



State of Wisconsin
2007 - 2008 LEGISLATURE

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DN

LRB-2729/P1

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FE
GMM: KJF

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

adult basic education programs,
technical college

1 AN ACT to renumber 38.01 (1); to amend 39.435 (1) and 39.435 (3); and to create
2 38.01 (1), 38.04 (8m), 38.04 (21) (dm) and 38.04 (32) of the statutes; relating
3 to: the Wisconsin technical college system and higher education financial aid
4 eligibility and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council's special committee on strengthening Wisconsin families.

Under current law, s. 38.04 (21), stats., requires the Wisconsin technical college system (WTCS) board to submit an annual report to the department of administration, department of public instruction, department of workforce development, and to the legislature.

This draft amends s. 38.04 (21), stats., to include data related to adult basic education (ABE) among the information the board is required to include in the annual report.

The draft also requires the board to develop a plan to increase the number of pupils who enroll in diploma or degree programs, who previously completed an ABE program

CBS: insert
anal: jlc note
change
"Notes"
to
"Note"

bill

bill

at a technical college. The plan requires the board to set 5-year goals with annual benchmarks for the number of students who transition from an ABE program to a technical college diploma or degree program.

Under current law, a technical college may require the prerequisite of a high school diploma, general educational development credential (GED), or high school equivalency diploma (HSED) to enroll in technical college diploma and degree programs.

bill

This draft creates s. 38.04 (32), stats., relating to a concurrent enrollment admissions program. Under the proposed program, the board shall allow pupils to concurrently enroll in a diploma or degree program and an ABE program. The proposed program also allows the board to require a high school diploma, GED, or HSED for enrollment in certain diploma and degree programs.

Under current law, s. 39.435 (1), stats., relating to Wisconsin higher education grants (WHEG) requires half-time enrollment in order for a pupil to be eligible for the higher education grant program.

This draft amends s. 39.435 (1), stats., to remove the requirement of half-time enrollment for higher education grant eligibility under s. 39.435 (1), stats., for students enrolled in the Wisconsin technical college system. The draft amends s. 39.435 (3), stats., relating to the amount of grants under s. 39.435 (1), stats., to reflect the modification of the half-time enrollment requirement under s. 39.435 (1), stats.

bill

The draft also amends s. 39.435 (3), stats., to remove eligibility for grants under s. 39.435 (1), stats., for students who have earned more than 135 credits.

1 SECTION 1. 38.01 (1) of the statutes is renumbered 38.01 (1m).

2 SECTION 2. 38.01 (1) of the statutes is created to read:

3 38.01 (1) "Adult basic education" includes the following programs: family
4 literacy, general educational development, ^{program} credential and high school equivalency
5 diploma, English as a second language, and workplace education.

6 SECTION 3. 38.04 (8m) of the statutes is created to read:

7 38.04 (8m) ADULT BASIC EDUCATION TRANSITION PLAN. (a) Annually by January 1,

8 the board shall develop a plan to increase the number of ^{students} pupils who enroll in ^{vocational} diploma

9 or ^{associate} degree programs, ^{after completing} who previously completed an adult basic education program at

10 a technical college. The plan shall specify each district board's goals and objectives

11 ^{such} for adult basic education graduate transition. The plan shall outline activities and

12 programs that enhance adult basic education graduate transition and shall review

13 the ^{progress} programs made by the board and by the district boards in the previous ^{school} years. The

14 plan shall outline ^{the} efforts to publicize ^{the} the activities and programs that enhance adult

1 basic education graduate transition. The board shall, by rule, set 5-year goals with
 2 annual benchmarks for the number of ^{students} pupils who enroll in ^{vocational} (diploma or ^{associate} degree
 3 programs, ^{after completing} who previously completed an adult basic education program at a technical
 4 college.

3-4 →

5 SECTION 4. 38.04 (21) (dm) of the statutes is created to read:

6 38.04 (21) (dm) ^(cm) Data related to adult basic education, including: ^{The report under par. (a) shall also specify all of the following:}

7 1. The number of ^{students} pupils who were enrolled in ^{each} each adult basic education
 8 program at a ^{school} technical college in the previous year. ^{and the number of students who completed,}

9 2. The number of ^{students} pupils who completed each adult basic education program at
 10 a ^{each} technical college in the previous year.

11 2. 3. The number of ^{students} pupils who earned a ^{certificate of} (general educational development
 12 ^a credential or high school equivalency diploma in the previous year, ^{school} who previously
 13 ^{after completing} completed an adult basic education program at a technical college.

