

WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC
FORM 2

RULES CLEARINGHOUSE

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AUG 03 REC'D

AUG 03 1999

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One E. Main St., Ste. 401
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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 99-103

AN ORDER to create chapter PI 17, relating to summer school programs.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

06-30-99 RECEIVED BY LEGISLATIVE COUNCIL.

07-27-99 REPORT SENT TO AGENCY.

RS:RW:jal;ksm

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 99-103

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 September 1998.]

2. Form, Style and Placement in Administrative Code

- a. Section PI 17.03 (1) and (2) should be rewritten in the following format:

PI 17.03 (1) Under s. 121.14, Stats., a school district . . . under an agreement as provided in s. 66.30, Stats. In this section, "academic purposes" means . . . credit toward graduation is given.

(2) Summer school courses that may be approved by the department for academic purposes include all of the following:

- b. Section PI 17.03 (intro.) should be rewritten to read: "Summer school activities that may not be approved by the department for academic purposes include all of the following:".

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

a. The note following s. PI 17.04 (2) relating to categorical aid is somewhat confusing. The agency should either describe the treatment of special education costs more clearly or put a specific provision in the text of the rule relating to the treatment of special education costs.

b. It appears that the word "charge" used in s. PI 17.05 (2) should be changed to "charges."

c. Is there a need for an initial application provision to clarify how summer school costs from this summer (1999) will be treated, even if the rule is not yet legally in effect? This should be clarified.

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LEGISLATIVE COUNCIL OF THE STATE OF WISCONSIN

Committee

All members of the Legislative Council shall be eligible to serve on the Legislative Council. The Legislative Council shall be composed of members of the Legislative Council and the Legislative Council shall be composed of members of the Legislative Council.

Legislative Council of the State of Wisconsin

The Legislative Council shall be composed of members of the Legislative Council and the Legislative Council shall be composed of members of the Legislative Council.

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REPORT TO
LEGISLATIVE COUNCIL RULES CLEARINGHOUSE
SUMMER SCHOOL PROGRAMS
PI 17, Wisconsin Administrative Code

Wisconsin Statutory Authority - ss.121.14 (1) and 227.11 (2) (a), Stats.

Federal Statutory Authority - None

Court Decisions Directly Relevant - None

Analysis of the Rule - Rule Effect - Reason for the Rule

1997 Wisconsin Act 240 specifies that state aid shall be paid to each district or county handicapped children's education board only for those academic summer classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule.

In accordance with the Act, the proposed rules define academic purposes as summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given. The proposed rules give examples of approvable and nonapprovable summer school classes.

The rules also specify:

- That a school district may operate a summer school program in cooperation with a CESA or another school district under a 66:30 agreement.
- That a summer school program report must be submitted annually to the department for approval.
- How summer school aid is to be calculated.
- What fees may or may not be charged as part of a summer school program.

Agency Procedure for Promulgation

Notice to Legislative Council pursuant to s. 227.15, Stats., and proceeding under the ten day notice/hearing process pursuant to ss. 227.16 to 227.18, Stats.

Description of any Forms (attach copies if available)

PI-1804 Summer School Program Report

Name and Telephone Number of Agency Liaison(s)

Larry Allen, Director, Education Options Team, 267-2402

Lori L. Slauson, Administrative Rules Coordinator, Policy and Budget, 267-9127

PROPOSED ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
CREATING RULES

The state superintendent of public instruction hereby proposes to create chapter PI 17, relating to summer school programs.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 121.14 (1) and 227.11 (2) (a), Stats.

Statute interpreted: ss. 118.04, 121.004 (8), 121.14

1997 Wisconsin Act 240 specifies that state aid shall be paid to each district or county handicapped children's education board only for those academic summer classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule.

In accordance with the Act, the proposed rules define academic purposes as summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given. The proposed rules give examples of approvable and nonapprovable summer school classes.

