

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

1997-98

(session year)

Senate

(Assembly, Senate or joint)

Committee on
Education
(SC-Ed)

File Naming Example:

Record of Comm. Proceedings ... RCP

- 05hr_AC-Ed_RCP_pt01a
- 05hr_AC-Ed_RCP_pt01b
- 05hr_AC-Ed_RCP_pt02

NOTICES ...

- Committee Hearings ... CH (Public Hearing Announcements)
- **

- Executive Sessions ... ES
- **

- Committee Reports ... CR
- **

- Record of Comm. Proceedings ... RCP
- **

INFORMATION COLLECTED BY COMMITTEE
CLERK FOR AND AGAINST PROPOSAL

- Appointments ... Appt
- **

Name:

- Clearinghouse Rules ... CRule
- 97hr_CRule_98-011_SC-Ed_pt01

- Hearing Records ... HR (bills and resolutions)
- **

- Miscellaneous ... Misc
- **

CALVIN J. POTTER
State Senator



Wisconsin State Senate

M E M O

TO: Education Committee Members
FROM: Cal Potter
RE: Administrative Rule
DATE: March 30, 1998

Enclosed is another administrative rule from the DPI. If you would like to request a hearing, please do so by Friday of this week.

Thank you.



State of Wisconsin
Department of Public Instruction

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John T. Benson
State Superintendent

Steven B. Dold
Deputy State Superintendent



March 16, 1998

The Honorable Fred Risser
President, Wisconsin Senate
Room 102
Martin Luther King Jr. Boulevard
Madison, WI 53708

The Honorable Scott Jensen
Speaker, Wisconsin Assembly
Room 211 West State Capitol
Madison, WI 53702

Dear Gentlemen:

The following rule is in final draft form and is submitted to you for referral to the appropriate standing committees:

CHR 98-011

Sincerely,

A handwritten signature in cursive script that reads "John T. Benson".

John T. Benson
State Superintendent

NOTICE OF RULES IN FINAL DRAFT FORM

NOTICE IS HEREBY GIVEN To the presiding officers of each house of the legislature that the proposed rules are in final draft form according to the procedure set forth in s. 227.19, Stats.

PROPOSED ORDER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AMENDING RULES

The state superintendent of public instruction proposes to repeal PI 40.05(3)(a)2., PI 40.07(1)(c), PI 40.07(1m)(b), PI 40.09(1) and PI 40.10; to renumber PI 40.07(1m)(a)(intro.); to renumber and amend PI 40.09(2) and (3); to amend PI 40(title), PI 40.01 and 40.02, PI 40.02(2) and (3), PI 40.03(1), (3), (4), and (5), PI 40.04(1)(a)(intro.), 1. and 2.(intro.) and c. and 3., PI 40.04(1)(b), (d), and (e), PI 40.04(2), PI 40.04(3)(a), (b), (c)(intro.), 3., 4., (d)(intro.), and 2., PI 40.04(4)(a)(intro.), 1., 2., 3., 5., 7., 8. and (b), PI 40.05(3)(a)3.b., PI 40.07(title), (1)(a), (b)(intro.), and (c), PI 40.07(1m)(a)1., PI 40.07(2) and (3), PI 40.08(1)(a) and to create PI 40.02(2), PI 40.03(9), PI 40.04(1)(a)2.g., PI 40.04(3)(c)2m., 2n., (cm), (d)1m., 3., and 4., PI 40.04(5), PI 40.055 and PI 40.06(6), relating to the youth options program.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 118.55(9) and 227.11(2)(a), Stats

Statute interpreted: s. 118.55, Stats.

1991 Wisconsin Act 39 created the postsecondary enrollment options (PSEO) program. Beginning in the 1992-93 school year, any public school pupil enrolled in the 11th or 12th grade could enroll in a center or institution within the university of Wisconsin system, a Wisconsin technical college system (WTCS) school or a private, nonprofit institution of higher education if the private institution notified the state superintendent of its intent to participate in the program by September 1 of the previous school year.

Effective the 1998-99 school year, 1997 Wisconsin Act 27 renames the PSEO program to be the youth options program. The youth options program differentiates between an institution of higher education (IHE) and a technical college. The term "institutions of higher education" now excludes technical colleges but includes a center or institution within the UW system, a tribally controlled college or a private, nonprofit institution. A private institution or tribally controlled college must notify the department of its intent to participate in the program by September 1 of the previous school year.

For IHEs, the youth options program will operate essentially the same as it did under the PSEO program. However, the program as it relates to technical colleges, makes the following changes:

- Requires a technical college to admit a pupil who meets the requirements and prerequisites of the course or courses he or she desires to take through the youth options program.
- Clarifies that a school board is not responsible for transporting a pupil to a technical college.
- Allows a technical college to reject the application of a pupil who has not completed the 10th grade, is not in good academic standing, or has a record of disciplinary problems, as determined by the technical college district board.
- Denies access to pupils who are at-risk as specified under s. 118.153, Stats.
- Requires a school board to pay for some technical college credits that are comparable to courses offered in the school district *if* the pupil is attending a technical college for 10 or more credits in a semester.

- Changes how school boards are to pay a technical college based on the number of credits a pupil takes each semester.
- Does *not* allow a technical college to reject a pupil's application based on space availability.
- Allows a school board to refuse to permit a pupil with exceptional educational needs (EEN) from attending a technical college under the program if the school board determines that the cost to the school district would impose an undue financial burden on the school district.
- Requires a technical college to ensure that the child's educational program meets the high school graduation requirements under s. 118.33, Stats.
- Does not limit a pupil to taking 15 credits at the technical college.

In addition, the youth options program:

- Requires the state superintendent, *in cooperation with IHEs*, to develop guidelines to assist school districts in making determinations whether a course satisfies any of the high school graduation requirements under s. 118.33, Stats., the number of high school credits to award a pupil for the course, and whether the postsecondary course is comparable to a course offered at the school district.
- Requires a school district to grant a high school diploma to a pupil who has satisfied all of his or her high school graduation requirements under s. 118.33(1), Stats., regardless of whether the pupil has satisfied all or a portion of the requirements while attending an IHE or technical college under the program.
- Eliminates the requirement that a school district offer a course if the school board determined that the number of resident pupils enrolled in a postsecondary course at a postsecondary institution was equal to or greater than the number normally required for the district to offer the course and if the board expected the situation to continue in the next school year.

Since the statutory changes affect technical colleges and the pupils who choose to attend technical colleges, current rules relating to technical colleges will be modified for clarity and to comply with statutory language as follows:

- As under current rule, the pupil must notify the school district of her or his intent to attend a technical college no later than March 1 if the pupil intends to enroll in the fall semester and no later than October 1 if the pupil intends to enroll in the spring semester.
- Require a school board to notify a pupil at least 30 days prior to the start of the technical college semester if a course in which the pupil will be enrolled does not meet the high school graduation requirements. If the pupil disagrees with the school board's decision, the pupil may appeal to the state superintendent within 30 days. The state superintendent's decision is final and is not subject to judicial review.
- A school board is required to pay only for courses taken for high school credit at a technical college under the program. For each semester in which a pupil is enrolled at a technical college under the program, the school board is required to pay to the technical college an amount as follows: (a) if the pupil is enrolled for less than seven credits that are eligible for high school credit, the cost of tuition, course fees and books, at the technical college; or (b) if the pupil is enrolled for seven credits or more that are eligible for high school credit, an amount equal to one-half of the school district's average per-pupil cost for regular instruction and instructional support services in the previous school year, as determined by the department, multiplied by the result of dividing the number of credits taken for high school credit by 15.
- Additional provisions affecting payment for the technical school portion of the youth options program are:

- * For each student attending a technical college under the program, a school board will not be responsible for payment for courses taken by the student that are comparable to courses offered in the district if the student takes nine or fewer credits per semester.

