

**1999 DRAFTING REQUEST****Bill**Received: **03/19/1999**Received By: **grantpr**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - JLC 6-0922**By/Representing: **Russ Whitesel**This file may be shown to any legislator: **NO**Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - school boards**Extra Copies: **MJL****Pre Topic:**

No specific pre topic given

**Topic:**

Children at risk

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	grantpr 03/25/1999	chanaman 03/26/1999		_____			
/P2			jfrantze 03/30/1999	_____	lrb_docadmin 03/30/1999		S&L
/P3	grantpr 04/26/1999	chanaman 04/27/1999	jfrantze 04/28/1999	_____	lrb_docadmin 04/28/1999		S&L
/1	grantpr 05/28/1999	chanaman 05/28/1999	kfollet 06/01/1999	_____	lrb_docadmin 06/01/1999	lrb_docadmin	S&L 09/24/1999

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Page 2

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CA 09-24-99

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Kjf  
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5/31  
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FE Sent For:			Jb 4/28	Jb/hh 4/28 <END>			

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1?	grantpr	cmh 12	J 3/30	J fh 3/30	<u>Submitted</u> yes		

FE Sent For:

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CHILDREN AT RISK PROGRAM  
MEMO NO. 3  
March 1, 1999

*rec'd 3/18/99 at LCB*

*> enter as council draft*

*> no analysis (1/0 draft)*

TO: MEMBERS OF THE SPECIAL COMMITTEE ON THE CHILDREN AT RISK PROGRAM

FROM: Russ Whitesel, Senior Staff Attorney

SUBJECT: Description of WLCS: 0062/P1, Relating to Revising the Children At Risk Statute

Attached is a draft, WLCS: 0062/P1, relating to revising the current children at risk statute. This preliminary draft reflects the preliminary discussions of the Special Committee at their January 29, 1999 meeting. The draft shows the complete current statute, with added language underscored, deleted language struck-through and alternatives in brackets. The draft is intended to serve as the basis for further discussion and decisions by the Special Committee.

As drafted, WLCS: 0062/P1 has the following features:

1. The current term "children at risk" is changed to "children at risk of not graduating from high school."
2. The definition of children at risk of not graduating from high school has been changed to reflect the revised focus of high school graduation.
3. The requirement that all school districts identify children at risk in grades 5 to 12 has been retained, but the mandatory participation in the aid program has been eliminated. The draft provides that any school district with 30 or more dropouts (or 5% of their enrollment) may participate.
4. The draft aims at increasing accountability by requiring participating school districts to identify the specific programs they are funding with aid received from the children at risk of not graduating from high school appropriation. The draft also encourages school districts to use funds for smaller schools, alternative programs and charter schools, but allows use for other appropriate programs. The draft also directs the Legislative Audit Bureau to audit the effectiveness of the specifically funded local programs.

1 AN ACT to amend 118.153 of the statutes; relating to: amending the children at risk  
2 statute.

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

3 SECTION 1. 118.153 of the statutes is amended to read:

4 **118.153 Children at risk of not graduating from high school.** (1) In this section:

5 (a) "Children at risk of not graduating from high school" means pupils in grades 5 to  
6 *are at risk of not graduating from h.s. because they*  
12 who ~~are one~~ have failed to pass the high school graduation examination under s. 118.30

7 (1m) (d) or who are dropouts or who are 2 or more of the following:

8 1. One or more years behind their age group in the number of high school credits  
9 attained, ~~or 2.~~

10 2. Two or more years behind their age group in basic skill levels, ~~and are also one or~~  
11 ~~more of the following:~~

12 1. ~~Dropouts.~~

13 ~~2m.~~ 3. Habitual truants, as defined in s. 118.16 (1) (a).

14 ~~3.~~ 4. Parents.

15 4. ~~5.~~ Adjudicated delinquents.

16 6. Pupils who have failed to meet school district proficiencies for 8th grade (who have  
17 been retained in 8th grade).

18 (b) "Dropout" means a child who ceased to attend school, does not attend a public or  
19 private school, technical college or home-based private educational program on a full-time

*on 8th gr. test -  
failed basic level  
or failed district test;  
or retained in  
8th grade*



1           2. Upon request of a pupil who is a child at risk ~~of not graduating from high school~~ or  
2 the pupil's parent or guardian, a school board described under subd. 1. shall enroll the pupil  
3 in ~~the a specific program~~ <sup>(either a partnership school, charter school, alternative school, school</sup>  
4 <sup>within a school or other appropriate program)</sup> for children at risk ~~of not graduating from high~~  
5 ~~school~~. If the school board makes available more than one program for children at risk ~~of not~~  
6 ~~graduating from high school~~, the school board shall enroll the pupil in the program selected  
7 by the pupil's parent or guardian if the pupil meets the prerequisites for that program. If there  
8 is no space in that program for the pupil, the school board of the school district operating under  
9 ch. 119 shall place the pupil's name on a waiting list for that program and offer the pupil an  
10 alternative program for children at risk ~~of not graduating from high school~~ until space in the  
11 requested program becomes available.