The rules also specify:

- That a school district may operate a summer school program in cooperation with a CESA or another school district under a 66:30 agreement.
- That a summer school program report must be submitted annually to the department for approval.
- How summer school aid is to be calculated.
- What fees may or may not be charged as part of a summer school program.

SECTION 1. Chapter PI 17 is created to read:

CHAPTER PI 17

SUMMER SCHOOL PROGRAMS

PI 17.01 Applicability and purpose. This chapter establishes program approval criteria for summer school programs receiving state aid, as authorized under s. 121.14, Stats.

PI 17.02 Definitions. In this chapter:

- (1) "CESA" means a cooperative educational service agency under ch. 116, Stats.
- (2) "Department" means the Wisconsin department of public instruction.
- (3) "Reasonable fees" means the fee charged does not exceed the actual cost to the school district or children with disabilities education board of the materials supplied to pupils or activities engaged in by pupils.
- (4) "School year" means the time commencing with July 1 and ending with the next succeeding June 30.
- (5) "State superintendent" means the state superintendent of public instruction.

PI 17.03 Approval of summer school programs.

(1) Under s. 121.14, Stats., a school district or county children with disabilities education board may count pupils for aid membership for those academic summer classes or laboratory periods that are necessary for academic purposes, as specified under this chapter. A school district may operate a summer school program in cooperation with a CESA or another school district under a 66:30 agreement.

(A) "Academic purposes" under sub. (1) means summer school learning experiences are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given. In addition,

(2) summer school courses that may be approved by for academic purposes include, but are not limited to, any of the following:

- (a) Music programs, lessons, sectionals or clinics, if taught by a department-licensed teacher.
- (b) Swimming instruction programs, if taught or directed by a department-licensed teacher at the site of the instruction.
- (c) Up to 270 minutes of instructional time, including field trips, per student, per day, if accompanied by a department-licensed teacher and if all pupils have equal access to field trips, regardless of their ability to pay.

(3) Summer school activities that may not be approved by for academic purposes include, but are not limited to, the following:

- (a) Travel time to events, including field trips.
- (b) Performances, including band, orchestra, parades, and plays.
- (c) Recreational programs and team sports.
- (d) Participation in fairs or expositions by pupil organizations, such as future farmers of America.
- (e) Any offering not provided by or directed on-site by a department-licensed teacher.

(4) An applicant under sub. (1) shall submit a program report annually to the department for approval. The report shall include, in part, the course title and the grade level in which the course is offered, instruction time per pupil, and any fees.

NOTE: Form PI-1804, Summer School Program Report, may be obtained at no charge from the Department of Public Instruction, P.O. Box 7841, Madison, WI 53707-7841.

PI 17.04 Summer school aid calculation. (1) Summer school membership shall be included in the district's September official enrollment of the school district required under s. 121.05 (1) (a), Stats. *for what purpose*

(2) The summer school membership reported under sub. (1) shall be calculated using the district's total summer school resident pupil membership minutes, divided by 48,600 and rounding to the nearest whole number.

NOTE: Summer school programs do not qualify for state special education categorical aid. State special education categorical aid is granted to school districts to offset the costs of providing required special education and related services. Extended school year services are required for special education and related services if identified in a child's individualized education program (IEP) and are eligible for state special education categorical aid. Summer school classes are neither required in a child's IEP nor eligible for special education categorical aid.

PI 17.05 Fees charged for summer school courses. (1) A school district or county children with disabilities education board offering a summer school program may charge reasonable fees for the following:

- (a) Personal use items, such as towels, gym clothes, or uniforms.
- (b) Social and extra-curricular activities if not necessary to the school's curriculum nor aided under s. 121.14 (1), Stats.
- (c) Books, except as specified under sub. (3) (b).
- (d) A drivers education program, or part of a program, which are neither required for nor credited toward graduation. The fee under this subparagraph may be waived for indigent pupils.
- (e) Nonresident tuition for pupils from another school district.

(2) A school district or county children with disabilities education board that charge ^s fees determined by the department to be excessive may be disapproved for aid reimbursement under this chapter.

