

## Chapter PI 25

### CHILDREN AT RISK PLAN AND PROGRAM

<p>PI 25.01    Applicability and purpose.  PI 25.02    Definitions.  PI 25.03    Identification of children at risk of not graduating from high school and children at risk plan.</p>	<p>PI 25.04    General requirements for school boards.  PI 25.05    Provisions applicable to private contracting.  PI 25.06    Special provisions applicable to a first class city school system.  PI 25.07    State financial aid and annual reports.</p>
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**Note:** This chapter was created as an emergency rule effective March 12, 1986.

**Note:** Chapter PI 25 as it existed on October 31, 1994 was repealed and a new chapter PI 25 was created effective November 1, 1994.

**PI 25.01 Applicability and purpose.** (1) Under s. 118.153 (2) (a), Stats., every school board shall identify the children at risk of not graduating from high school who are enrolled in the school district and annually by August 15 develop a plan describing how the school board will meet their needs. Under s. 118.153 (3) (a), Stats., every board that applies for aid under this section shall make available programs to serve children at risk. This chapter defines children at risk, establishes criteria for school boards to consider when developing children at risk plans and sets forth the requirements for receipt of additional state aid in those school districts eligible under s. 118.153 (4) (b), Stats.

(2) The requirements under ss. PI 25.03, 25.04, 25.05 and 25.07 apply to all school districts in the state; s. PI 25.06 contains additional requirements which apply only to school districts operating under ch. 119, Stats.

**History:** Cr. Register, October, 1994, No. 466, eff. 11-1-94; CR 01-119: am. (1) Register May 2002 No. 557, eff. 6-1-02.

**PI 25.02 Definitions.** In this chapter:

(1) "Adjudicated delinquent" means delinquent as defined under s. 938.02 (3m), Stats.

(2) "Alternative education program" means those programs as defined under s. 115.28 (7) (e) 1., Stats.

(3) "Basic skills," for purposes of determining whether a pupil is a child at risk of not graduating from high school, means achievement in reading or mathematics or both.

(4) "Board" means the school board in charge of the public schools in the district.

(5) "Ceased to attend" means that a pupil has been absent without acceptable excuse under ss. 118.15 (1) (b) to (d) or (3), and 118.16 (4), Stats., for 20 consecutive school days and has not formally withdrawn from school.

(6) "Children at risk" or "at risk" means pupils in grades 5 to 12 who are at risk of not graduating from high school because they are dropouts, or are two or more of the following:

(a) One or more years behind their age group in the number of high school credits attained.

(b) Two or more years behind their age group in basic skill levels.

(c) Habitual truants as defined in s. 118.16 (1) (a), Stats.

(d) Parents.

(e) Adjudicated delinquents.

(f) Eighth grade pupils whose score in each subject area on the examination administered under s. 118.30 (1m) (am) 1., Stats., was below the basic level, eighth grade pupils who failed the examination under s. 118.30 (1m) (am) 2., Stats., and eighth grade pupils who failed to be promoted to the ninth grade.

(7) "Contract" means a written agreement between a board and a private, nonprofit, nonsectarian agency for the purpose of providing services to children at risk.

(8) "Department" means the Wisconsin department of public instruction.

(9) "Dropout," for purposes of determining whether a pupil is a child at risk of not graduating from high school, means a pupil who:

(a) Has ceased to attend school; and

(b) Does not attend a public, private, or technical college system district school or home-based private educational program under s. 118.15 (4), Stats., on a full-time basis; and

(c) Has not graduated from high school, and does not have an acceptable excuse under ss. 118.15 (1) (b) to (d) or (3), and 118.16 (4), Stats.

(10) "Parent" means mother, father, or legal guardian.

(11) "Private program" means a program operated by a nonsectarian, nonprofit private school or agency.

(12) "Private school" has the meaning described in s. 118.165, Stats.

(13) "Program" means an organized and structured activity or set of activities which constitute one or more components of a comprehensive curriculum plan for the school year including the pupil services normally provided by a school.

(14) "Pupil attendance rate" means the rate obtained by dividing the aggregate number of full-time equivalent days of actual pupil attendance, by the aggregate number of full-time equivalent days on which the individual pupil was enrolled.

(15) "School-age parents" has the meaning given in s. 115.91, Stats.

(16) "Standardized achievement test" means a published, nationally normed test which provides a valid and reliable measure of a pupil's present achievement level in comparison with age or grade level cohorts.

(17) "State superintendent" means the state superintendent of public instruction.

**History:** Cr. Register, October, 1994, No. 466, eff. 11-1-94; correction in (9) (b) made under s. 13.93 (2m) (b) 6., Stats., Register, March, 1996, No. 483; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register October 2001 No. 550; CR 01-119: am. (1), (2), (3), and (9) (intro.) and r. and recr. (6) Register May 2002 No. 557, eff. 6-1-02; CR 03-103: am. (6) Register March 2004 No. 579, eff. 4-1-04.