14 3. 4. The number of ^{students} pupils who were enrolled in a ^{vocational} diploma or ^{associate} degree granting
 15 program at a technical college in the previous year, ^{school} who previously completed ^{after completing} an
 16 adult basic education program at a technical college, ^{and the type of vocational diploma or associate degree program}

17 5. ^{vocational} The type of diploma or degree program of each pupil under subd. 4. ^{in which each such student was enrolled}

18 4. 6. The number of ^{students} pupils who complete a ^{vocational} diploma or degree granting ^{associate} program
 19 at a technical college in the previous year, ^{school} who completed ^{after completing} an adult basic education
 20 program at a technical college within the previous 5 years. ^{school}

21 5. 7. The type of adult basic education program of each pupil under subds. 3., 4.,
 22 and 6. ^{student} ^{2 3} ^{stet}

3-2 →

23 SECTION 5. 38.04 (32) ^{38.31} of the statutes is created to read:

1 38.04 (32) CONCURRENT ENROLLMENT. The board shall operate a concurrent
2 enrollment admissions program. Under the concurrent enrollment program, the
3 board shall, by rule, do all of the following:

4 a. Develop criteria to determine whether training and coursework
5 requirements for each diploma and degree program are contingent on obtaining a
6 high school diploma, general educational development credential, or high school
7 equivalency diploma.

8 b. Identify and approve diploma and degree programs with training and
9 coursework requirements that are contingent on first obtaining a high school
10 diploma, general educational development credential, or high school equivalency
11 diploma.

12 c. Publish a list of diploma and degree programs that satisfy sub. (b).

13 d. Except for programs listed under sub. (c), allow pupils to concurrently enroll
14 in a diploma or degree program and an adult basic education program.

15 e. Identify and approve adult basic education courses that also satisfy curricula
16 requirements for diploma or degree programs.

17 SECTION 6. 39.435 (1) of the statutes is amended to read:

18 39.435 (1) There is established, to be administered by the board, a higher
19 education grant program for postsecondary resident students enrolled at least
20 half-time and registered as freshmen, sophomores, juniors or seniors in accredited
21 institutions of higher education or in tribally controlled colleges in this state. ~~The~~
22 ~~requirement of at least half-time enrollment shall~~ ^{does} not apply to students enrolled in
23 ~~the Wisconsin technical college system.~~ ^a Except as authorized under sub. (5), such
24 grants shall be made only to students enrolled in nonprofit public institutions or
25 tribally controlled colleges in this state.

who have earned no more
than 135 credits

4-16

21
22
23

1 SECTION 7. 39.435 (3) of the statutes is amended to read:

2 39.435 (3) Grants under sub. (1) shall not be less than \$250 or the actual cost
3 of tuition, whichever is lower, during any one academic year, unless the joint
4 committee on finance approves an adjustment in the amount of the minimum grant.
5 Grants under sub. (1) shall not exceed \$3,000 during any one academic year. The
6 board shall not award a grant under sub. (1) to a student who has earned more than
7 135 credits. The board shall, by rule, establish a reporting system to periodically
8 provide student economic data and shall promulgate other rules the board deems
9 necessary to assure uniform administration of the program.

10 SECTION 8. Nonstatutory provisions.

11 (1) The board shall include the initial exclusion criteria and list for concurrent
12 enrollment under s. 38.04 (32) in the annual report under s. 38.04 (21) completed for
13 the year that includes the effective date of this act.

14 (2) The board shall submit in proposed form the rules required under section
15 38.04 (8m) and (32) of the statutes, as created by this act, to the legislative council
16 staff under section 227.15 (1) of the statutes no later than the first day of the 7th
17 month beginning after publication.

18 SECTION 9. Effective date.

19 (1) This act takes effect on the first day of the 13th month after publication, except
20 as follows: ¶

(END)

change component to
action NS: effdate
texts NS: effdate A
→ SECTION 11 (2) of this act
takes effect on the day after
publication.

(End)

SECTION 12. Initial applicability.

(1) WISCONSIN HIGHER EDUCATION GRANTS. The treatment of sections
39.435 (1) and (3) of the statutes first applies to Wisconsin higher education grants
awarded by the higher educational aids board for the 2009-10 academic year.