(3) A school district or county children with disabilities education board offering a summer school program may not charge fees for any of the following:

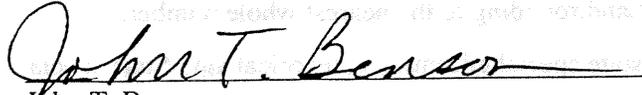
- (a) Instruction, registration or tuition, except as specified under sub. (1) (e).
- (b) Books for indigent children residing in the district.
- (c) Teacher salary.
- (d) Buildings, maintenance or equipment.
- (e) Courses credited for graduation.
- (f) Computers or microfilm readers.

(4) A school district or county children with disabilities education board offering a summer school program may not prohibit an eligible pupil from attending summer school, expel or otherwise discipline the pupil, or withhold or reduce the pupil's grades because the pupil or the pupil's family cannot pay or has not paid fees charged under sub. (1).

NOTE: One available remedy for collecting a valid nonpaid fee is small claims court.

The proposed 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 30th day of June, 1999


John T. Benson
State Superintendent

FISCAL ESTIMATE

ORIGINAL UPDATED)

LRB or Bill No./Adm. Rule No.

PI 17

DOA-2048 (R10/92)

CORRECTED SUPPLEMENTAL

Amendment No. If Applicable

Subject: Summer School Programs

Fiscal Effect

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

- 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

1997 Wisconsin Act 240 specifies that state aid shall be paid to each district or county handicapped children's education board only for those academic summer classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule.

In accordance with the Act, the proposed rules define academic purposes as summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given. The proposed rules give examples of approvable and nonapprovable summer school classes.

Because the proposed rules codify current practice, there will be no state or local fiscal effect.

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

6-29-99

Refer to detailed instructions.

PRIOR TO SUMMER SCHOOL: List only instructional programs offered under the administration of the school district and approvable for aid purposes. Attach additional pages as necessary. Submit 1 copy of completed form by **MAY 1**. Retain copies for end-of-school reporting and your records. Submit to:

WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
 SUMMER SCHOOL PROGRAM, JANET HAAS
 P. O. BOX 7841
 MADISON, WI 53707-7841

District _____ District Code _____
 Address _____ State WI _____ ZIP _____
 City _____

AT CLOSE OF SUMMER SCHOOL: Complete Section II and Section III obtain appropriate signature, and submit by **SEPTEMBER 1** to the above address.

I. GENERAL INFORMATION
 Complete prior to Summer School

Summer School Dates <i>Beginning</i> _____	Daily Hours _____	to _____	District Telephone Area /No. _____
Person in Charge <i>Elementary</i> _____	Person in Charge <i>Secondary</i> _____	Contact Person for this Report _____	Telephone. Area/No./Ext. _____

I CERTIFY that this report is true, that the summer school will be maintained by certificated teachers at no tuition cost and that there is compliance with all regulations relating to summer school. Average Daily Membership (ADM) for state aids will be claimed only for classes approved for ADM.

Name of District Administrator _____	Signature of District Administrator _____	Date Signed _____
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III. ADM EQUIVALENT COMPUTATION
 Complete at Close of Summer School

12. Grade Level	13. Residents		14. Nonresidents	
	a. Total Pupil Minutes <i>Subtotal of Section II, Col. 10b</i>	b. ADM Equivalent <i>Column a ÷ 48,600*</i>	a. Total Pupil Minutes <i>Subtotal of Section II, Col. 11b</i>	b. ADM Equivalent <i>Column a ÷ 48,600*</i>
Pre-K	1			2
4 Yr. Kndg	1			2
5 Yr. Kndg	1			2
Grades 1-8	1			2
Grades 9-12	1			2
TOTAL	1		TOTAL	2

I CERTIFY that I have received the information contained in Sections II and III relating to summer school enrollment and ADM and attest the information to be true to the best of my knowledge.

Signature of District Administrator _____	Date Signed _____
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*Compute each line separately and round to the nearest whole number before calculating total.

