

2007 ASSEMBLY BILL 327

May 15, 2007 – Introduced by Representatives MURSAU, STRACHOTA, MONTGOMERY, MUSSER, JESKEWITZ, J. OTT, KRAMER, HAHN, WOOD, LEMAHIEU, BIES, A. OTT, VOS, MOULTON, LOTHIAN, GUNDERSON and HINES, cosponsored by Senators SCHULTZ and LAZICH. Referred to Committee on Education.

1 **AN ACT** *to repeal* 20.255 (2) (cw) and 38.04 (21) (c); *to amend* 38.04 (11) (a) 2.,
2 38.04 (21) (a), 38.22 (1) (intro.), 38.28 (1m) (a) 1., 118.33 (3m) and 121.05 (1) (a)
3 5.; and *to repeal and recreate* 118.55 of the statutes; **relating to:** school
4 district youth options programs and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, a pupil enrolled in a public school in the eleventh or twelfth grade may attend a public or private institution of higher education, including a technical college, for one or more courses under the Youth Options Program. The school board of the school district in which the pupil is enrolled is responsible for paying the cost of tuition, fees, and books for the pupil under certain circumstances.

This bill eliminates the mandatory nature of the Youth Options Program. Instead, it authorizes a school district to establish its own youth options program. If a school board establishes such a program, it must adopt a written policy specifying who may participate, the institutions of higher education that a pupil may attend, the kinds of courses that a pupil may take, application procedures, and transportation arrangements. For each pupil attending an institution of higher education under a school district's program, the school district must pay the institution, for each course taken for high school credit, the cost of tuition, course fees, books, and other necessary materials related to the course.

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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:

1 **SECTION 1.** 20.255 (2) (cw) of the statutes is repealed.

2 **SECTION 2.** 38.04 (11) (a) 2. of the statutes is amended to read:

3 38.04 **(11)** (a) 2. In consultation with the state superintendent of public
4 instruction, the board shall establish, by rule, a uniform format for district boards
5 to use in reporting the number of pupils attending district schools under ~~ss. s.~~ 118.15
6 (1) (b), (cm) and (d) ~~and 118.55 (7r)~~ and in reporting pupil participation in technical
7 preparation programs under s. 118.34, including the number of courses taken for
8 advanced standing in the district's associate degree program and for technical college
9 credit.

10 **SECTION 3.** 38.04 (21) (a) of the statutes is amended to read:

11 38.04 **(21)** (a) The number of pupils who attended district schools under ~~ss. s.~~ 118.15
12 118.15 (1) (b), (cm) and (d) ~~and 118.55 (7r)~~ in the previous school year.

13 **SECTION 4.** 38.04 (21) (c) of the statutes is repealed.

14 **SECTION 5.** 38.22 (1) (intro.) of the statutes is amended to read:

15 38.22 **(1)** (intro.) Except as provided in subs. (1m) and (1s) ~~and s. 118.55 (7r)~~,
16 every person who is at least the age specified in s. 118.15 (1) (b) is eligible to attend
17 a technical college if the person is:

18 **SECTION 6.** 38.28 (1m) (a) 1. of the statutes is amended to read:

19 38.28 **(1m)** (a) 1. "District aidable cost" means the annual cost of operating a
20 technical college district, including debt service charges for district bonds and
21 promissory notes for building programs or capital equipment, but excluding all

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1 expenditures relating to auxiliary enterprises and community service programs, all
2 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
3 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), and 118.55 (~~7r~~), all receipts from
4 grants awarded under ss. 38.04 (8), (20), (28), and (31), 38.14 (11), 38.26, 38.27, 38.33,
5 and 38.38, all fees collected under s. 38.24, and driver education and chauffeur
6 training aids.

7 **SECTION 7.** 118.33 (3m) of the statutes is amended to read:

8 118.33 **(3m)** A course taken at a technical college by a child attending the school
9 part-time or in lieu of high school under s. 118.15 (1) (b), or attending the school
10 under s. 118.15 (1) (cm), does not fulfill any of the high school graduation
11 requirements under sub. (1) (a) unless the state superintendent has approved the
12 course for that purpose. If a pupil satisfies all of the high school graduation
13 requirements under sub. (1), the school board shall grant a high school diploma to
14 the pupil regardless of whether the pupil satisfied all or a portion of the requirements
15 while attending an institution of higher education under s. 118.55 ~~or a technical~~
16 ~~college~~.