12           (b) A program for children at risk ~~of not graduating from high school~~ shall be designed  
13 to allow the pupils enrolled to meet high school graduation requirements under s. 118.33. The  
14 school board of the school district operating under ch. 119 shall ensure that there are at least  
15 ~~40~~ 30 pupils and no more than ~~200~~ 250 pupils in each program and that a separate administrator  
16 or teacher is in charge of each program.

17           (c) 1. Each school board shall identify appropriate private, nonprofit, nonsectarian  
18 agencies located in the school district or within 5 miles of the boundaries of the school district  
19 to meet the requirements under pars. (a) and (b) for the children at risk ~~of not graduating from~~  
20 ~~high school~~ enrolled in the school district.

21           2. The school board may contract with the agencies identified under subd. 1. ~~(For not~~  
22 ~~more than 30% of the children at risk enrolled)~~ in the school district if the school board  
23 determines that the agencies can adequately serve such children.

1 (b) Upon receipt of a school board's annual report under par. (a) the state superintendent  
 2 shall pay to the school district from the appropriation under s. 20.255 (2) (bc), for each pupil  
 3 enrolled in a program for children at risk ~~of not graduating from high school~~ who achieved  
 4 at least 3 ~~4~~ of the objectives under par. (c) in the previous school year, additional state aid  
 5 in an amount equal to 10% of the school district's average per pupil aids provided under s.  
 6 20.835 (7) (a), 1991 stats., and s. 20.255 (2) (ac) in the previous school year.

7 (c) 1. The pupil's attendance rate was at least 70%.

8 2. The pupil remained in school.

9 3. The pupil, if a high school senior, received a high school diploma

10 4. The pupil earned at least 4.5 academic credits or a prorated number of credits if the  
 11 pupil was enrolled in the program for less than the entire school year.

12 5. The pupil <sup>has</sup> demonstrated, on standardized tests or other appropriate measures, at least  
 13 ~~one month's~~ a gain in reading and mathematics <sup>ie (how long)</sup> for each month of commensurate with his or  
 14 ~~her~~ enrollment. <sup>in the program</sup>

15 ~~6. The pupil successfully passes the high school graduation test under s. 118.30 (1m)~~

16 (d) ~~(whether senior or not)~~

17 (e) If the appropriation under s. 20.255 (2) (bc) in any fiscal year is insufficient to pay  
 18 the full amount of aid under par. (b), state aid payments shall be prorated among the school  
 19 districts entitled to such aid.

20 (5) The school board ~~of the school district operating under ch. 119~~ shall use the  
 21 additional funds received under this section to ~~expand successful~~ <sup>fund</sup> programs for children at risk  
 22 ~~of not graduating from high school~~ or to establish new programs if expansion of a successfu-  
 23 ~~l program would violate sub. (3) (b).~~

RP

Q's

on LC draft

✓ ① p. 1 l. 16-17 : is this just 8th grade? **YES**  
or are you also counting if you ~~was~~ did 8th grade

Two has now you're in 1st grade?

✓ ② p. 2 l. 15 : "or" is new? Current law says "and" **YES** - should be "or"

✓ ③ p. 6, l. 1-2 : sch. dist programs only? **NO, all**  
what abt private, contractor programs?  
~~only contractor~~

✓ ④ p. 6, l. 5 : mean sub. (2)? or sub. (4)?

✓ ⑤ p. 6, l. 6-9 : why An. this subsection? **delete**

⑥ p. 4, l. 1-7 : why here? Is this only for programs that are ~~be~~ under K? **NO**  
+ how does it square w/ current law in p. 4 l. 5-7?

✓ ⑦ p. 3 l. 21-23 : can K for all a portion, right? **YES**

3. is subject to 4.

⑧ p. 4 l. 1-4: > "objectives under par. (cc)" ?  
> if sch. bd's got its own program, how can it have "open-ended" objectives?


⑨ p. 5 l. 12-14: what did we decide as to this subd.?

⑩ p. 4 l. 8-19: you request that I do w/this whatever gov. did w/ budget. ~~As~~ Gov. RN this to be 106.13 (4m), but directs the bd" to approve sch. to-walk programs. The bd is the gov's work-based learning bd, created w/ the budget!

⑪ "instrumentality"? delete gov. w/ public school

⑫ part. school = agency? Yes

⑬ s. 4118 a. 3. - "spec. specifically dedicated to it w/ a school"? what kind? public only, eg?

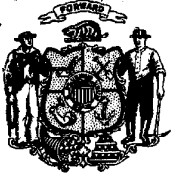


give preference for # that get under this sec.  
to these various type of school.