1999 INSTRUCTIONS FOR MANUAL COMPLETION OF SUMMER SCHOOL PROGRAM REPORT (PI-1804)

Complete the form. Send the original to the Department of Public Instruction by **May 1**. Retain copies for your end-of-school reporting and your files.

I. General Information: complete applicable items. Program Approval: leave blank.

II. Course Information (page 2): Include only courses to be counted for membership.

Column 1. List all pre-kindergarten first, followed by 4-year-old kindergarten courses, 5-year-old kindergarten courses, and grade 1-12 courses last. If a course includes any combination of pupils in these grades, list the course for each grade grouping.

Columns 2a, 2b, 2c, 2d and 2e. Check only one grade level on each line. Use the child's fall grade level. If credit is given for a high school course, put "C" in the space instead of a check mark.

Column 3. List the number of sections of each course.

Column 4. List all fees charged for all courses. Fees may be charged for supplies and materials only. **Detailed justification of fees over \$20.00 per course, except for driver education, must be attached to the plan.**

Column 5. Estimated enrollment must include all pupils attending that class, including residents, nonresidents, 66.30 nonresidents, and tuition pupils. When completing Section III at the close of summer school, report each category of pupils separately in columns 9-11. Integration Transfer Program (ITP) pupils are to be reported on the ITP Summary Form, PI-1805 (for a copy of the form contact Brad Adams, 608-267-3752).

Column 6. Report the number of certificated teachers teaching the course. Teachers must be certified for subject or grade taught.

Column 7. Not applicable for programs in which the amount of instructional time varies (e.g., agriculture, field trips, music lessons). For these programs teachers must keep a daily log which includes the name of the pupil and number of instructional minutes. Enter the word "log" in 7c. The teacher's log will provide the information for 10b and 11b. For other programs:

Column 7a. State the length of the period in minutes for each course.

Column 7b. Enter the number of days the class is held.

Column 7c. Multiply Column 7a by Column 7b for the total minutes of instruction

Column 8. You will be notified if any course is disapproved. The following letters will indicate courses disapproved by the Department of Public Instruction for membership purposes:

(A) Purpose: The course is unrelated to instruction regularly offered during the school year or it is prohibited by statute.

(B) Excessive Fee: The fee appears to exceed the cost of supplies and materials.

(C) Pupil-Teacher Ratio: There appear to be too many pupils assigned to one teacher.

(D) Other: An explanation will be attached.

You may appeal the disapproval of a course by stating in writing why the reason given for disapproving the course is not appropriate. Mail to the address on the form.

The following items are to be completed at the close of summer school. Any changes without prior approval may be disallowed.

Columns 9a and 9b. Total enrollment means the total number of pupils who were enrolled and attended at least one day of the summer school program. [NOTE: The DPI does not collect attendance data; attendance data is for in-district use only.]

Column 10a.

(1) Count the number of days each pupil was enrolled in the course and then add together to determine the total days of enrollment. EXAMPLE: Ten pupils were enrolled in a 30-day course. Eight of these ten pupils were enrolled for the entire 30 days ($8 \times 30 = 240$). Two of the ten enrolled ten days after the course had begun, thus they were enrolled for 20 days each ($2 \times 20 = 40$). The ADM is calculated on total number of days of enrollment (not total number of days attended) for all pupils, in this case, 280 enrollment days (8×30) + (2×20). To calculate actual ADM, you would divide the total enrollment days (280) by the number of days the course is held, in this case 30. $280 \div 30 = 9.33$ ADM.

(2) For individualized instruction, write "log" in 10a.

Column 10b.

(1) Multiply the number in Column 10a by the number in Column 7c.

(2) For individualized instruction, list the total minutes from the log.

Column 11a and 11b. Repeat the procedures for 10a and 10b.

III. ADM Equivalent Computation (page 1): Complete at end of your summer school program and return by September 1.

Column 13. Residents.

Column 13a. Enter the total number of minutes for the summer school courses found in Column 10b for each grade level.

Column 13b. Divide the number found in Column 13a by 48,600 and round to the nearest whole number for each grade level. Add Column 13b for the district total.

