



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-6092/1
JAM&KRP:wlj

2021 ASSEMBLY BILL 1082

March 7, 2022 - Introduced by Representatives WITTKÉ, CABRAL-GUEVARA and MOSES, cosponsored by Senators TESTIN, NASS and FEYEN. Referred to Committee on Colleges and Universities.

1 **AN ACT to create** 36.53 and 118.65 of the statutes; **relating to:** reporting on, and
2 charging high schools for the cost of, remedial courses at University of
3 Wisconsin System institutions.

Analysis by the Legislative Reference Bureau

Under current law, the University of Wisconsin System must determine and report on high schools that have graduated more than six students who, on the basis of their performance on placement tests in the preceding 12 months, are required to take remedial coursework in English or mathematics. This bill requires the Board of Regents to charge high schools that have graduated any student needing remedial coursework in English or mathematics for the cost of providing that student remedial coursework. The bill also requires the Board of Regents to complete and submit an annual report to the legislature detailing the cost of providing remedial coursework.

The bill provides that, if a high school fails to pay the charges, the Department of Public Instruction must reduce state aid or certain other amounts otherwise payable to the high school by an amount equal to the unpaid charges.

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:

ASSEMBLY BILL 1082**SECTION 1**

1 **SECTION 1.** 36.53 of the statutes is created to read:

2 **36.53 Remedial coursework reimbursement.** (1) **DEFINITIONS.** In this
3 section:

4 (a) “High school” means a public or private school in this state in which a high
5 school grade is taught, including a school classified as a senior high school under s.
6 115.01 (2).

7 (b) “Placement test” means an English or mathematics placement or
8 proficiency test that is required upon a student’s admission to the system.

9 (c) “Student” means an incoming freshman undergraduate student who has
10 graduated high school within the previous 5 years.

11 **(2) REMEDIAL CHARGES.** By September 1 of each year the board shall do all of
12 the following:

13 (a) Identify the graduating high school of any student whose score on a
14 placement test indicates a low probability of success in college-level courses in
15 English or mathematics.

16 (b) Identify the graduating high school of any student who is required to take
17 any credit or noncredit course that is designed for students needing a remedial
18 course.

19 (c) Submit a charge to each high school identified in pars. (a) and (b) for the cost
20 of providing a remedial course to a student who graduated from the high school. The
21 charge shall include a deadline for the high school to pay that is no more than 3
22 months after which students are required to pay undergraduate tuition.

23 **(3) STUDENT PRIVACY.** The system administration may not disclose the identity
24 of any student who is required to take a remedial course or whose score on a
25 placement test indicates a low probability of success in college-level courses in

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1 English or mathematics, except that the name of a student may be disclosed to the
2 student's former high school.

3 (4) ANNUAL REMEDIAL REPORT. By September 1 of each year, the board shall
4 submit a report to the appropriate standing committees of the legislature under s.
5 13.172 (3) and the state superintendent of public instruction that identifies all of the
6 following:

7 (a) The number of students, and from which high schools the students
8 graduated and which institutions the students attend, whose scores on placement
9 tests indicate a low probability of success in college-level courses in English or
10 mathematics.

11 (b) The number of students, and from which high schools the students
12 graduated and which institutions the students attended, who, on the basis of their
13 performance on placement tests in the preceding 12 months, are required to take a
14 remedial course in English or mathematics.

15 (c) Any institution that has not provided English or mathematics remedial
16 courses to students in the preceding 12 months.

17 (d) An accounting of each institution's costs in the preceding 12 months relating
18 to the institution's provision of courses and services for students needing remedial
19 courses, including the percent of the board's and each institution's annual operating
20 budget that goes towards remedial education, and including costs related to all of the
21 following:

22 1. Remedial courses, including the creation of new remedial courses, staffing
23 of remedial courses, and the space used to provide remedial courses.

24 2. The reduction of class or laboratory sizes.

25 3. Additional testing to students needing remedial courses.

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1 4. Tutoring to students needing remedial courses.

2 5. The creation and administration of bridge programs and campus readiness
3 programs for students needing remedial courses.

4 (e) The amount of each high school's charges under sub. (2) (c) that are unpaid
5 from charges assessed in previous years.

6 **SECTION 2.** 118.65 of the statutes is created to read:

7 **118.65 Reimbursement for college remedial education costs.** (1) A
8 school board, the operator of a charter school under s. 118.40 (2r) or (2x), or the
9 governing body of a private school that is charged an amount under s. 36.53 (2) (c)
10 shall pay that amount to the board of regents of the University of Wisconsin System
11 no later than the deadline specified in the submission under s. 36.53 (2) (c).

12 **(2)** For any high school identified in a report submitted under s. 36.53 (4) (e)
13 as having unpaid charges, the department shall do the following:

14 (a) If the high school is a public school, other than a charter school under s.
15 118.40 (2r) or (2x), in a school district, decrease the school district's state aid payment
16 under s. 121.08 for the next school year by an amount equal to the amount of unpaid
17 charges. If the school district's state aid payment under s. 121.08 is insufficient to
18 cover the reduction, the department shall decrease other state aid payments made
19 by the department to the school district by the remaining amount.

20 (b) If the high school is a charter school under s. 118.40 (2r) or (2x), withhold
21 from the next installments payable to the operator of the charter school under s.
22 118.40 (2r) (e), (f), or (fm) or (2x) (e) or (em) an amount equal to the amount of unpaid
23 charges.

24 (c) If the high school is a private school, decrease state aid payments made by
25 the department to the governing body of the private school by an amount equal to the

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1 amount of unpaid charges. If the private school is participating in a program under
2 s. 115.7915, 118.60, or 119.23, the department may instead withhold from the next
3 installments payable to the governing body of the private school under s. 115.7915
4 (4m) or (4p), 118.60 (4) or (4m), or 119.23 (4) or (4m) an amount equal to the amount
5 of unpaid charges.

SECTION 3. Nonstatutory provisions.**(1) TWENTY-YEAR REMEDIAL REPORT.**

8 (a) In this subsection, "institution" has the meaning given in s. 36.05 (9).

9 (b) No later than the 2nd September 1 following the effective date of this
10 paragraph, the board of regents of the University of Wisconsin System shall prepare
11 and submit a report to the appropriate standing committees of the legislature under
12 s. 13.172 (3) that provides an accounting of each institution's costs in the preceding
13 20 years relating to the institution's provision of courses and services for students
14 needing remedial courses, including the percent of the board's and each institution's
15 annual operating budget that went towards remedial education each year, and
16 including costs related to all of the following:

17 1. Remedial courses, including the creation of new remedial courses, staffing
18 of remedial courses, and the space used to provide remedial courses.

19 2. The reduction of class or laboratory sizes.

20 3. Additional testing to students needing remedial courses.

21 4. Tutoring to students needing remedial courses.

22 5. The creation and administration of bridge programs and campus readiness
23 programs for students needing remedial courses.

24 (END)