---

> how does "sep. school" differ from a regular  
public school?

neutral - nondiscriminatory



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-2552/P1 2  
PG...:lp  
CMM

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

WFO proof w/ stats

regenerate

at risk of not graduating from high school because they

programs for

1 AN ACT to amend 118.153 of the statutes; relating to: ~~amending~~ children  
2 at risk ~~status~~ of not graduating from high school

INS. A

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

3 SECTION 1. 118.153 of the statutes is amended to read:  
(title)

4 118.153 Children at risk of not graduating from high school. (1) In this

5 ~~SECTION 1~~ SEC. 118.153 (1) (a) (intro.) Am. 118.153 (1) (a) (intro.)  
6 118.153 (1) (a) "Children at risk of not graduating from high school" means pupils in grades  
7 5 to 12 who are one ~~time~~ failed to pass the high school graduation examination <sup>administered</sup> under  
8 s. 118.30 (1m) (d) ~~or who~~ are dropouts or ~~who~~ are 2 or more of the following:

Proof w/ stats.

9 1. <sup>m</sup> One or more years behind their age group in the number of high school credits  
10 attained, or 2.

11 2. Two or more years behind their age group in basic skill levels, and are also  
12 one or more of the following:

13 ~~1. Dropouts~~

INS. 1-13

~~2m. 3. Habitual truants, as defined in s. 118.16 (1) (a).~~

~~3. 4. Parents.~~

~~4. 5. Adjudicated delinquents.~~

6. Pupils who have failed to meet school district proficiencies for 8th grade [who have been retained in 8th grade].

(b) "Dropout" means a child who ceased to attend school, does not attend a public or private school, technical college or home-based private educational program on a full-time basis, has not graduated from high school and does not have an acceptable excuse under s. 118.15 (1) (b) to (d) or (3)

(c) "Partnership school" means a school established under (3) (c) below.

(d) "charter school" means a school established under s. 118.40.

~~(e) For the purposes of this statute, an "alternative school" means a school that has at least 30 pupils and no more than 250 pupils and has a separate administrator or teacher in charge of the school and is an instrumentality of the school district.~~

~~(f) For the purposes of this statute, a "school within a school" means a school that has at least 30 pupils and no more than 250 pupils and has a separate administrator or teacher in charge of the school and that is housed in a space specifically dedicated to it in a larger school building.~~

(2) (a) 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.

118.153(2)(b) ~~5~~ If in the previous school year a school district had 50 30 or more dropouts <sup>and</sup>

for a dropout rate exceeding 5% of its total high school enrollment, the school board shall may apply to the state superintendent for aid under this section.

SEC. RA. 118.153 (2) (b) 1; 118.153 (2) (b)

Proposed  
Statute

(4)

(91) SEC. RP, 118.153(2)(b)2.

1 2. If in the previous school year a school district had 40 or more dropouts, the  
2 school board may apply to the state superintendent for aid under this section.

3 (3) (a) Beginning in the 1993-94 school year:

4 1. Every school board that applies for aid under sub. (2) (b) shall make available  
5 to the children at risk of not graduating from high school enrolled in the school  
6 district a program for children at risk of not graduating from high school.

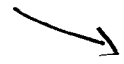
7 2. Upon request of a pupil who is a child at risk of not graduating from high  
8 school or the pupil's parent or guardian, a school board described under subd. 1. shall  
9 enroll the pupil in the a specific program [either a partnership school, charter school,  
10 alternative school, school within a school or other appropriate program] for children  
11 at risk of not graduating from high school. If the school board makes available more  
12 than one program for children at risk of not graduating from high school, the school  
13 board shall enroll the pupil in the program selected by the pupil's parent or guardian  
14 if the pupil meets the prerequisites for that program. If there is no space in that  
15 program for the pupil, the school board of the school district operating under ch. 119  
16 shall place the pupil's name on a waiting list for that program and offer the pupil an  
17 alternative program for children at risk of not graduating from high school until  
18 space in the requested program becomes available.

19 118.153(3) (b) A program for children at risk of not graduating from high school shall be  
20 designed to allow the pupils enrolled to meet high school graduation requirements  
21 under s. 118.33. The school board of the school district operating under ch. 119 shall  
22 ensure that there are at least 40 30 pupils and no more than 200 250 pupils in each  
23 program and that a separate administrator or teacher is in charge of each program.

24 (c) 1. Each school board shall identify appropriate private, nonprofit,  
25 nonsectarian agencies located in the school district or within 5 miles of the

SEC. AM, 118.153(3)(c)2.

proof  
w/ stats





1 boundaries of the school district to meet the requirements under pars. (a) and (b) for  
2 the children at risk of not graduating from high school enrolled in the school district.

*some or all*

3 118.153 (3)(c) 2. The school board may contract with the agencies identified under subd. 1.  
4 ~~(for not more than 30% of the children at risk enrolled)~~ in the school district if the  
5 school board determines that the agencies can adequately serve such children.