**PI 25.03 Identification of children at risk of not graduating from high school and children at risk plan.**

(1) Annually by August 15, each board shall develop a district plan that identifies the process for determining if a pupil is at risk. In determining whether a pupil is behind his or her age group in the number of high school credits attained or is 2 or more years behind his or her age group in basic skill levels, a board shall use all of the following criteria:

(a) A pupil shall be determined to be behind in his or her age group in the number of high school credits attained if a pupil in grades 9 through 12 falls 3 or more credits behind in progress toward graduation.

(b) A pupil shall be determined to be 2 or more years behind his or her age group in basic skill levels based on a board approved plan of formal and informal assessment, consistent with the district's objectives in mathematics and reading identified in the curriculum plan under s. PI 8.01 (2) (k).

(2) As part of the district plan developed under sub. (1), each board shall describe how the board will identify and meet the needs of the children identified to be at risk. A board, when developing a plan under this section, may consider the following:

(a) How pupils will be identified and enrolled in programs or provided services to meet their needs.

(b) How pupils may be identified in early childhood and kindergarten through grade 4 and what programs may be offered to prevent pupils from becoming at risk.

(c) How parents will be informed and involved in the programs or services made available under par. (a).

(d) What accommodations can be made to support pupils' achievement and success in school through any of the following:

1. Curriculum modifications.
2. Adaptive instructional strategies.
3. Alternative education programs.
4. Pupil support services.
5. School to work programs.
6. Community services.
7. Coordinating services provided by the district, community, agencies, and other organizations.
8. Eliminating systemic barriers that may cause pupils' success at school to become at risk.

(e) How the district will evaluate the success of services provided under the plan.

**Note:** The number of dropouts and the percentage in grades 9–12 is collected as part of the School Performance Report. A copy of the report format may be obtained at no charge from the Department of Public Instruction, Division for Libraries, Technology and Community Learning, P.O. Box 7841, Madison, WI 53707–7841.

**History:** Cr. Register, October, 1994, No. 466, eff. 11–1–94; CR 01–119: am. (1) (intro.), (a), and (2) (intro.) and cr. (2) (e) Register May 2002 No. 557, eff. 6–1–02.

#### PI 25.04 General requirements for school boards.

Each board that has identified children at risk under s. PI 25.03 shall provide for all of the following:

(1) Designate a staff person who will be responsible for developing the district plan required under s. 118.153 (2) (a), Stats.

(3) Provide that all work–based learning experiences and other similar programs and activities taking place outside the school for which pupils receive academic credit under the district plan, including those programs or curriculum modifications authorized under s. 118.15 (1) (d), Stats., and instruction and pupil support services contracted for under s. 118.153 (3) (c) 1. and 2., Stats., are supervised by departmentally licensed teachers or other licensed school personnel.

(4) Ensure that in grades 9 through 12 curriculum modifications and alternative education programs provided for children at risk are designed to allow pupils to meet the high school graduation requirements under s. 118.33, Stats., and ch. PI 18.

(5) Notify each pupil and his or her parent in writing whenever the pupil has been identified as a child at risk. The notice shall include all of the following:

(a) The name and telephone number of a person the parent or pupil can contact regarding the school district's program.

(b) A description of the district's plan.

(c) A statement that the pupil is eligible to be enrolled under the district plan to serve children at risk.

(d) A description of the at risk programs available and how the pupil may participate in a specific program if more than one program is offered as part of the district plan.

(e) A statement to inform the parent that he or she may select one or more programs in which the pupil will be enrolled, if the pupil meets the prerequisites for the specific program requested.

(f) Describe the procedure for requesting that the pupil be enrolled in the specific at risk program selected by the parent. The request shall be in writing, by signature on a district–provided form, or be given verbally to the person responsible for enrolling

the pupil in the program. This person shall record the date and time of a verbal request and whether this request was made in person or by phone.

(g) Identify the process that a parent may use if the parent disagrees with the planned services.

(6) Enroll the pupil in the at risk program upon the request of the pupil or the pupil's parent. If the board makes available more than one at risk program, the board shall enroll the pupil in the district program selected by the pupil or the pupil's parent if the pupil meets the prerequisites for that program.

(7) Ensure that the special education and related services needs of a child with a disability, as defined in s. 115.76 (5), Stats., are first addressed in the child's individualized education program developed pursuant to s. 115.787, Stats., whenever that child is also eligible to be served in a children at risk program.

**History:** Cr. Register, October, 1994, No. 466, eff. 11–1–94; CR 01–119: renum. (1), (a), (b), (c), (d), and (e) to be (intro.), (1), (3), (4), (5) and (7) and am. (1), (3), (4), (5), and (7), cr. (6), r. (2) Register May 2002 No. 557, eff. 6–1–02.

#### PI 25.05 Provisions applicable to private contracting.

(1) The board of a school district may contract with private, nonprofit, nonsectarian agencies to provide programs for children at risk if the board determines that the agencies can adequately serve such children. A board contracting under this section shall take all of the following actions:

(a) Determine and list in writing appropriate private, nonprofit, nonsectarian agencies located in the school district or within 5 miles of the boundaries of the school district.