Column 14a and 14b Nonresidents. Repeat the procedures in 13a and 13b.

NOTE: Each line total in 13b and 14b must agree with the September Pupil Count Report (PI-1563-A), Summer School Average Daily Membership table, page 2, lines PCW 410 010 001/002. Integration Transfer Program (ITP) students are recorded on the PI 1805 and on the PI 1563-A, page 5, lines PCD 410 053 001/002.

**PROPOSED ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
CREATING RULES**

The state superintendent of public instruction hereby proposes to create chapter PI 17, relating to summer school programs.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 121.14 (1) and 227.11 (2) (a), Stats.

Statute interpreted: ss. 118.04, 121.004 (8), 121.14

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The rules also specify:

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 - That a summer school program report must be submitted annually to the department for approval.
 - How summer school aid is to be calculated.
 - What fees may or may not be charged as part of a summer school program.
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SECTION 1. Chapter PI 17 is created to read:

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SUMMER SCHOOL PROGRAMS

PI 17.01 Applicability and purpose. This chapter establishes program approval criteria for summer school programs receiving state aid, as authorized under s. 121.14, Stats.

PI 17.02 Definitions. In this chapter:

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- (3) "Reasonable fees" means the fee charged does not exceed the actual cost to the school district or children with disabilities education board of the materials supplied to pupils or activities engaged in by pupils.
- (4) "School year" means the time commencing with July 1 and ending with the next succeeding June 30.
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PI 17.03 Approval of summer school programs.

(1) Under s. 121.14, Stats., a school district or county children with disabilities education board may count pupils for aid membership for those academic summer classes or laboratory periods that are necessary for academic purposes, as specified under this chapter. A school district may operate a summer school program in cooperation with a CESA or another school district under a 66:30 agreement.

(2) Academic purposes under sub. (1) means summer school learning experiences are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given. In addition, summer school courses that may be approved for academic purposes include, but are not limited to, any of the following:

(a) Music programs, lessons, sectionals or clinics, if taught by a department-licensed teacher.

(b) Swimming instruction programs, if taught or directed by a department-licensed teacher at the site of the instruction.

(c) Up to 270 minutes of instructional time, including field trips, per student, per day, if accompanied by a department-licensed teacher and if all pupils have equal access to field trips, regardless of their ability to pay.

(3) Summer school activities that may not be approved for academic purposes include, but are not limited to, the following:

(a) Travel time to events, including field trips.

(b) Performances, including band, orchestra, parades, and plays.

(c) Recreational programs and team sports.

(d) Participation in fairs or expositions by pupil organizations, such as future farmers of America.

(e) Any offering not provided by or directed on-site by a department-licensed teacher.

(4) An applicant under sub. (1) shall submit a program report annually to the department for approval. The report shall include, in part, the course title and the grade level in which the course is offered, instruction time per pupil, and any fees.

NOTE: Form PI-1804, Summer School Program Report, may be obtained at no charge from the Department of Public Instruction, P.O. Box 7841, Madison, WI 53707-7841.

PI 17.04 Summer school aid calculation. (1) Summer school membership shall be included in the district's September official enrollment of the school district required under s. 121.05 (1) (a), Stats.

(2) The summer school membership reported under sub. (1) shall be calculated using the district's total summer school resident pupil membership minutes, divided by 48,600 and rounding to the nearest whole number.

NOTE: Summer school programs do not qualify for state special education categorical aid. State special education categorical aid is granted to school districts to offset the costs of providing required special education and related services. Extended school year services are required for special education and related services if identified in a child's individualized education program (IEP) and are eligible for state special education categorical aid. Summer school classes are neither required in a child's IEP nor eligible for special education categorical aid.

PI 17.05 Fees charged for summer school courses. (1) A school district or county children with disabilities education board offering a summer school program may charge reasonable fees for the following:

- (a) Personal use items, such as towels, gym clothes, or uniforms.
- (b) Social and extra-curricular activities if not necessary to the school's curriculum nor aided under s. 121.14 (1),

Stats.