*proof  
of  
stat.*

6 ~~3. The school board shall provide a specific dollar amount to each program and  
7 shall provide [at least aid in subsequent years only if that program meets 3 [4] of the  
8 objectives under par. (c)] specific objectives agreed upon by the school board and the  
9 recipient prior to the award of funds.~~

10 ~~3.4. The school board shall pay each contracting agency, for each full-time  
11 equivalent pupil served by the agency, an amount equal to at least 80% of the average  
12 per pupil cost for the school district.~~

13 ~~(3m) (a) After reviewing the recommendations of the governor's council on  
14 workforce excellence under s. 106.115 (2) (em), the state superintendent may  
15 approve an innovative school-to-work program provided by a nonprofit organization  
16 for children at risk of not graduating from high school in a county having a population  
17 of 500,000 or more to assist those children at risk of not graduating from high school  
18 in acquiring employability skills and occupational-specific competencies before  
19 leaving high school. If the state superintendent approves a program under this  
20 paragraph, the state superintendent may award a grant, from the appropriation  
21 under s. 20.255 (3) (ef), to the nonprofit organization providing the program and the  
22 nonprofit organization shall use the funds received under the grant to provide the  
23 program.~~

1 (b) The state superintendent shall establish requirements for the operation of  
2 the grant program under this subsection. Those requirements need not be  
3 promulgated as rules.

4 (4) (a) Annually in August, a school board that applied for aid under this section  
5 in the previous school year shall submit a report to the state superintendent. The  
6 report shall include only information about the pupils enrolled in a program for  
7 children at risk of not graduating from high school in the previous school year that  
8 is necessary for the state superintendent to determine the number of pupils who  
9 achieved each of the objectives under par. (c).

10 (b) Upon receipt of a school board's annual report under par. (a) the state  
11 superintendent shall pay to the school district from the appropriation under s. 20.255  
12 (2) (bc), for each pupil enrolled in a program for children at risk of not graduating  
13 from high school who achieved at least 3 [4] of the objectives under par. (c) in the  
14 previous school year, additional state aid in an amount equal to 10% of the school  
15 district's average per pupil aids provided under s. 20.835 (7) (a), 1991 stats., and s.  
16 20.255 (2) (ac) in the previous school year.

17 (c) 1. The pupil's attendance rate was at least 70%.

18 2. The pupil remained in school

SEC. AM. 118.153 (4) (c) 3. and 5.

19 118.153 (4) (c) 3. The pupil, if a high school senior, received a high school diploma

20 4. The pupil earned at least 4.5 academic credits or a prorated number of credits  
21 if the pupil was enrolled in the program for less than the entire school year.

22 5. The pupil <sup>has</sup> demonstrated, on standardized tests or other appropriate  
23 measures, ~~at least one month's~~ a gain in reading and mathematics ~~for each month~~  
24 of commensurate with his or her enrollment <sup>the duration of</sup> in the program

or passed the high school graduation  
examination under s. 118.30 (1m) (d)  
administered

B

proposed  
state

1 ~~6. The pupil successfully passes the high school graduation test under s. 118.30~~

INS.  
6-2

2 ~~(1)(d)~~

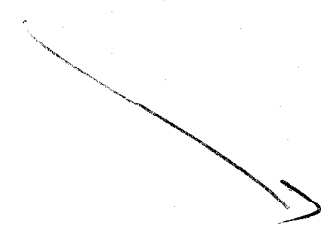
3 (e) If the appropriation under s. 20.255 (2) (bc) in any fiscal year is insufficient  
4 to pay the full amount of aid under par. (b), state aid payments shall be prorated  
5 among the school districts entitled to such aid.

6 (5) The school board of the school district operating under ch. 119 shall use the  
7 additional funds received under this section to expand successful programs for  
8 children at risk of not graduating from high school or to establish new programs if  
9 expansion of a successful program would violate sub. (3) (b).

10 118.153 (6) <sup>sec. Am. 118.153 (6) - January 1</sup> Biennially ~~By 2005~~, the legislative audit bureau shall audit school district  
11 eligibility, performance criteria and state aid payments <sup>programs funded</sup> ~~under this section~~ <sup>stet</sup> ~~programs~~  
12 ~~funded from the appropriation under s. 20.255 (2) (d)~~ to determine ~~their success in~~  
13 ~~having program participants graduate from high school.~~ <sup>↓</sup> ~~The extent to which they~~  
14 meet the <sup>objectives</sup> ~~criteria~~ under sub. ~~(3) (c)~~ <sup>(4) (c)</sup>

prop  
w/  
state

15 (7) The state superintendent shall ~~may~~ promulgate rules to implement and  
16 administer this section. The rules shall not be overly restrictive in defining approved  
17 programs and shall not serve to exclude programs that have demonstrated success  
18 in meeting the needs of children at risk of not graduating from high school.