- * For each student attending a technical college under the program, a school board will be responsible for payment for courses taken by the student that are comparable to courses offered in the district not to exceed one-half the total number of credits taken, or six credits per semester, whichever is less, if the pupil takes ten or more credits per semester.
 - * A pupil must pay the cost of equipment associated with the course which will become the property of the pupil, including but not limited to, tools, calculators, instruments and computers, unless the school board agrees to loan such equipment to the pupil.
- If a pupil with exceptional educational needs (EEN) attends a technical college under the program, the payment from the pupil's school district will be adjusted to reflect the cost of any special services required for the pupil. In addition, if the additional payment would represent an undue financial burden on the school district, the school district could refuse to permit the pupil to enroll at the technical college.
 - Eliminate the requirement that a school district offer a course if certain conditions require it.
 - The school district is not responsible for transporting a pupil to or from the technical college. However, a parent or guardian would be eligible to apply to the department for reimbursement of the cost of transportation if unable to pay such costs.
 - If a pupil satisfies the high school graduation standards, the school board must grant a high school diploma to the pupil regardless of whether the pupil satisfied all or a portion of the requirements while attending an IHE under the youth options program or a technical college.

The proposed rules also set criteria for determination and awarding of high school credit under s. PI 40.07 which are being reviewed by IHE and technical college representatives.

The department will promulgate this as an emergency rule effective January 16, 1998, in order to notify pupils, school districts, IHEs and technical colleges of the necessary timelines and requirements to participate in the youth options program.

SECTION 1. PI 40 (title) is amended to read:

CHAPTER PI 40 (title)

POSTSECONDARY ENROLLMENT YOUTH OPTIONS PROGRAM

SECTION 2. PI 40.01 and 40.02 are amended to read:

PI 40.01 AUTHORITY. This chapter is adopted under ss. ~~118.37(9)~~ 118.55(9) and 227.11(2)(a), Stats.

PI 40.02 INTENT STATEMENT. (1) Under s. ~~118.37(2)~~ 118.55(2), Stats., ~~beginning in the 1992-93 school~~ year, any public school pupil enrolled in the 11th or 12th grade who is not attending a technical college system under s. 118.55(7r) or 118.15(1)(b), Stats., may enroll in an institution of higher education for the purpose of taking one or more nonsectarian courses at the institution of higher education, subject to s. PI 40.04(4)(b).

SECTION 3. PI 40.02(2) and (3) are repealed and recreated as notes to follow s. PI 40.02 to read:

NOTE: The youth options program is a separate program and should not be confused with other programs which provide high school students an opportunity to earn baccalaureate degree credit, such as the college board's advanced placement program, special service contracts with colleges and universities, educational television programs, international baccalaureate programs, university of Wisconsin extension courses or correspondence courses.

NOTE: The youth options program should not be confused with other circumstances in which high school pupils attend courses at technical college system school institutions to meet high school graduation requirements through contracts or other special arrangements.

SECTION 4. PI 40.02(2) is created to read:

(2) Under s. 118.55(7r), Stats., any public school pupil who has completed the 10th grade, is in good academic standing, is not a child at risk and who meets the notification requirements under ch. PI 40 may apply to attend a technical college for the purpose of taking one or more courses if the pupil has the written approval of his or her parent or guardian.

SECTION 5. PI 40.03(1), (3), (4), and (5) are amended to read:

PI 40.03(1) "Admitted to the IHE or technical college" means that a pupil has received written notice from the IHE or technical college of his or her eligibility to participate in the postsecondary course or courses under the ~~postsecondary enrollment~~ youth options program.

(3) "IHE" means an institution of higher education as defined in s. ~~118.37~~ 118.55, Stats.

(4) "~~Postsecondary enrollment~~ Youth options program" means the program established under s. ~~118.37~~ 118.55, Stats.

(5) "Registered to attend" means a pupil has been admitted to the IHE or technical college and has written confirmation from the IHE or technical college that he or she ~~will have a space available~~ has been enrolled in a specified postsecondary course or courses taken under the ~~postsecondary enrollment~~ youth options program.

SECTION 6. PI 40.03(9) is created to read:

PI 40.03(9) "Technical college" means a technical college system district established under s. 38.02, Stats.

SECTION 7. PI 40.04(1)(a)(intro.), and 1. and 2.(intro.) and c. and 3. are amended to read:

PI 40.04(1)(a)(intro.) A pupil participating in the ~~postsecondary enrollment~~ youth options program may take a postsecondary course during or after regular school hours, if available, and shall comply with the following requirements:

1. Submit an application developed by the IHE or technical college to the IHE or technical college in the previous school semester in which he or she plans to attend and indicate whether the postsecondary course or courses will be taken for high school credit or postsecondary credit.

NOTE: An application for admission to an institution of higher education or technical college may be obtained from the public school district in which the pupil is enrolled or from the IHE or technical college.

2. Notify the school board of the school district in which the pupil is enrolled of his or her intention of enrolling in an IHE or technical college no later than March 1 if the pupil intends to enroll ~~in the IHE~~ in the fall semester and no later than October 1 if the pupil intends to enroll ~~in the IHE~~ in the spring semester. The notice shall include the following information:

c. The name of the IHE or technical college the pupil plans to attend.

3. Notify the school board of the school district in which the pupil is enrolled if he or she is admitted to the IHE or technical college specified under subd. 2c.

SECTION 8. PI 40.04(1)(a)2.g. is created to read:

PI 40.04(1)(a)2.g. Written approval from the pupil's parent or guardian if the pupil plans to attend a technical college.

SECTION 9. PI 40.04(1)(b), (d), and (e) are amended to read:

PI 40.04(1)(b) A pupil participating in the ~~postsecondary enrollment~~ youth options program may appeal a school board's decision under sub. (3)(c)3 and 4, regarding satisfaction of high school graduation requirements or the number of high school credits to be awarded, to the state superintendent within 30 days after the decision as specified under s. PI 40.08.

(d) A pupil participating in the ~~postsecondary enrollment~~ youth options program shall comply with the IHE's ~~IHE or technical college's~~ admission criteria for a postsecondary course taken under the ~~postsecondary enrollment~~ youth options program as well as any other application or information disclosures required by the IHE or technical college.

(e) A pupil taking one or more courses for postsecondary credit only at an IHE or technical college under this section shall meet the requirements under par. (d) as well as any other payment, reimbursement or fee cancellation policies established by the IHE or technical college.