D-Note

Handwritten notes and annotations: "5-9", "create auto ref a", "determined under section 38.31 (4) of the statutes", "of programs enrollment under s. 38.04 (32) in the annual report under s. 38.04 (21) completed for the year that includes the effective date of this act", "is due after first section", "subsection", "no ff", "beginning", "as created by this act, use twice", "change component to action NS: effdate", "texts NS: effdate A", "SECTION 11 (2) of this act takes effect on the day after publication.", "(END)", "SECTION 12. Initial applicability.", "WISCONSIN HIGHER EDUCATION GRANTS.", "The treatment of sections 39.435 (1) and (3) of the statutes first applies to Wisconsin higher education grants awarded by the higher educational aids board for the 2009-10 academic year.", "D-Note".

(intro.) 3-4

Section # 38.04 (21) of the statutes is renumbered 38.04(21)(a) and amended to read:

38.04 (21) ~~(a)~~ ^{stet-stays} PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT ^(intro) ~~(a)~~ ^(am) Annually by the 3rd Monday in February the board shall submit a report to the department of administration, department of public instruction and department of workforce development, and to the legislature under s. 13.172 (2). ^(bm) ~~The report~~ ^{9 (D)} ~~(shall specify all of the following by school district:~~ ^{under par. for (am)}

- (a) The number of pupils who attended district schools under ss. 118.15 (1) (b), (cm) and (d) and 118.55 (7r) in the previous school year.
- (b) The type and number of credits earned by the pupils.
- (c) The number of persons who applied for admission to a technical college in the previous school year, who previously earned technical college credit under s. 118.55 (7r) and who applied for admission within one year of graduating from high school.
- (d) The courses given in high schools for which a pupil may receive technical college credit and the number of pupils enrolled in the courses for technical college credit in the previous school year.
- (e) Any other information considered relevant by the board.

History: 1971 c. 154, 211; 1973 c. 90, 333; 1975 c. 39; 1977 c. 29; 1979 c. 221; 1981 c. 20; 1981 c. 93 ss. 19m, 30m, 30o; 1981 c. 269, 314; 1983 a. 27, 379; 1985 a. 12, 29; 1985 a. 332 s. 251 (1); 1987 a. 27; 1989 a. 31, 107, 125, 169, 299, 335, 336; 1991 a. 39, 227, 250; 1993 a. 16, 223, 377, 399, 455, 491; 1995 a. 27 ss. 1800n to 1803, 9126 (19) and 9145 (1); 1995 a. 342; 1997 a. 27; 1999 a. 9, 124; 2001 a. 16, 109; 2003 a. 33, 62; 2005 a. 25, 466.

→ SECTION #. 38.04 (21) (a) to (e) of the statutes are renumbered 38.04 (21) (bm) 1. to 5.

3-22-1

Section # 38.24 (1m) (b) of the statutes is amended to read:

38.24 (1m) (b) *Postsecondary and vocational–adult programs.* Uniform fees based on not less than 14% of the combined estimated statewide operational cost of postsecondary, exclusive of collegiate transfer, and vocational–adult programs. The board shall maintain statewide uniformity in the program fees charged for postsecondary and vocational–adult credits. Students 62 years old and over shall be exempted from program fees under this paragraph in vocational–adult programs. Students enrolled in adult high school, including students enrolled under s. 118.15 (1) (cm) 3., adult basic education and English as a 2nd language courses shall be exempted from program fees under this paragraph. The board shall establish fees under this paragraph as if students exempt from fees under sub. (4) were not exempt.

History: 1971 c. 154, 211, 228; 1975 c. 39, 224; 1977 c. 29, 418; 1981 c. 20; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1989 a. 31, 107, 336; 1991 a. 39 ss. 1103 to 1108m, 1117; 1993 a. 16, 223, 491; 1995 a. 27 s. 9126 (19); 1995 a. 77, 228; 1997 a. 27, 163, 292; 1999 a. 32 s. 97; 1999 a. 130, 154; 2003 a. 42; 2005 a. 22, 25, 253, 320, 468.

skills

3-22-2

Section #. 38.27 (1) (a) of the statutes is amended to read:

38.27 (1) (a) The creation or expansion of adult high school, adult basic education and English as a 2nd language courses. The board shall give priority to courses serving minority, unemployed, disadvantaged or handicapped students.

skills, 1 out 1

History: 1985 a. 29; 1987 a. 399, 419; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27; 2001 a. 16.

development, a high school equivalency diploma, or a high school diploma, and

4-16:1

38.31 Concurrent enrollment. (1) The district

board shall allow a student to enroll concurrently in a program leading to a certificate of general educational in a vocational diploma or associate degree

program unless the board has determined under

sub. (2) that the vocational diploma or associate degree program includes one or more courses that requires the student to

first obtain a high school diploma certificate of general educational development, a high school equivalency diploma, or a high school diploma.