A

ANALYSIS

① This is a preliminary draft.  
= will be  
Explanatory notes (provided by the Joint  
= Legislative Council staff ~~with copies~~ on a  
later version.

① FE-SL

(END OF INSERT)

1-13

(91) SER. RP. 118.153 (1)(a) 1.

(91) SER. CR. 118.153 (1)(a) 5.

<sup>(b)</sup> Eighth grade in each subject area  
118.153 (1)(a) 5. } pupils whose score on

the examination administered under s. 118.30 (1m)  
(am) 1. was below the basic level, } <sup>8th grade</sup> pupils who

failed the examination administered under  
s. 118.30 (1m) (am) 2., and } <sup>8th grade</sup> pupils who ~~have~~  
failed to be <sup>promoted</sup> promoted to the 9th grade.

(END OF INSERT)

(6-2:1)

SEC. RC. 118.153 (5)

118.153 (5) (a) In this subsection:

(91) 1. "Alternative school" means a <sup>public</sup> school that has at least 30 pupils and no more than 250 pupils, ~~and~~ has a separate administrator or teacher in charge of the school and ~~that~~ offers a nontraditional curriculum. ~~educational program~~

~~2. "Partnership school" means a~~

(91) 2. "School within a school" means a school that has at least 30 pupils and no more than 250 pupils, has a separate administrator or teacher in charge of the school and is housed in a space specifically dedicated to it in a <sup>public</sup> school.



6-2:2

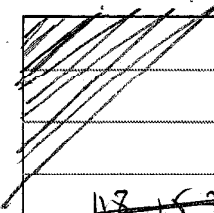
91

Subject to sub. (3)(c) 3. ✓  
(b) A school board receiving funds under this section shall provide a specific sum to each program for children at risk in which ~~children at risk~~ pupils enrolled in the school district are enrolled based on the ability of ~~each~~ the program to meet the objectives under sub. (4)(c).

91

(c) <sup>A</sup> ~~The~~ school board shall give those ~~received~~ <sup>receiving funds under this section</sup> preference in allocating funds ~~under this~~ ~~section~~ to programs for children at risk <sup>provided by</sup> alternative schools, charter schools, schools within schools <sup>and</sup> agencies identified under sub. (3)(c) 1. ✓

(END OF INSERT)



> RP (3)(a)(1)(A)

> Am

~~18.153~~ (3)(a)2.

Δ set → ~~approp.~~ different or another





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-2552/P2 3  
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *to repeal* 118.153 (1) (a) 1 and 118.153 (2) (b) 2.; *to renumber and*  
2 *amend* 118.153 (2) (b) 1.; *to amend* 118.153 (title), 118.153 (1) (a) (intro.),  
3 118.153 (3) (b), 118.153 (3) (c) 2., 118.153 (4) (c) 3. and 5. and 118.153 (6); *to*  
4 *repeal and recreate* 118.153 (5); and *to create* 118.153 (1) (a) 5. of the  
5 statutes; **relating to:** programs for children at risk of not graduating from high  
6 school.

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

This is a preliminary draft. Explanatory notes will be provided by the joint legislative council staff on a later version.

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:***

7 SECTION 1. 118.153 (title) of the statutes is amended to read:  
8 118.153 (title) **Children at risk of not graduating from high school.**

1           **SECTION 2.** 118.153 (1) (a) (intro.) of the statutes is amended to read:

2           118.153 (1) (a) (intro.) "Children at risk" means pupils in grades 5 to 12 who  
3           are one at risk of not graduating from high school because they failed the high school  
4           graduation examination administered under s. 118.30 (1m) (d), are dropouts, or are  
5           2 or more of the following:

6           1m. One or more years behind their age group in the number of high school  
7           credits attained, or 2.

8           2. Two or more years behind their age group in basic skill levels, and are also  
9           one or more of the following:

10          **SECTION 3.** 118.153 (1) (a) 1. of the statutes is repealed.

11          **SECTION 4.** 118.153 (1) (a) 5. of the statutes is created to read:

12          118.153 (1) (a) 5. Eighth grade pupils whose score in each subject area on the  
13          examination administered under s. 118.30 (1m) (am) 1. was below the basic level, 8th  
14          grade pupils who failed the examination administered under s. 118.30 (1m) (am) 2.,  
15          and 8th grade pupils who failed to be promoted to the 9th grade.

16          **SECTION 5.** 118.153 (2) (b) 1. of the statutes is renumbered 118.153 (2) (b) and  
17          amended to read:

18          118.153 (2) (b) If in the previous school year a school district had 50 30 or more  
19          dropouts and or a dropout rate exceeding 5% of its total high school enrollment, the  
20          school board ~~shall~~ may apply to the state superintendent for aid under this section.