SECTION 10. PI 40.04(2) is amended to read:

PI 40.04(2) PARENT OR GUARDIAN RESPONSIBILITIES. The parent or guardian of a pupil participating in the ~~postsecondary enrollment~~ youth options program shall be responsible for the pupil's compliance with the compulsory school attendance requirement under s. 118.15(1)(a), Stats.

SECTION 11. PI 40.04(3)(a), (b), (c)(intro.), 3., 4., (d)(intro.), and 2. are amended to read:

PI 40.04(3)(a) Annually, by October 1, each school board shall provide information about the ~~postsecondary enrollment~~ youth options program to all pupils enrolled in the school district in the 9th, 10th and 11th grades.

(b) Annually, by September 1, each school board shall ~~appoint a~~ notify the department of the contact person in the school district ~~to administer~~ responsible for administering the ~~postsecondary enrollment~~ youth options program.

(c)(intro.) A school board which has a pupil participating in the ~~postsecondary enrollment~~ youth options program for high school credit shall comply with the following requirements:

3. Notify the pupil of its determinations under subds. 1, and 2, 2m and 2n, in writing, before the ~~end of the semester in which it received the notice under sub. (1)(a)2.~~ Under this subdivision, the end of the semester shall be considered November 15 if the notice was received in the fall semester and May 15 if the notice was received in the spring semester beginning of the semester in which the pupil will be enrolled in an IHE or at least 30 days before the beginning of the semester in which the pupil will be enrolled in a technical college. Under this subdivision, the

beginning of the fall semester shall be considered May 15 for an IHE and June 15 for a technical college, and the beginning of the spring semester shall be considered November 15 for an IHE and December 15 for a technical college.

4. Notify the pupil of its determinations under subs. 1, and 2, 2m, and 2n, in writing, as soon as practicable after it receives the notice under sub. (1)(a)5.

(d)(intro.) A school board which has a pupil participating in the ~~postsecondary enrollment~~ youth options program for high school or postsecondary credit shall comply with the following requirements:

2. Inform the pupil and the pupil's parent or guardian if the pupil's timetable for graduation may be negatively affected if the pupil chooses to participate in the ~~postsecondary enrollment~~ youth options program.

SECTION 12. PI 40.04(3)(c)2m., 2n., (cm), (d)1m., 3., and 4. are created to read:

PI 40.04(3)(c)2m. Determine if the course selected under subd. 1. is comparable to a course offered at the school district as specified under s. PI 40.07(1m).

2n. Determine if the course selected under subd. 1. meets high school graduation requirements under s. 118.33, Stats.

(cm) A school board may refuse to permit a pupil to attend a technical college under this chapter if the child is a child with exceptional educational needs, as defined in s. 115.76(3), Stats., and the school board determines that the cost to the school district under s. PI 40.055(4) would impose an undue financial burden on the school district.

(d)1m. Ensure the pupil is placed in an appropriate educational setting in the district upon notification that the pupil has withdrawn from a postsecondary course.

3. Grant a high school diploma to a pupil who has satisfied all of the high school graduation requirements under s. 118.33(1), Stats., regardless of whether the pupil satisfied all or a portion of the requirements while attending an IHE or technical college under this chapter.

4. If the pupil plans to enroll in a technical college, determine whether the pupil:

- a. Has a record of disciplinary problems.
- b. Has completed the 10th grade.
- c. Is in good academic standing.
- d. Is a child at risk, as defined in s. 118.153(1)(a), Stats.

SECTION 13. PI 40.04(4)(a)(intro.), 1., 2., 3., 5., 7., 8. and (b) are amended to read:

PI 40.04(4)(a)(intro.) An IHE participating in the ~~postsecondary enrollment~~ youth options program shall comply with s. 118.13(1), Stats., and the following requirements:

1. Provide an application for pupils to participate in the ~~postsecondary enrollment~~ youth options program.

2. Ensure the pupil participating in the ~~postsecondary enrollment~~ youth options program is aware that if admitted, the IHE may disclose the pupil's grades, the courses that he or she is taking and his or her attendance record to the public school in which the pupil is enrolled.

3. Submit to each pupil requesting to be admitted to the IHE under the ~~postsecondary enrollment~~ youth options program all of the IHE's admission policies as well as any other information specified under s. PI 40.04(1)(d) or (e). Except as specified under s. 118.55(4)(a) and (d), Stats., the IHE's admission policies may not restrict the number of courses a pupil takes.

5. Notify the pupil participating in the ~~postsecondary enrollment~~ youth options program and the school board, in writing, of the pupil's admittance or non-admittance to the IHE.

7. Notify the pupil participating in the ~~postsecondary enrollment~~ youth options program and the school board, in writing, of the grade the pupil received for the postsecondary course or courses taken under the ~~postsecondary enrollment~~ youth options program.

8. Notify the school board of the school district in which the pupil is enrolled, in writing, as soon as possible if a pupil drops out of ~~the IHE~~ a postsecondary course or courses under the ~~postsecondary enrollment~~ youth options program.

(b) A private IHE or tribally controlled college may participate in the ~~postsecondary enrollment~~ youth options program only if it has notified the state superintendent of its intent to participate by September 1 of the previous school year.

SECTION 14. PI 40.04(5) is created to read:

PI 40.04(5) **TECHNICAL COLLEGE RESPONSIBILITIES.** (a) Except for the provision under sub. (4)(a)4, a technical college participating in the youth options program shall comply with the requirements under sub. (4)(a).

(b) A technical college participating in the youth options program shall admit a pupil if he or she meets the requirements and prerequisites of the course or courses.

(c) A technical college participating in the youth options program may reject an application from a pupil who has a record of disciplinary problems, as determined by the district board and verified by the school district under sub. (3)(d)4.

(d) In order to satisfy the provision that a technical college participating in the youth options program shall ensure that the pupil's educational program meets the high school graduation requirements under s. 118.33, Stats., only regular occupational or technical courses or general education courses that satisfy the requirements of an associate degree or vocational diploma program may be taken by a pupil under the youth options program. Technical college remedial programs and courses may not be taken to meet high school graduation requirements under this program.

SECTION 15. PI 40.05(3)(a)2 is repealed.

SECTION 16. PI 40.05(3)(a)3.b. is amended to read:

PI 40.05(3)(a)3.b. An amount determined as specified under s. ~~118.37(5)(c)2-~~ 118.55(5)(c)2., Stats.

SECTION 17. PI 40.055 is created to read:

PI 40.055 PAYMENT OF TUITION AND FEES: TECHNICAL COLLEGES. (1)(a) A pupil taking a postsecondary course or courses at a technical college for postsecondary credit only under this chapter is responsible for the tuition and fees for the postsecondary course.

(b) Except as specified under sub. (3)(b), a pupil taking a postsecondary course or courses which has been determined by the school board to be comparable under s. PI 40.07(1m), shall be responsible for the tuition and fees for the postsecondary course.

(2)(a) Except as specified under par. (b), subs. (1)(b) and (3)(b), a pupil taking a postsecondary course or courses at a technical college for high school credit under this chapter is not responsible for any portion of the tuition and fees for the postsecondary course.

(b) Except as specified under s. PI 40.05(5), a pupil taking a course at a technical college for high school credit under this chapter shall pay the cost of equipment associated with the course which will become the property of the pupil including but not limited to tools, calculators, instruments and microcomputers.