17 **SECTION 8.** 118.55 of the statutes is repealed and recreated to read:

18 **118.55 Youth options programs. (1) DEFINITION.** In this section, “institution
19 of higher education” means an institution within the University of Wisconsin
20 System, a technical college, a tribally controlled college, or a private, nonprofit
21 institution of higher education located in this state.

22 **(2) POLICY.** A school board may establish a youth options program, which allows
23 pupils enrolled in the school district to take one or more courses at an institution of
24 higher education. If a school board establishes such a program, it shall adopt a
25 written policy that specifies all of the following for the program:

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1 (a) The pupils who are eligible to participate.

2 (b) Subject to sub. (4) (b), the institutions of higher education that a pupil may
3 attend.

4 (c) The number and types of courses that a pupil may take and any grade or
5 course completion requirements.

6 (d) The courses that qualify for high school credit.

7 (e) Application procedures.

8 (f) Transportation arrangements.

9 (g) Whether the pupil or the pupil's parent or guardian is required to authorize
10 that the pupil's grades and attendance record be disclosed to the public school in
11 which the pupil is enrolled.

12 **(3) PROGRAM INFORMATION.** If a school board establishes a program under this
13 section, annually by October 1 it shall distribute the policy adopted under sub. (2)
14 to all pupils who are eligible to participate in the program and to all pupils who will
15 be eligible to participate in the following school year.

16 **(4) ADMISSION TO INSTITUTION OF HIGHER EDUCATION.** If a school board establishes
17 a program under this section, all of the following apply:

18 (a) An institution of higher education may admit a pupil under the program
19 only if it has space available.

20 (b) A pupil may attend an institution of higher education under the program
21 only if the institution of higher education complies with s. 118.13 (1).

22 **(5) PAYMENT.** If a school board establishes a program under this section, for each
23 pupil attending an institution of higher education under the program the school
24 board shall pay to the institution, for each course taken for high school credit, an
25 amount equal to the cost of tuition, course fees, books, and other necessary materials

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1 directly related to the course. If the pupil is attending a technical college under the
2 program, the school board shall pay the technical college in 2 installments, upon
3 initial enrollment and at the end of the semester.

4 **(6) REPAYMENT.** If a pupil receives a failing grade in a course, or fails to complete
5 a course, at an institution of higher education for which the school board has made
6 payment under s. 118.55 (7t) (c), 2005 stats., or sub. (5), the pupil's parent or
7 guardian, or the pupil if he or she is an adult, shall reimburse the school board the
8 amount paid on the pupil's behalf upon the school board's request. If a school board
9 that requests reimbursement of a payment is not reimbursed as requested, the pupil
10 on whose behalf the payment was made is ineligible for any further participation in
11 the school district's program under this section. For the purposes of this subsection,
12 a grade that constitutes a failing grade for a course offered in the school district
13 constitutes a failing grade for a course taken at an institution of higher education.

14 **(7) ANNUAL REPORT.** (a) A school board that establishes a program under this
15 section shall include in its annual report under s. 120.18 information on the number
16 of pupils who participated in the program in the previous school year, the number
17 and types of courses taken by those pupils, and the cost to the school district.

18 (b) Annually by January 1 the department shall submit to the appropriate
19 standing committees of the legislature under s. 13.172 (3) a report summarizing the
20 reports under par. (a).

21 **SECTION 9.** 121.05 (1) (a) 5. of the statutes is amended to read:

22 121.05 **(1)** (a) 5. Pupils attending a technical college under s. 118.15 (1) (b) and
23 pupils attending an institution of higher education ~~or a technical college~~ under s.
24 118.55.

25 **SECTION 10. Initial applicability.**

ASSEMBLY BILL 327**SECTION 10**

1 (1) If this subsection takes effect before July 1, 2007, this act first applies to
2 attendance at an institution of higher education under section 118.55 of the statutes
3 in the 2008 spring semester. If this subsection takes effect on or after July 1, 2007,
4 this act first applies to attendance at an institution of higher education under section
5 118.55 of the statutes in the 2008–09 school year.

6

(END)