21          **SECTION 6.** 118.153 (2) (b) 2. of the statutes is repealed.

22          **SECTION 7.** 118.153 (3) (b) of the statutes is amended to read:

23          118.153 (3) (b) A program for children at risk shall be designed to allow the  
24          pupils enrolled to meet high school graduation requirements under s. 118.33. The  
25          school board of the school district operating under ch. 119 shall ensure that there are

INS.  
2-  
21

1 at least ~~40~~ 30 pupils and no more than ~~200~~ 250 pupils in each program and that a  
2 separate administrator or teacher is in charge of each program.

3 **SECTION 8.** 118.153 (3) (c) 2. of the statutes is amended to read:

4 118.153 (3) (c) 2. The school board may contract with the agencies identified  
5 under subd. 1. for ~~not more than 30%~~ some or all of the children at risk enrolled in  
6 the school district if the school board determines that the agencies can adequately  
7 serve such children.

8 **SECTION 9.** 118.153 (4) (c) 3. and 5. of the statutes are amended to read:

9 118.153 (4) (c) 3. The pupil, if a high school senior, received a high school  
10 diploma or passed the high school graduation examination administered under s.  
11 118.30 (1m) (d).

12 5. The pupil has demonstrated, on standardized tests or other appropriate  
13 measures, at least one month's a gain in reading and mathematics for each month  
14 of commensurate with the duration of his or her enrollment in the program.

15 **SECTION 10.** 118.153 (5) of the statutes is repealed and recreated to read:

16 118.153 (5) (a) In this subsection:

17 1. "Alternative school" means a public school that has at least 30 pupils and no  
18 more than 250 pupils, has a separate administrator or teacher in charge of the school  
19 and offers a nontraditional curriculum.

20 2. "School within a school" means a school that has at least 30 pupils and no  
21 more than 250 pupils, has a separate administrator or teacher in charge of the school  
22 and is housed in a space specifically dedicated to it in a public school.

23 (b) Subject to sub. (3) (c) 3., a school board receiving funds under this section  
24 shall provide a specific sum to each program for children at risk in which pupils

1 enrolled in the school district are enrolled based on the ability of the program to meet  
2 the objectives under sub. (4) (c).

3 (c) A school board receiving funds under this section shall give preference in  
4 allocating those funds to programs for children at risk provided by alternative  
5 schools, charter schools, schools within schools and agencies identified under sub. (3)  
6 (c) 1.

7 SECTION 11. 118.153 (6) of the statutes is amended to read:

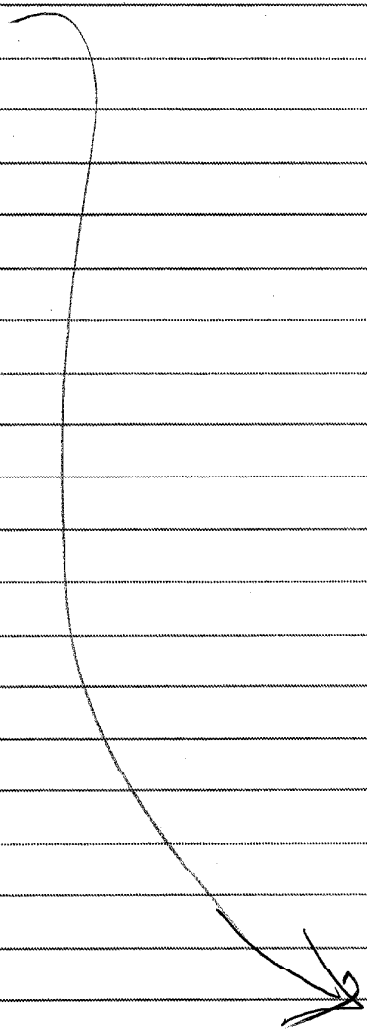
8 118.153 (6) Biennially By January 1, 2005, the legislative audit bureau shall  
9 audit school district eligibility, performance criteria and state aid payments  
10 programs funded under this section to determine the extent to which they meet the  
11 objectives under sub. (4) (c).

12

(END)

2-21:1

SEC. RP, 118.153 (3)(a) (intro.)



2-21:2

Section #. 118.153 (3) (a) 2. of the statutes is amended to read:

118.153 (3) (a) 2. Upon request of a pupil who is a child at risk or the pupil's parent or guardian, a school board described under subd. 1. shall enroll the pupil in the program for children at risk. If the school board makes available more than one program for children at risk, the school board shall enroll the pupil in the program selected by the pupil's parent or guardian if the pupil meets the prerequisites for that program. If there is no space in that program for the pupil, the school board of the school district operating under ch. 119 shall place the pupil's name on a waiting list for that program and offer the pupil ~~an alternative~~ <sup>another</sup> program for children at risk until space in the requested program becomes available.