(3)(a) Except as specified under par. (b) and sub. (1)(b), the school board of the school district in which a pupil is enrolled and attending a technical college for any postsecondary course that is taken and approved by the school board for high school credit shall pay the technical college district board, in 2 installments payable upon initial enrollment and at the end of the semester, the following amount:

1. If the pupil is attending the technical college for less than 7 credits that are eligible for high school credit, for those courses taken for high school credit, an amount equal to the cost of tuition, course fees and books for the pupil at the technical college.

2. If the pupil is attending the technical college for 7 credits or more that are eligible for high school credit, an amount equal to 50% of the school district's average per pupil cost for regular instruction and instructional support services in the previous school year, as determined by the department, multiplied by a fraction the numerator of which is the number of credits taken for high school credit for which the pupil is enrolled and the denominator of which is 15. Annually by the 3rd Monday in February, the department shall make available to school boards and technical college district boards estimates of the amounts under this subdivision. The payment made under this subdivision is in lieu of tuition, course fees and books.

(b) Notwithstanding par. (a), if the pupil is attending the technical college for less than 10 credits during any semester, the school board is not responsible for payment for any courses that are comparable to courses offered in the school district. If the pupil is attending the technical college for 10 or more credits during any semester, the school board is responsible for payment for courses that are comparable to courses offered in the school district for one-half of the credits taken but no more than 6 credits.

(4) The school board which purchases a book or books under sub. (3)(a)1. for a pupil may require the pupil to relinquish the book or books to the school board after completion of the postsecondary course.

(5) If a pupil who is attending a technical college under this chapter is a child with exceptional educational needs, as defined in s. 115.76(3), Stats., the payment under sub. (3) shall be adjusted to reflect the cost of any special services required for the pupil as determined jointly by the school district and the technical college.

SECTION 18. PI 40.06(1), (2)(d), (e), (g), (4)(b), and (c) are amended to read:

PI 40.06(1) The parent or guardian of a pupil who is attending an IHE or technical college under this chapter and is taking a postsecondary course for high school credit may, upon verification under sub. (5), apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school in which the pupil is enrolled and the IHE or technical college that the pupil is attending under the ~~postsecondary enrollment youth options~~ program if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation.

(2)(d) The name and address of the IHE or technical college the pupil is attending under the ~~postsecondary enrollment youth options~~ program.

(e) A copy of the notice under s. PI 40.04(1)(a)2 or 5, signed by the IHE or technical college.

(g) The number of miles based on the most direct route between the pupil's school district of enrollment and the IHE or technical college.

NOTE: PI-8701, ~~Postsecondary Enrollment Youth Options~~ Transportation Reimbursement Claim may be obtained at no charge from the school district in which the pupil is enrolled or by writing to the Wisconsin Department of Public Instruction, ~~Postsecondary Enrollment Youth Options~~ Program, P.O. Box 7841, Madison, WI 53707-7841.

(4)(b) If adequate funds are not available under s. 20.255(2)(cw), Stats., to reimburse all transportation claims under this chapter and s. PI 36.06(2)(b), the state superintendent shall prorate the available funds among only those applicants eligible for free or reduced-price lunch under 42 USC 1758(b).

(c) Any funds provided under s. 20.255(2)(cw), Stats., which remain after payment has been made to reimburse claims submitted by all applicants eligible for free or reduced-price lunch under par. (a) and under s. PI 36.06(2)(b)3., shall be prorated to reimburse claims submitted by other applicants who are unable to pay for transportation under this subsection and under s. PI 36.06(2)(b).

NOTE: Income Guidelines for Inability to Pay may be obtained at no charge by writing to the Wisconsin Department of Public Instruction, ~~Postsecondary Enrollment Youth Options~~ Program, P.O. Box 7841, Madison, Wisconsin 53707-7841.

SECTION 19. PI 40.06(6) is created to read:

PI 40.06(6) A school board is not responsible for transporting a pupil attending an IHE or technical college under this chapter to or from the IHE or technical college that the pupil is attending.

SECTION 20. PI 40.07(title), (1)(a), (b)(intro.), and (c) are amended to read:

PI 40.07(title) DETERMINATION AND AWARDED OF HIGH SCHOOL CREDIT FOR POSTSECONDARY COURSES TAKEN UNDER THE YOUTH OPTIONS PROGRAM.

(1)(a) The school board may grant high school credit for a course taken at an IHE or technical college under the ~~postsecondary enrollment youth~~ options program.

(b) The school board shall grant high school credit for a course taken at an IHE or technical college under the ~~postsecondary enrollment youth~~ options program if the postsecondary course meets any of the high school graduation requirements under s. 118.33, Stats., including any graduation requirements which may be approved under the school board's high school graduation credit policies under s. PI 18.03(2) and if one or more of the following conditions apply:

(c) The Except for a comparable postsecondary course that a school board must pay for under s. PI 40.055(3)(b), the school board may deny high school credit for a postsecondary course taken under this chapter if the school district offers a comparable course as specified under sub. (1m).

SECTION 21. PI 40.07(1m)(a)1. is amended to read:

PI 40.07(1m)(a)1. The high school course is offered during the period of time after the pupil notifies the school board of his or her intention to participate in the ~~postsecondary enrollment youth~~ options program under s. PI 40.04(1)(a)2 or 5 and prior to the pupil's graduation.

SECTION 22. PI 40.07(1m)(a)(intro.) is renumbered PI 40.07(1m)(intro.) and subs. 1. to 3. are renumbered pars. (a) to (c).

SECTION 23. PI 40.07(1m)(b) is repealed.

SECTION 24. PI 40.07(2) and (3) are amended to read:

PI 40.07(2) **NUMBER OF HIGH SCHOOL CREDITS GRANTED FOR A POSTSECONDARY COURSE.**

A postsecondary course taken under the ~~postsecondary enrollment youth~~ options program and approved for high school credit shall be granted 1/4 high school credit per 1 semester credit offered by a postsecondary course.

(3) **CONDITION FOR RECEIVING HIGH SCHOOL CREDIT.** In order for a pupil to receive high school credit for a course taken at an IHE under the ~~postsecondary enrollment youth~~ options program, a pupil shall successfully complete a postsecondary course and receive a passing grade.

NOTE: Additional guidelines in the form of a question and answer document may be obtained at no charge by writing to the Wisconsin Department of Public Instruction, ~~Postsecondary Enrollment Youth~~ Options Program, P.O. Box 7841, Madison, Wisconsin 53707-7841.

SECTION 25. PI 40.08(1)(a) is amended to read:

PI 40.08(1)(a) A pupil participating in the ~~postsecondary enrollment youth~~ options program may file an appeal of a school board's decision under s. PI 40.04(3)(c), regarding satisfaction of high school graduation requirements, or the number of high school credits to be awarded, or the comparability of courses to the state superintendent within 30 days after the school board's decision.

SECTION 26. PI 40.09(1) is repealed.

SECTION 27. PI 40.09 (2) and (3) are renumbered PI 40.09 (1) and (2) and are amended to read:

PI 40.09(1) The state superintendent shall develop guidelines as required under s. ~~118.37(3)(b)~~ 118.55(3)(b), Stats.