- (c) Books, except as specified under sub. (3) (b).
- (d) A drivers education program, or part of a program, which are neither required for nor credited toward graduation. The fee under this subparagraph may be waived for indigent pupils.
- (e) Nonresident tuition for pupils from another school district.

(2) A school district or county children with disabilities education board that charge fees determined by the department to be excessive may be disapproved for aid reimbursement under this chapter.

(3) A school district or county children with disabilities education board offering a summer school program may not charge fees for any of the following:

- (a) Instruction, registration or tuition, except as specified under sub. (1) (e).
- (b) Books for indigent children residing in the district.
- (c) Teacher salary.
- (d) Buildings, maintenance or equipment.
- (e) Courses credited for graduation.
- (f) Computers or microfilm readers.

(4) A school district or county children with disabilities education board offering a summer school program may not prohibit an eligible pupil from attending summer school, expel or otherwise discipline the pupil, or withhold or reduce the pupil's grades because the pupil or the pupil's family cannot pay or has not paid fees charged under sub. (1).

NOTE: One available remedy for collecting a valid nonpaid fee is small claims court.

The proposed 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 30th day of June, 1999


John T. Benson
State Superintendent

FISCAL ESTIMATE

ORIGINAL UPDATED)

DOA-2048 (R10/92)

CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.

PI 17

Amendment No. If Applicable

Subject: Summer School Programs

Fiscal Effect

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

- 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

1997 Wisconsin Act 240 specifies that state aid shall be paid to each district or county handicapped children's education board only for those academic summer classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule.

In accordance with the Act, the proposed rules define academic purposes as summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given. The proposed rules give examples of approvable and nonapprovable summer school classes.

Because the proposed rules codify current practice, there will be no state or local fiscal effect.

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 (808) 266-2804

Date

6-29-99



State of Wisconsin Department of Public Instruction

Mailing Address: P.O. Box 7841, Madison, WI 53707-7841
125 South Webster Street, Madison, WI 53702
(608) 266-3390 TDD (608) 267-2427 FAX (608) 267-1052
Internet Address: www.dpi.state.wi.us

John T. Benson
State Superintendent

Steven B. Dold
Deputy State Superintendent

August 13, 1999

Dear Colleague:

The Department of Public Instruction will hold a public hearing to consider the creation of chapter PI 17 proposed permanent rules, relating to summer school programs. The hearing will be held as follows:

September 9, 1999
6:00 - 8:00 p.m.

Oshkosh
CESA 6
2300 State Road 44
Conference Room

The hearing sites are fully accessible to people with disabilities. If you require reasonable accommodation to access any meeting, please call Larry Allen, Director, Education Options Team, at (608) 267-2402 or leave a message with the Teletypewriter (TTY) at (608) 267-2427 at least 10 days prior to the hearing date. Reasonable accommodation includes materials prepared in an alternative format, as provided under the Americans with Disabilities Act.

For a copy of the proposed rule and the fiscal estimate, please contact Mr. Allen or Lori Slauson, Administrative Rules Coordinator, Department of Public Instruction, 125 South Webster Street, P.O. Box 7841, Madison, WI 53707. Written comments on the proposed rules received at the above address no later than September 15, 1999, will be given the same consideration as testimony presented at the hearing.

1997 Wisconsin Act 240 specifies that state aid shall be paid to each district or county handicapped children's education board only for those academic summer classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule.

In accordance with the Act, the proposed rules define academic purposes as summer school learning experiences that are related or similar to instruction that is offered during the rest of the school year or for which credit toward graduation is given. The proposed rules give examples of approvable and nonapprovable summer school classes.

The rules also specify:

- That a school district may operate a summer school program in cooperation with a CESA or another school district under a 66.30 agreement.
- That a summer school program report must be submitted annually to the department for approval.
- How summer school aid is to be calculated.
- What fees may or may not be charged as part of a summer school program.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven B. Dold", written over a white background.

Steven B. Dold
Deputy State Superintendent