History: 1985 a. 29, 332; 1987 a. 27; 1989 a. 31, 336; 1991 a. 39, 196; 1993 a. 16, 341, 399, 491; 1995 a. 27 s. 9145 (1); 1997 a. 27, 113.

(END OF INSERT)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-2552/RS  
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Soon

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~

1 **AN ACT** *to repeal* 118.153 (1) (a) 1., 118.153 (2) (b) 2; and 118.153 (3) (a) (intro.);  
 2 *to renumber and amend* 118.153 (2) (b) 1.; *to amend* 118.153 (title), 118.153  
 3 (1) (a) (intro.), 118.153 (3) (a) 2., 118.153 (3) (b), 118.153 (3) (c) 2., 118.153 (4) (c)  
 4 3. and 5. and 118.153 (6); *to repeal and recreate* 118.153 (5); and *to create*  
 5 118.153 (1) (a) 5. of the statutes; **relating to:** programs for children at risk of  
 6 not graduating from high school.

*regenerata*

INS. A

**Analysis by the Legislative Reference Bureau**

~~(This is a preliminary draft. Explanatory notes will be provided by the joint legislative council staff on a later version.~~

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:**

INS. B →

7 **SECTION 1.** 118.153 (title) of the statutes is amended to read:  
 8 **118.153 (title) Children at risk of not graduating from high school.**

1           **SECTION 2.** 118.153 (1) (a) (intro.) of the statutes is amended to read:

2           118.153 (1) (a) (intro.) "Children at risk" means pupils in grades 5 to 12 who  
3           are ~~one at risk of not graduating from high school because they failed the high school~~  
4           ~~graduation examination administered under s. 118.30 (1m) (d), are dropouts, or are~~  
5           ~~2 or more of the following:~~

6           1m. ~~One or more years behind their age group in the number of high school~~  
7           ~~credits attained, or 2.~~

8           2. ~~Two or more years behind their age group in basic skill levels, and are also~~  
9           ~~one or more of the following.~~

10          **SECTION 3.** 118.153 (1) (a) 1. of the statutes is repealed.

11          **SECTION 4.** 118.153 (1) (a) 5. of the statutes is created to read:

12          118.153 (1) (a) 5. Eighth grade pupils whose score in each subject area on the  
13          examination administered under s. 118.30 (1m) (am) 1. was below the basic level, 8th  
14          grade pupils who failed the examination administered under s. 118.30 (1m) (am) 2.,  
15          and 8th grade pupils who failed to be promoted to the 9th grade.

16          **SECTION 5.** 118.153 (2) (b) 1. of the statutes is renumbered 118.153 (2) (b) and  
17          amended to read:

18          118.153 (2) (b) If in the previous school year a school district had ~~50~~ 30 or more  
19          dropouts ~~and or~~ a dropout rate exceeding 5% of its total high school enrollment, the  
20          school board ~~shall~~ may apply to the state superintendent for aid under this section.

21          **SECTION 6.** 118.153 (2) (b) 2. of the statutes is repealed.

22          **SECTION 7.** 118.153 (3) (a) (intro.) of the statutes is repealed.

23          **SECTION 8.** 118.153 (3) (a) 2. of the statutes is amended to read:

24          118.153 (3) (a) 2. Upon request of a pupil who is a child at risk or the pupil's  
25          parent or guardian, a school board described under subd. 1. shall enroll the pupil in



1 the program for children at risk. If the school board makes available more than one  
2 program for children at risk, the school board shall enroll the pupil in the program  
3 selected by the pupil's parent or guardian if the pupil meets the prerequisites for that  
4 program. If there is no space in that program for the pupil, the school board of the  
5 school district operating under ch. 119 shall place the pupil's name on a waiting list  
6 for that program and offer the pupil ~~an alternative~~ another program for children at  
7 risk until space in the requested program becomes available.

8 **SECTION 9.** 118.153 (3) (b) of the statutes is amended to read:

9 118.153 (3) (b) A program for children at risk shall be designed to allow the  
10 pupils enrolled to meet high school graduation requirements under s. 118.33. The  
11 school board of the school district operating under ch. 119 shall ensure that there are  
12 at least ~~40~~ 30 pupils and no more than ~~200~~ 250 pupils in each program and that a  
13 separate administrator or teacher is in charge of each program.

14 **SECTION 10.** ~~118.153 (3) (c) 2. of the statutes is amended to read:~~

15 ~~118.153 (3) (c) 2. The school board may contract with the agencies identified~~  
16 ~~under subd. 1. for not more than 30% some or all of the children at risk enrolled in~~  
17 ~~the school district if the school board determines that the agencies can adequately~~  
18 ~~serve such children.~~

19 **SECTION 11.** 118.153 (4) (c) 3. and 5. of the statutes are amended to read:

20 118.153 (4) (c) 3. The pupil, if a high school senior, received a high school  
21 diploma or passed the high school graduation examination administered under s.  
22 118.30 (1m) (d).