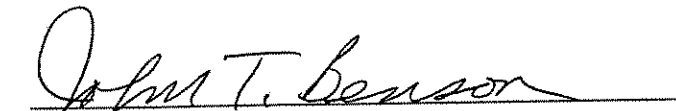
(2) The state superintendent shall develop a form which may be used by a school district to implement the ~~postsecondary enrollment~~ youth options program.

NOTE: PI-8700A, ~~Postsecondary Enrollment~~ Youth Options Program Plan and Report, may be obtained at no charge by writing to the Wisconsin Department of Public Instruction, ~~Postsecondary Enrollment Youth Options~~ Program, P.O. Box 7841, Madison, Wisconsin 53707-7841.

SECTION 28. PI 40.10 is repealed.

The rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.

Dated this 16th day of March, 1998


John T. Benson
State Superintendent



Wisconsin Department of Public Instruction
YOUTH OPTIONS PROGRAM PLAN AND REPORT
 PI-8700A (New 1/98))

INSTRUCTIONS: Complete a separate form for each semester of instruction.

STUDENT: Complete Section I and left three columns (1-3) of Section II and submit to school board of district of enrollment. List alternative courses on reverse.

SCHOOL BOARD: Review left three columns (1-3) of Section II.

Refer to Conditions/Assurances on reverse side.

TYPE OR PRINT

Semester Applying For _____
 Check one Other _____
 1st Semester 2nd Semester

Complete Columns 4-6 of Section II and Section III, sign and return to student.

STUDENT: Complete columns 7-9 of Section II and submit to college.

COLLEGE: Review second half of Section II and approve in Section IV. Return form to the student.

STUDENT: Submit a copy of completed form to the school board of district of enrollment.

I. STUDENT INFORMATION			
Name Last, Middle, First	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Date of Birth	Telephone Area/No.
Address Street, City, State, Zip	Current Grade in School <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12	Does the Student have a Disability? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Parent/Guardian Name	Address if different than above		
Name of College You Plan to Attend	Address		
Do you plan to request transportation reimbursement <input type="checkbox"/> Yes <input type="checkbox"/> No		Signature of Student (Parent/Guardian if under 18) My signature authorizes the college to release course and grade information to my school district.	
Date Signed		Date Signed	
II. PROGRAM INFORMATION			
(1) Course(s) Intending to Take <input type="checkbox"/> Check here and attach another page if more than three courses.	(2) Course No.	(3) No. of College Credits	(4) College Course is Comparable to HS Course Yes <input type="checkbox"/> No <input type="checkbox"/>
(5) Check if Approved for HS Credit	(6) No. of HS Credits to be Granted	(7) Course(s) Student Registered to Attend	(8) College representative.
(9) No. of College Credits	TO BE COMPLETED BY STUDENT and signed below by college representative.		
TOTAL	TOTAL	TOTAL	TOTAL
III. SCHOOL BOARD APPROVAL		IV. POSTSECONDARY CONDITIONS/APPROVAL	
Name of School Board Contact Person	Telephone Area/No.	Name of College Contact Person	Telephone Area/No.
Above-named student is approved to enroll. If no, reason for denial: <input type="checkbox"/> Yes <input type="checkbox"/> No		I CERTIFY that the above-named student is registered to attend the courses listed above and that all courses indicated are nonsectarian in content. The student has been notified of college admission policies/criteria, and record disclosure provisions. Furthermore, the college agrees to provide the school board with grade and attendance information upon request.	
Signature of School Board Contact Person	Date Signed	Signature of College Representative	Date Signed

*Collection of Social Security number is used solely for validation purposes and will not be released without written permission.

V. CONDITIONS/ASSURANCES

- Approval is contingent upon satisfying the following conditions. The student (and/or parent, if student is under age 18 or has a legal guardian) assures compliance with the following conditions:
1. Participants shall comply with admission criteria for college course(s) taken under the Youth Options Program.
 2. Participants must be in the 11th or 12th grade to participate in the program.
 3. Participation is not allowable in an IHE if student is currently attending a technical college under this program or the compulsory school attendance program.
 4. No more than the equivalent of 15 semester credit hours can be taken in any academic semester at an IHE. This provision does not apply to participation in technical colleges.
 - a. Student is not in good academic standing; and,
 - b. Student is a child at risk, as defined in s. 118.153(1)(a), Wis. Stats.
 6. Participation may be denied by a technical college if the pupil has a record of disciplinary problems.

**Youth Options
Transportation Reimbursement
"Unable to Pay"—Income Guidelines**

Household Size	Monthly Income	Yearly Income
2	1,636	19,629
3	2,056	24,661
4	2,475	29,693
5	2,894	34,725
6	3,314	39,757
7	3,733	44,789
8	4,152	49,821
For each additional family member	+420	+5,032

The parent or guardian of a pupil who is attending a college and is taking a course for high school credit may apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school of enrollment and the college only if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. Preference will be given to households which are eligible for free or reduced price meals. If the household is not applying for free or reduced price meals, the following guidelines should be considered when determining inability to pay:

Identify alternate courses in case your first choice is not approved/available.

(1) Alternate Course(s)	(2) Course No.	(3) No. of College Credits	(4) College Course is Comparable to HS Course Yes No	(5) Check if Approved for HS Credit	(6) No. of HS Credits to be Granted	(7) Course(s) Student Registered to Attend	(8) Course No.	(9) No. of College Credits
TOTAL								
TOTAL								

Technical college means a technical college system district established under s. 38.02, Stats.



Wisconsin Department of Public Instruction
 Youth Options Program
TRANSPORTATION REIMBURSEMENT CLAIM
 PI-8701 (Rev. 1-98)

INSTRUCTIONS: Complete and return with appropriate attachments within 30 days after the end of the school semester to which the reimbursement claim pertains. Submit with a copy of completed Plan and Report (PI-8700) to:

WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
FEDERAL AIDS AND AUDIT SECTION
 P.O. BOX 7841
 MADISON, WI 53707-7841

Collection of personally identifiable information is used solely for processing purposes and will not be released without permission.

GENERAL INFORMATION

The parent or guardian of a pupil who is attending a college and is taking a course for high school credit may apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school in which the pupil is enrolled and the college that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation.

(s. 118.55 (7g) emphasis added) Eligibility criteria printed on reverse.

TYPE OR PRINT legibly, as this will be the name to be printed on the reimbursement.

Student Name Last, First, MI	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Age	Yr. in School
------------------------------	--	-----	---------------

Address Street, City, State, Zip

Parent/Guardian Name

School District of Enrollment	Semester Claim Submitted for <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> Other 19_____
-------------------------------	--

Address Street, City, State, Zip

College

Address Street, City, State, Zip

CLAIM INFORMATION

A pupil whose parent or guardian will be applying for transportation reimbursement shall, to the extent possible, use the following modes of transportation: 1. public transportation; 2. a vehicle owned by the pupil or his/her parent or guardian if public transportation is not available. If either of these modes of transportation is not available, pupil may use another mode of transportation. The department will reimburse an amount of 19¢ per mile or the actual cost of the transportation, whichever is less. Reimbursement is allowable from high school to the college only. Transportation to and from home is not reimbursable.