(2) The board shall determine whether enrollment in a vocational diploma or associate degree program requires a student to first obtain a certificate of general educational development, a high school equivalency diploma, or a high school diploma, and shall publish a list of those that do.

4-16:2

B

(3) The board shall identify and approve those basic education ~~program~~ courses that also satisfy curricular requirements for vocational diploma or associate degree programs.

(3)(4) The board shall promulgate rules to implement and administer this section, including ~~use of the following:~~

(a) Rules establishing criteria for making the determination under sub (2).

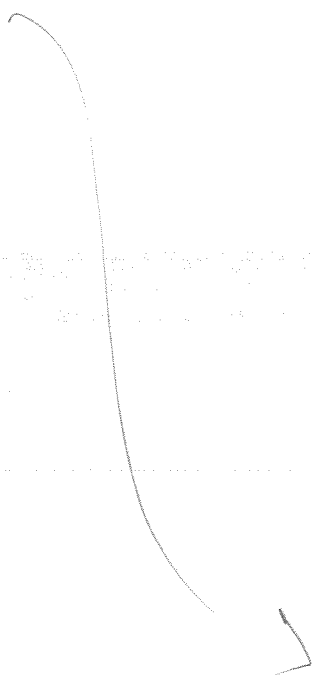
(b) Rules for the identification and approval of adult basic education courses that satisfy curricular requirements of vocational diploma or associate degree programs.

5-9-7

Section #. 85.107 (3) (am) of the statutes is amended to read:

85.107 (3) (am) Award scholarships of not more than \$2,000 each to any targeted group member who is registered in his or her 2nd year of full-time enrollment in an associate degree program, as defined in s. 38.01 ~~(1)~~ ^(1m), or vocational diploma program, as defined in s. 38.01 (11), at a technical college in this state.

History: 1987 a. 27; 2001 a. 16.



5-9:2

Section #. 230.22 (3) of the statutes is amended to read:

230.22 (3) Subject to s. 230.275, the administrator may establish separate recruitment, evaluation and certification procedures for certain entry professional positions. Vacancies in entry professional positions may be limited to persons with a degree from an institution of higher education, as defined in s. 108.02 (18), or a degree under an associate degree program, as defined in s. 38.01 (1) ~~(1)~~ (lm)

History: 1971 c. 270; 1977 c. 196 ss. 46, 113, 130 (5); Stats. 1977 s. 230.22; 1983 a. 27 ss. 1612c to 1612e, 2200 (15); 1991 a. 39; 1997 a. 307; 2003 a. 33.

LRB-2729/P2
PG & GMM:lgfDN
Date

Scott:

- Note that I did not modify the Prefatory Note, other than to change "draft" to "bill."
- HEAB's ^{of} states web site that WHEG grants, like talent incentive grants, may not be awarded ~~to~~ for more than 10 semesters. Section 39.435 (2), state, ^{however,} includes this limitation only for talent incentive grants, ~~but~~ not for WHEG grants. HEAB's administrative rules do not mention the limitation at all. if you want to ^{explicitly state} clarify that the 10-semester limitation does not apply to WHEG grants, please let me know.

In light of the 135 credit limitation created in this draft for WHEG grants, if

3. I understand that currently there is no ~~such thing as~~ a "basic education program" in the WTCs, so much of the language in the draft is ^{problematical} problematical. The technical

colleges offer ~~courses in~~ basic education courses that are remedial or developmental in nature, but one cannot get a degree in basic education ^{or diploma}.

or, for example, English as a second language. One cannot "complete" a basic education program. Similarly, as I understand it, "workplace education" is not a program in the same way that "classroom education" is not a program. The

4. The definition of "adult basic education" ^{many} ^{many} also fails to include ^{courses} ~~some~~ courses that the WTCs considers basic education. These are courses that are primarily remedial ^{or} developmental but ~~are not included~~ ^{necessarily} in the terms ^{ESL} are not necessarily ^{ESL} family literacy, GED,

high school equivalency, or workplace education.

5. Regarding ~~ESL~~ ^{5. number} The draft ~~includes~~ ^{includes} ESL in "basic education," although I understand that many students in ESL classes already have bachelor's degrees. In addition, the inclusion of ESL may make the "transition" data that the bill requires WTES to report suspect.