23 5. The pupil has demonstrated, on standardized tests or other appropriate  
24 measures, at least one month's a gain in reading and mathematics for each month  
25 of commensurate with the duration of his or her enrollment in the program.

1           **SECTION 12.** 118.153 (5) of the statutes is repealed and recreated to read:

2           118.153 (5) (a) In this subsection:

3           1. "Alternative school" means a public school that has at least 30 pupils and no  
4 more than 250 pupils, has a separate administrator or teacher in charge of the school  
5 and offers a nontraditional curriculum.

6           2. "School within a school" means a school that has at least 30 pupils and no  
7 more than 250 pupils, has a separate administrator or teacher in charge of the school  
8 and is housed in a space specifically dedicated to it in a public school.

9           (b) Subject to sub. (3) (c) 3., a school board receiving funds under this section  
10 shall provide a specific sum to each program for children at risk in which pupils  
11 enrolled in the school district are enrolled based on the ability of the program to meet  
12 the objectives under sub. (4) (c).

13           (c) A school board receiving funds under this section shall give preference in  
14 allocating those funds to programs for children at risk provided by alternative  
15 schools, charter schools, schools within schools and agencies identified under sub. (3)

16 (c) 1.

17           **SECTION 13.** 118.153 (6) of the statutes is amended to read:

18           118.153 (6) ~~Biennially~~ By January 1, 2005, the legislative audit bureau shall  
19 audit school district eligibility, performance criteria and state aid payments  
20 programs funded under this section to determine the extent to which they meet the  
21 objectives under sub. (4) (c).

22

(END)

(A)

LEGISLATIVE

NOTE

(9)

This bill is explained in the  
provided by the joint legislative  
council in the bill.

(15)

(END OF INSERT)

(B)

per KSH  
add hypothesis

~~JOINT LEGISLATIVE COUNCIL~~ PREFATORY NOTE: This bill ~~draft~~ was prepared for the joint legislative council's special committee on the children at risk program. It contains a series of changes to the current children-at-risk statute to focus funding on specific programs designed to serve students at risk of not graduating from high school. The bill does not increase the current funding for the program despite the conclusion of the committee that the need for such programs far outpaces the funding allocated. The bill reflects the approach of refocusing the current funding on specific programs with measurable goals with the anticipation that if the results warrant additional funding, those will be provided in the future. The bill makes the following modifications in the current law:

1. The name of the program is changed from "children at risk" to "children at risk of not graduating from high school" to reflect the refocusing of the program.

2. The definition of children at risk is changed. ~~The current definition~~ currently "children at risk" is defined under s. 118.153 (1) (a) to mean pupils in grades 5 to 12 who are one or more years behind their age group in the number of high school credits attained, or 2 or more years behind their age group in basic skill levels, and are also one or more of the following: (a) dropouts; (b) habitual truants; (c) parents; or (d) adjudicated delinquents. ~~The draft~~ revises this definition to provide that children at risk means pupils in grades 5 to 12 who are at risk of not graduating from high school because they failed the high school graduation exam administered under s. 118.30 (1m) (d), are dropouts, or are 2 or more of the following:

bill

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 and basic skill levels.

c. Habitual truants.

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. was below the basic level, 8th grade pupils who failed the examination under s. 118.30 (1m) (am) 2. and 8th grade pupils who failed to be promoted to the 9th grade.

turnover page

b. The pupil remained in school.

c. The pupil, if a high school senior, received a high school diploma.

d. 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.

e. The pupil demonstrated, on standardized tests or other appropriate measures, at least one month's gain in reading and mathematics for each month of enrollment.

The bill ~~also~~ modifies item c., above, by adding additional language providing that the criteria would also be met if the pupil has passed the high school graduation examination administered under s. 118.30 (1m)

(d). The bill ~~also~~ amends item e., above, to provide that the pupil has demonstrated on standardized tests or other appropriate measures a gain in reading and mathematics commensurate with the duration of his or her enrollment in the program. Each pupil is still required to achieve at least 3 of the specified objectives.

8. Current law requires the legislative audit bureau to conduct an audit every 2 years regarding the eligibility, performance criteria and state aid payments under the program. This bill ~~also~~ provides that by January 1, 2005, the legislative audit bureau shall audit the programs funded under the children at risk program to determine the extent to which they meet the objectives specified under s. 118.153 (4) (c), discussed above.

(END OF INSERT B)

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

**Date:** 6/1/99

**To:** Legislative Council - JLC

**Relating to LRB drafting number:** LRB-2552

**Topic**

Children at risk

**Subject(s)**

Education - school boards

1. **JACKET** the draft for introduction \_\_\_\_\_

in the Senate  or the Assembly \_\_\_\_\_ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction *Peter R. Grant* \_\_\_\_\_.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney  
Telephone: (608) 267-3362