Is pupil receiving high school credit for college course(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Optional Is pupil eligible for free or reduced price meals? <input type="checkbox"/> Yes <input type="checkbox"/> No	No. of Household Members	Total Monthly Income \$
--	---	--------------------------	----------------------------

High School Name Starting Point	College Destination	Total Miles Round Trip	Reimbursement Rate	No. of Trips Per Semester	Total Claim
		X	19¢/mile	X	=

Mode of Transportation Check One Attach receipts.
 Public Family vehicle Other Specify _____

ASSURANCES/SIGNATURES

WE, the undersigned parent/guardian and school district official, **HEREBY CERTIFY** that the pupil named herein is unable to pay the costs of transportation and that the pupil is receiving high school credit for the course(s) taken at the college.

Signature of Parent/Guardian ➤	Date Signed
-----------------------------------	-------------

Name of School District Official Type or Print	Title
--	-------

Signature of School District Official ➤	Date Signed
--	-------------

FOR DPI USE

<input type="checkbox"/> Approved for requested amount <input type="checkbox"/> Approved for amended amount <input type="checkbox"/> Disapproved State reason(s): <input type="checkbox"/> Pending Specify _____	Signature of DPI Administrator ➤	Date Signed
---	-------------------------------------	-------------

INCOME GUIDELINES

The parent or guardian of a pupil who is attending a college and is taking a course for high school credit may apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school of enrollment and the college only if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. Preference will be given to household which are eligible for free or reduced price meals. If the household is not applying for free or reduced price meals, the following guidelines should be considered when determining inability to pay:

Household Size	Monthly Income	Yearly Income
2	1,636	19,629
3	2,056	24,661
4	2,475	29,693
5	2,894	34,725
6	3,314	39,757
7	3,733	44,789
8	4,152	49,821
For each additional family member	+420	+5,032

FISCAL ESTIMATE ORIGINAL UPDATED)
 DOA-2048 (R10/92) CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
 PI 40
 Amendment No. If Applicable

Subject: Youth Options

Fiscal Effect (see attached)

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

- Increase Existing Appropriation Increase Existing Revenues
- Decrease Existing Appropriation Decrease Existing Revenues
- Create New Appropriation

- Increase Costs—May be possible to Absorb
 Within Agency's Budget Yes No
- Decrease Costs

Local: No local government costs
 (see attached)

- 1. Increase Costs
 Permissive Mandatory
- 2. Decrease Costs
 Permissive Mandatory

- 3. Increase Revenues
 Permissive Mandatory
- 4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
- Towns Villages Cities
 - Counties Others _____
 - School Districts VTAE Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

1991 Wisconsin Act 39 created the postsecondary enrollment options (PSEO) program. Beginning in the 1992-93 school year, any public school pupil enrolled in the 11th or 12th grade could enroll in a center or institution within the university of Wisconsin system, a Wisconsin technical college system (WTCS) school or a private, nonprofit institution of higher education if the private institution notified the state superintendent of its intent to participate in the program by September 1 of the previous school year.

Effective the 1998-99 school year, 1997 Wisconsin Act 27 renames the PSEO program to the youth options program. The youth options program differentiates between an institution of higher education (IHE) and a technical college. The term "institutions of higher education" now excludes technical colleges but includes a center or institution within the UW system, a tribally controlled college or a private, nonprofit institution. A private institution or tribally controlled college must notify the department of its intent to participate in the program by September 1 of the previous school year.

For IHEs, the youth options program will operate essentially the same as it did under the PSEO program. However, the program differentiates between participation in an IHE and a technical college making it necessary to revise the administrative rule as it relates to technical colleges. The rules modify provisions relating to technical colleges, including general requirements for participating pupils, parents/guardians, school boards, technical colleges, transportation reimbursement, appeals, and state superintendent responsibilities.

Long-Range Fiscal Implications

Agency/Prepared by: (Name & Phone No.)

Department of Public Instruction

Lori Slauson (608) 267-9127

Authorized Signature/Telephone No.

Gina Frank-Reece
 Gina Frank-Reece (608) 266-2804

Date

1-13-98

The rule itself, is not expected to have a fiscal effect separate from the legislation created under the Act. Therefore, this fiscal note is based on the provisions in 1997 Wisconsin Act 27.

Local Costs:

Under previous law, local costs would be incurred only if a pupil took a postsecondary course which had been approved by the school board for high school credit and was not comparable to a course offered at the school district. These costs included tuition, fees, books and other necessary materials directly related to the course. This formula was used regardless of how many postsecondary credits a pupil took under the program.

The provisions under the Act which may have a fiscal effect on school district costs include:

1. Changing how school boards are to pay a technical college based on the number of credits a pupil takes each semester.

A school board is still required to pay only for courses taken for high school credit at a technical college under the program. For each semester in which a pupil is enrolled at a technical college under the program, the school board is required to pay to the technical college an amount as follows:

- If the pupil is enrolled for less than seven credits that are eligible for high school credit, an amount equal to the cost of tuition, course fees and books, at the technical college.

This formula is essentially the same as the formula under previous law and should not affect local costs.

- If the pupil is enrolled for seven credits or more that are eligible for high school credit, an amount equal to one-half of the school district's average per-pupil cost for regular instruction and instructional support services in the previous school year, as determined by the department, multiplied by the result of dividing the number of credits taken for high school credit by 15, as illustrated below:

$$\frac{\text{Average per pupil cost in previous school year}}{2} \times \frac{\text{Number of technical college course credits taken}}{15}$$

The amount to be paid using this formula would depend on the number of pupils participating in the technical college, the number of credits taken, and the district's average per pupil cost in the previous school year. These amounts are indeterminable.

2. Requiring a school board to pay for some technical college credits that are comparable to courses offered in the school district if the pupil is attending a technical college for 10 or more credits in a semester.

Previous law did not require a school board to pay for any postsecondary course that was comparable to a course offered at the school district. The Act states that:

- A school board *will not be* responsible for payment for courses taken by the student that are comparable to courses offered in the district if the student takes nine or fewer credits per semester.

This provision is the same as current law and will not increase local costs.

- A school board *will be* responsible for payment for courses taken by the student that are comparable to courses offered in the district not to exceed one-half the total number of credits taken, or six credits per semester, whichever is less, if the pupil takes ten or more credits per semester.

Again, the amount to be paid by the school district would depend on the number of pupils participating in the technical college, the total number of credits taken, the total number of comparable credits taken, and the district's average per pupil cost in the previous school year. These amounts are indeterminable.

3. Eliminating the requirement that a school district offer a course if the school board determines that the number of resident pupils enrolled in a postsecondary course at a postsecondary institution is equal to or greater than the number normally required for the district to offer the course and if the board expects the situation to continue in the next school year.

This provision will provide local school districts the flexibility to determine whether a course should be offered rather than being required to offer a course. It is not known how many school districts have had to offer a comparable course under this provision. Therefore, the potential cost savings are indeterminable.

4. Allowing a school board to refuse to permit a pupil with exceptional educational needs (EEN) from attending a technical college under the program if the school board determines that the cost to the school district would impose an undue financial burden on the school district.

