined estimated statewide operational cost of  
18 postsecondary, exclusive of collegiate transfer, and vocational-adult programs. The  
19 board shall maintain statewide uniformity in the program fees charged for  
20 postsecondary and vocational-adult credits. Students 62 years old and over shall be  
21 exempted from program fees under this paragraph in vocational-adult programs.  
22 Students enrolled in adult high school, including students enrolled under s. 118.15  
23 (1) (cm) 3., adult basic education skills, and English as a 2nd language courses shall  
24 be exempted from program fees under this paragraph. The board shall establish fees  
25 under this paragraph as if students exempt from fees under sub. (4) were not exempt.

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1           **SECTION 8.** 38.27 (1) (a) of the statutes is amended to read:

2           38.27 (1) (a) The creation or expansion of adult high school, adult basic  
3 education ~~skills~~, and English as a 2nd language courses. The board shall give  
4 priority to courses serving minority, unemployed, disadvantaged or handicapped  
5 students.

6           **SECTION 9.** 38.31 of the statutes is created to read:

7           **38.31 Concurrent enrollment. (1)** The district board shall allow a student  
8 to enroll concurrently in a program leading to a certificate of general educational  
9 development, a high school equivalency diploma, or a high school diploma, and in a  
10 vocational diploma or associate degree program unless the board has determined  
11 under sub. (2) that the vocational diploma or associate degree program includes one  
12 or more courses that require the student to first obtain a certificate of general  
13 educational development, a high school equivalency diploma, or a high school  
14 diploma.

15           **(2)** The board shall determine whether enrollment in a vocational diploma or  
16 associate degree program requires a student to first obtain a certificate of general  
17 educational development, a high school equivalency diploma, or a high school  
18 diploma, and shall publish a list of those that do.

19           **(3)** The board shall identify and approve those basic education courses that also  
20 satisfy curricular requirements for vocational diploma or associate degree programs.

21           **(4)** The board shall promulgate rules to implement and administer this section,  
22 including rules establishing criteria for making the determinations under sub. (2).

23           **SECTION 10.** 39.435 (1) of the statutes is amended to read:

24           39.435 (1) There is established, to be administered by the board, a higher  
25 education grant program for postsecondary resident students enrolled at least

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1 half-time and registered as freshmen, sophomores, juniors or seniors in accredited  
2 institutions of higher education or in tribally controlled colleges in this state who  
3 have earned no more than 135 credits. The requirement of at least half-time  
4 enrollment does not apply to students enrolled in a technical college. Except as  
5 authorized under sub. (5), such grants shall be made only to students enrolled in  
6 nonprofit public institutions or tribally controlled colleges in this state. There is no  
7 limit on the number of consecutive semesters for which a student may receive a grant  
8 under this subsection.

9 **SECTION 11.** 39.435 (3) of the statutes is amended to read:

10 39.435 (3) Grants under sub. (1) shall not be less than \$250 or the actual cost  
11 of fees and tuition, whichever is lower, during any one academic year, unless the joint  
12 committee on finance approves an adjustment in the amount of the minimum grant.  
13 Grants under sub. (1) shall not exceed \$3,000 during any one academic year. The  
14 board shall, by rule, establish a reporting system to periodically provide student  
15 economic data and shall promulgate other rules the board deems necessary to assure  
16 uniform administration of the program.

17 **SECTION 12.** 85.107 (3) (am) of the statutes is amended to read:

18 85.107 (3) (am) Award scholarships of not more than \$2,000 each to any  
19 targeted group member who is registered in his or her 2nd year of full-time  
20 enrollment in an associate degree program, as defined in s. 38.01 ~~(1)~~ (1m), or  
21 vocational diploma program, as defined in s. 38.01 (11), at a technical college in this  
22 state.

23 **SECTION 13.** 230.22 (3) of the statutes is amended to read:

24 230.22 (3) Subject to s. 230.275, the administrator may establish separate  
25 recruitment, evaluation and certification procedures for certain entry professional

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1 positions. Vacancies in entry professional positions may be limited to persons with  
2 a degree from an institution of higher education, as defined in s. 108.02 (18), or a  
3 degree under an associate degree program, as defined in s. 38.01 ~~(1)~~ (1m).

**SECTION 14. Nonstatutory provisions.**

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5 (1) The board shall include the initial criteria determined under section 38.31  
6 (4) of the statutes, as created by this act, and the list of programs under section 38.31  
7 (2) of the statutes, as created by this act, in the first report under section 38.04 (21)  
8 of the statutes that is due after the effective date of this subsection.

9 (2) The board shall submit in proposed form the rules required under sections  
10 38.04 (8m) and 38.31 of the statutes, as created by this act, to the legislative council  
11 staff under section 227.15 (1) of the statutes no later than the first day of the 7th  
12 month beginning after publication.

**SECTION 15. Initial applicability.**

13  
14 (1) WISCONSIN HIGHER EDUCATION GRANTS. The treatment of section 39.435 (1)  
15 and (3) of the statutes first applies to Wisconsin higher education grants awarded by  
16 the higher educational aids board for the 2009-10 academic year.

17 **SECTION 16. Effective dates.** This act takes effect on the first day of the 13th  
18 month beginning after publication, except as follows:

19 (1) SECTION 14 (2) of this act takes effect on the day after publication.

20 (END)