(b) Ensure that all instruction and pupil support services offered in contracted programs for children at risk are provided by one of the following:

1. Departmentally licensed professional staff members described in s. 121.02 (1) (a), Stats.

2. Persons licensed by other recognized professional or trade associations who provide specialized instruction or related education services.

3. Persons who are supervised by departmentally licensed professional staff.

(c) Pay each contracting agency, for each full–time equivalent pupil served under the contract, an amount equal to at least 80% of the school district's average per pupil cost.

(d) Establish procedures with each contracting agency for the agency to provide all of the following information:

1. Staff qualifications.

2. Curriculum modifications and alternative education programs to be provided.

3. How pupil performance will be evaluated, including grading criteria, procedures for granting academic credit, and testing for progress in reading and mathematics skills areas.

4. Pupil attendance and retention rates.

(e) Develop a procedure for communication and cooperation with the contracting agencies in meeting the needs of pupils served under this section.

(2) Pupils served under this section who receive high school diplomas may not be counted in meeting the conditions under s. PI 25.07 (1) (b) unless the pupil met high school graduation requirements under s. 118.33, Stats., or completed a program under s. 118.33 (2) (m), Stats.

**History:** Cr. Register, October, 1994, No. 466, eff. 11–1–94; CR 01–119: am. (1) (b) 2., (c), (d) 1. to 4., (e) and (2) Register May 2002 No. 557, eff. 6–1–02; CR 03–103 am. (2) Register March 2004 No. 579, eff. 4–1–04; CR 13–115: am. (1) (intro.) Register July 2014 No. 703, eff. 8–1–14.

**PI 25.06 Special provisions applicable to a first class city school system.** The school board of the school district operating under ch. 119, Stats., shall ensure all of the following:

(1) If there is no space for a pupil in a specific children at risk program provided under the board's plan, the board shall place the

pupil's name on a waiting list for that program and offer the pupil a comparable alternative education program for children at risk until space in the requested program becomes available.

(2) That there are at least 30 pupils and no more than 250 pupils in each program and that a separate administrator or teacher is in charge of each program.

**History:** Cr. Register, October, 1994, No. 466, eff. 11-1-94; CR 01-119: r. (3) Register May 2002 No. 557, eff. 6-1-02; CR 02-107: am. (2), Register November 2002 No. 563, eff. 12-1-02.

#### PI 25.07 State financial aid and annual reports.

(1) STATE FINANCIAL AID. (a) If, in the previous school year, a school district had 30 or more dropouts or a dropout rate exceeding 5% of its total high school enrollment, the board may apply to the state superintendent for aid under this section.

(b) School districts shall receive additional state aid under s. 118.153 (4) (b), Stats., if the state superintendent determines from the report required under sub. (2) that any three of the following conditions have been met by each pupil enrolled in the children at risk program:

1. The pupil's attendance rate was at least 70%.
2. The pupil remained in school through the end of the school year.
3. The pupil, if a high school senior, received a high school diploma.
4. The pupil earned at least 4.5 academic credits or a prorated number of credits if the pupil was enrolled in the program for less than the entire school year.
5. The pupil demonstrated, on standardized tests or other appropriate measures, gain in reading and mathematics commensurate with the duration of his or her enrollment in the program.

(2) ANNUAL REPORTS. (a) Under s. 118.153 (4), Stats., a board that qualified for aid under this section in the previous school year

shall submit an annual report by August 31 to the state superintendent. The annual report on the program for children at risk shall include all of the following information concerning pupils served in the program:

1. The number of pupils, by grade level, who were identified as children at risk, who requested enrollment in the program for children at risk, and who were enrolled in the program for children at risk.

2. The number of pupils who met or exceeded the pupil attendance rate of 70%.

3. The number of pupils who remained in school through the end of the school year.

4. The number of pupils, if high school seniors, who received a high school diploma.

5. The number of pupils who earned at least 4.5 academic credits or a prorated number of credits if the pupils were enrolled in the program for less than the entire school year.

6. The number of pupils who demonstrated, on standardized tests or other appropriate measures, a gain in reading and mathematics commensurate with the duration of enrollment in the program.

7. The total number of pupils who achieved at least 3 objectives under sub. (1) (b).

(b) The district shall maintain records which will substantiate the information reported in the annual report as may be required under this section.

**Note:** Form PI 2375. Annual Report for Children At Risk Program, may be obtained at no charge from the Department of Public Instruction, Division for Academic Excellence, P.O. Box 7841, Madison, WI 53707.

**History:** Cr. Register, October, 1994, No. 466, eff. 11-1-94; CR 01-119: r. (1) (b), renun. (1) (c) to be (1) (b), am. (1) (b) 3., 5., (2) (a) (intro.), 2., 3., 4., 6., and 7. Register May 2002 No. 557, eff. 6-1-02; CR 02-107: am. (1) (a), Register November 2002 No. 563, eff. 12-1-02; CR 03-103: am. (1) (b) 3. and (2) (a) 4. Register March 2004 No. 579, eff. 4-1-04.