This provision allows local school districts to restrict the participation of a pupil with an exceptional educational need if the cost to do so would create an undue financial burden. Again, the potential cost savings are indeterminable.

Technical College Costs:

The provisions which may have a fiscal effect on technical colleges include:

- Denying a technical college the ability to reject a pupil's application based on space availability.
- Denying a technical college the ability to limit a pupil to taking 15 credits at the technical college.

The department is unable to estimate the costs to technical colleges relating to these provisions. A copy of the proposed rule has been submitted to the Wisconsin Technical College Board with a request for a fiscal note.

State Costs:

The Act provides that the \$20,000 appropriated to reimburse the costs of transportation for those pupils or pupils' parents or guardians who are unable to pay for transportation under the youth options program also be used to pay for transportation costs under the open enrollment program. It is not known if these funds will be sufficient to reimburse all the transportation claims that will be made under both programs.

FINAL REPORT
CLEARINGHOUSE RULE 98-011
CHAPTER PI 40
- YOUTH OPTIONS -

Analysis by the Department of Public Instruction

Statutory authority: ss. 118.55(9), and 227.11(2)(a), Stats.

Statute interpreted: s. 118.55, Stats.

1991 Wisconsin Act 39 created the postsecondary enrollment options (PSEO) program. Beginning in the 1992-93 school year, any public school pupil enrolled in the 11th or 12th grade could enroll in a center or institution within the university of Wisconsin system, a Wisconsin technical college system (WTCS) school or a private, nonprofit institution of higher education if the private institution notified the state superintendent of its intent to participate in the program by September 1 of the previous school year.

Effective the 1998-99 school year, 1997 Wisconsin Act 27 renames the PSEO program to be the youth options program. The youth options program differentiates between an institution of higher education (IHE) and a technical college. The term "institutions of higher education" now excludes technical colleges but includes a center or institution within the UW system, a tribally controlled college or a private, nonprofit institution. A private institution or tribally controlled college must notify the department of its intent to participate in the program by September 1 of the previous school year.

For IHEs, the youth options program will operate essentially the same as it did under the PSEO program. However, the program as it relates to technical colleges, makes the following changes:

- Requires a technical college to admit a pupil who meets the requirements and prerequisites of the course or courses he or she desires to take through the youth options program.
- Clarifies that a school board is not responsible for transporting a pupil to a technical college.
- Allows a technical college to reject the application of a pupil who has not completed the 10th grade, is not in good academic standing, or has a record of disciplinary problems, as determined by the technical college district board.
- Denies access to pupils who are at-risk as specified under s. 118.153, Stats.
- Requires a school board to pay for some technical college credits that are comparable to courses offered in the school district *if* the pupil is attending a technical college for 10 or more credits in a semester.
- Changes how school boards are to pay a technical college based on the number of credits a pupil takes each semester.
- Does *not* allow a technical college to reject a pupil's application based on space availability.
- Allows a school board to refuse to permit a pupil with exceptional educational needs (EEN) from attending a technical college under the program if the school board determines that the cost to the school district would impose an undue financial burden on the school district.
- Requires a technical college to ensure that the child's educational program meets the high school graduation requirements under s. 118.33, Stats.
- Does not limit a pupil to taking 15 credits at the technical college.

In addition, the youth options program:

- Requires the state superintendent, *in cooperation with IHEs*, to develop guidelines to assist school districts in making determinations whether a course satisfies any of the high school graduation requirements under s. 118.33, Stats., the number of high school credits to award a pupil for the course, and whether the postsecondary course is comparable to a course offered at the school district.
- Requires a school district to grant a high school diploma to a pupil who has satisfied all of his or her high school graduation requirements under s. 118.33(1), Stats., regardless of whether the pupil has satisfied all or a portion of the requirements while attending an IHE or technical college under the program.
- Eliminates the requirement that a school district offer a course if the school board determined that the number of resident pupils enrolled in a postsecondary course at a postsecondary institution was equal to or greater than the number normally required for the district to offer the course and if the board expected the situation to continue in the next school year.

Since the statutory changes affect technical colleges and the pupils who choose to attend technical colleges, current rules relating to technical colleges will be modified for clarity and to comply with statutory language as follows:

- As under current rule, the pupil must notify the school district of her or his intent to attend a technical college no later than March 1 if the pupil intends to enroll in the fall semester and no later than October 1 if the pupil intends to enroll in the spring semester.
- Require a school board to notify a pupil at least 30 days prior to the start of the technical college semester if a course in which the pupil will be enrolled does not meet the high school graduation requirements. If the pupil disagrees with the school board's decision, the pupil may appeal to the state superintendent within 30 days. The state superintendent's decision is final and is not subject to judicial review.
- A school board is required to pay only for courses taken for high school credit at a technical college under the program. For each semester in which a pupil is enrolled at a technical college under the program, the school board is required to pay to the technical college an amount as follows: (a) if the pupil is enrolled for less than seven credits that are eligible for high school credit, the cost of tuition, course fees and books, at the technical college; or (b) if the pupil is enrolled for seven credits or more that are eligible for high school credit, an amount equal to one-half of the school district's average per-pupil cost for regular instruction and instructional support services in the previous school year, as determined by the department, multiplied by the result of dividing the number of credits taken for high school credit by 15.
- Additional provisions affecting payment for the technical school portion of the youth options program are:
 - * For each student attending a technical college under the program, a school board will not be responsible for payment for courses taken by the student that are comparable to courses offered in the district if the student takes nine or fewer credits per semester.
 - * For each student attending a technical college under the program, a school board will be responsible for payment for courses taken by the student that are comparable to courses offered in the district not to exceed one-half the total number of credits taken, or six credits per semester, whichever is less, if the pupil takes ten or more credits per semester.
 - * A pupil must pay the cost of equipment associated with the course which will become the property of the pupil, including but not limited to, tools, calculators, instruments and computers, unless the school board agrees to loan such equipment to the pupil.
- If a pupil with exceptional educational needs (EEN) attends a technical college under the program, the payment from the pupil's school district will be adjusted to reflect the cost of any special services required for the pupil. In addition, if the additional payment would represent an undue financial burden on the school district, the school district could refuse to permit the pupil to enroll at the technical college.
- Eliminate the requirement that a school district offer a course if certain conditions require it.

- The school district is not responsible for transporting a pupil to or from the technical college. However, a parent or guardian would be eligible to apply to the department for reimbursement of the cost of transportation if unable to pay such costs.
- If a pupil satisfies the high school graduation standards, the school board must grant a high school diploma to the pupil regardless of whether the pupil satisfied all or a portion of the requirements while attending an IHE under the youth options program or a technical college.

The proposed rules also set criteria for the determination and awarding of high school credit under s. PI 40.07 which are being reviewed by IHE and technical college representatives.

The department will promulgate this as an emergency rule effective January 16, 1998, in order to notify pupils, school districts, IHEs and technical colleges of the necessary timelines and requirements to participate in the youth options program.

Public hearings to consider the proposed rule were conducted by the department on February 17, February 18, and February 19, 1998, in Eau Claire, Oshkosh, and Madison, respectively. Persons were asked to register in favor, generally in favor (except for . . .), against, generally against (except for . . .), or for information only.

Eau Claire Hearing, February 17, 1998

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Carolyn A. Dunning	Self			X
Brenda Finn	Chippewa Valley Technical College	X		
Steve Holden	WEAC/WFT	X		
Tim Shepardson	Chippewa Valley Technical College	X		
Dean Tabor	Self			X

Oshkosh Hearing, February 18, 1998

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
None				

Madison Hearing, February 19, 1998

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Jeff Beardsley	Palmyra-Eagle High School			X
Andrew Hopgood	Self	X		
Deborah Mahaffey	WTCS board			X
Nancy Naze	Palmyra-Eagle High School			X
Ken Opin	WFT/WEAC			X

The following persons submitted written testimony:

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
None				

Changes made as a result of oral or written testimony: None

Responses to Clearinghouse Report:

2. Form, Style and Placement in Administrative Code:

- a. Recommendation accepted, changes made.
- b. Recommendation accepted, changes made.
- c. Recommendation accepted, changes made.
- d. Recommendation accepted, changes made.
- e. Recommendation accepted, changes made.

5. Clarity, Grammar, Punctuation and Plainness:

- a. The statement relating to guidelines for determination and awarding of high school credit is under s. PI 40.07. The analysis has been modified for clarity.
- b. Recommendation accepted, s. PI 40.02(2) and (3) have been redrafted as "Section Notes."
- c. Recommendation accepted, s. PI 40.07(5)(e) has been deleted.
- d. The proposed permanent rules are identical to the emergency rules which became effective January 16. The emergency rules will remain in effect until the permanent rules complete the promulgation. Therefore, an initial applicability section should not be necessary.

FINAL REGULATORY FLEXIBILITY ANALYSES

Summary of Final Regulatory Flexibility Analysis:

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114(1)(a), Stats.

Summary of Comments:

No comments were reported.

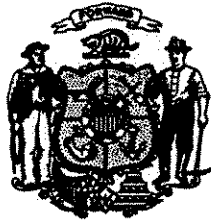
WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC
FORM 2

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 98-011

AN ORDER to repeal PI 40.05 (3) (a) 2., 40.07 (1) (c) and (1m) (b), 40.09 (1) and 40.10; to renumber PI 40.07 (1m) (a) (intro.); to renumber and amend PI 40.09 (2) and (3); to amend chapter PI 40 (title), 40.01, 40.02 (1), (2) and (3), 40.03 (1), (3), (4) and (5), 40.04 (1) (a) (intro.) 1., 2. (intro.) and c. and 3., (b), (d) and (e), (2), (3) (a), (b), (c) (intro.), 3. and 4. and (d) (intro.) and 2. and (4) (a) (intro.), 1., 2., 3., 5., 7. and 8. and (b), 40.05 (3) (a) 3. b., 40.07 (title), (1) (a), (b) (intro.) and (c), 40.07 (1m) (a) 1., (2) and (3) and 40.08 (1) (a); and to create PI 40.02 (1m), 40.03 (9), 40.04 (1) (a) 2. g., (3) (c) 2m. and 2n., (cm) and (d) 1m., 3. and 4. and (5), 40.055 and 40.06 (6), relating to the youth options program.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

01-20-98 RECEIVED BY LEGISLATIVE COUNCIL.

02-13-98 REPORT SENT TO AGENCY.

RS:RW:jt:kjf

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO

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CLEARINGHOUSE RULE 98-011

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

- a. In the treatment clause in SECTION 1, the phrase "has been" should be replaced by the word "is."
- b. In s. PI 40.02 (1), because the citation is to alternative statutes, the notation "ss." should be replaced by the notation "s."
- c. In s. PI 40.04 (3) (c) 3., the notation "subd." should be replaced by the word "subdivision."
- d. In s. PI 40.055 (2) (a), the phrase ", sub. (1) (b) and sub (3) (b)" should be replaced by the phrase "and subs. (1) (b) and (3) (b)."
- e. The treatment clause of SECTION 27 should be rewritten to read: "PI 40.09 (2) and (3) are renumbered PI 40.09 (1) and (2) and amended to read:".

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. In the analysis, the next-to-last paragraph states that the rule sets guidelines for determination and awarding of high school credit which are being reviewed by institutions of higher education and technical college representatives. To which portion of the rule does this statement refer?

b. The agency may wish to consider redrafting s. PI 40.02 (2) and (3) as "Section Notes." The substance of the provisions would be more appropriate as notes than as text.

c. In s. PI 40.04 (5), it appears that par. (e) may be a repetition of the provisions in s. PI 40.04 (4) (a) 8. and (5) (a). If so, par. (e) can be deleted.

d. An initial applicability section would aid in clarifying the treatment of applications received under the emergency rule and the final rule.

I would like to thank the board for giving me the opportunity to speak on this subject. My name is Bill Schwulst and I am veteran. I have been in the elite Army Rangers and have served overseas. I have seen the ravages of genocide in Central Africa and feared land mines planted though out Croatia and Bosnia. I am also a student. I also am a Director for the United States Student Association where I serve as the Chairman for the National Coalition of Student Veterans. I wish to speak to you today on behalf of not only veterans in secondary schools now, but also for future generations of our country's veterans.

The choice to enter the service of our nation is often thankless and difficult. The act of protecting our freedoms with consistent vigilance is also, often thankless and difficult. When a service member decides to leave the armed forces, the transition back to civilian life can be equally hard. After being in a total institution like the military, many personnel have gone through a process of resocialization. Inter-personal skills are drastically different for returning veterans who are attempting to reenter society. The state should help reintegrate our veterans and our university system, the cornerstone of new and different ideas is perhaps the best opportunity to do so. We can also insure the future job security for veterans. In a report published by the National Coalition for the Homeless in March 1997 "Approximately 40% of homeless men are veterans." The report also went on to say that, "despite the widespread perception that Vietnam-era veterans constitute the majority of homeless veterans, research indicates that the veterans who are at greatest risk of homelessness are those who served during the late Vietnam and post-Vietnam era." The study also stated, "These veterans had little exposure to combat, but appear to have increased rates of mental illness and addiction disorders, possibly to recruitment patterns. Faced with a lack of affordable housing, declining job opportunities, and stagnating wages persons with these disabilities are more vulnerable to homelessness." Every effort should be made to admit veterans into secondary schools. The GI Bill and other benefits will help pay for schooling and support veterans during this difficult time of transition.

My point here is that veterans are a good investment in the UW-System. I myself am able to pay for my college education, meet my educational requirements and be active in campus activities with my peers. Individuals are not born veterans. Not every person is willing to consciously risk their lives to save their peers and ensure the country's safety. We should extend our thanks to future veterans. Their decision to enter the service may call for them to make the ultimate sacrifice. We should be grateful...approve SB 230.

D
Letter To
Dentists

April 2, 1997

Dear Dr _____ :

Thank you for letting me know of your concern about the dental hygienist legislation being introduced by Representative Powers. I am aware of the many concerns raised by dentists, and I will not be a co-sponsor of this bill. Again, I appreciate your taking the time to alert me to your concerns.

Please feel free to contact me again about matters of special concern to you.

Sincerely,

CALVIN POTTER
State Senator
9th Senate District

CP/pr