6. DPI grants GED certificates and high school equivalency diplomas, ^{not WTES,} so in order to report the information required under

5. 38.04(21)(c) ^m, as created in the draft, WTES will have to get it from DPI.

7. Based on our conversation, I changed "adult basic education" ^{current} ~~provision~~ ^{PG} ss. 38.24(1m)(b) and

38.27(1)(a) to "adult basic skills." I think this

has the effect of making no substantive change to the two provisions, but you may wish to consult with WTES to make sure.

DN

Scott:

Note that I have not changed the
prefatory note.

PG

Scott:

Note that I added an initial applicability
provision clarifying that the changes made with respect to
WHEG grants will first apply to grants awarded for the
2009-10 academic year. Ordinarily, new eligibility criteria for
grants start fresh with a new academic year and are not
changed midstream. Given the 13-month delayed effective date
and the ~~unlikelihood~~ ^{that} of this draft being enacted any sooner than
this fall at the earliest or, more likely, next spring, it appears
that the 2009-10 academic year will be the first academic year
commencing after the ~~earliest~~ ^{of} effective date of the draft.

GMJ

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2729/P1dn
PG&GMM:kjf:rs

May 31, 2007

Scott:

1. Note that I did not modify the Prefatory Note, other than to change "draft" to "bill."
2. HEAB's Web site states that WHEG grants, like talent incentive grants, may not be awarded for more than 10 semesters. Section 39.435 (2), stats., however, includes this limitation only for talent incentive grants, not for WHEG grants. HEAB's administrative rules do not mention the limitation at all. In light of the 135 credit limitation created in this draft for WHEG grants, if you want to explicitly state that the 10-semester limitation does not apply to WHEG grants, please let me know.
3. I understand that currently there is no "basic education program" in the WTCS, so much of the language in the draft is problematical. The technical colleges offer basic education courses that are remedial or developmental in nature, but one cannot get a degree or diploma in basic education or, for example, English as a second language. One cannot "complete" a basic education program. Similarly, as I understand it, "workplace education" is not a program.
4. The definition of "adult basic education" also fails to include many courses that the WTCS considers basic education. These are courses that are primarily remedial or developmental but are not necessarily ESL, family literacy, GED, high school equivalency, or workplace education.
5. The draft includes ESL in "basic education," although I understand that many students in ESL classes already have bachelor's degrees. In addition, the inclusion of ESL may make the "transition" data that the bill requires WTCS to report suspect.
6. DPI grants GED certificates and high school equivalency diplomas, not WTCS, so in order to report the information required under s. 38.04 (21) (cm), as created in the draft, WTCS will have to get it from DPI.
7. Based on our conversation, I changed "adult basic education" in current ss. 38.24 (1m) (b) and 38.27 (1) (a) to "adult basic skills." I think this has the effect of making no substantive change to the two provisions, but you may wish to consult with WTCS to make sure.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov

Note that I added an initial applicability provision clarifying that the changes made with respect to WHEG grants will first apply to grants awarded for the 2009-10

academic year. Ordinarily, new eligibility criteria for WHEG grants start fresh with a new academic year and are not changed midstream. Given the 13-month delayed effective date and the likelihood that this draft will not be enacted any sooner than this fall as the earliest or, more likely, next spring, it appears that the 2009-10 academic year will be the first academic year commencing after the effective date of the draft.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.wisconsin.gov

1-3 Scott / LC

6/19/07

(2) clarify that 10-~~sem~~-limit doesn't apply to
WHEG grants

~~(3)~~ def net
(4) mean to exclude other classes

(5-7) OK as is

(3) OK as is

Grant, Peter

From: Grosz, Scott
Sent: Thursday, June 14, 2007 3:42 PM
To: Grant, Peter
Subject: LRB-2729/P1

Peter,

During our conversation this morning about the Strengthening Families Leg. Council WTCS draft, you asked me to take a look at the existing pref. note to see whether it needed to be updated after our conversations regarding your drafter's note. The only change that I noticed was that, in the 4th paragraph from the bottom of the draft, the existing reference to s. 38.04 (32) should be changed to s. 38.31. Let me know if you have any questions.

Thanks,
Scott

Scott Grosz
Staff Attorney
Wisconsin Legislative Council
ph. (608) 266-1307

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

PR 12 + 6

Regen

1 AN ACT *to renumber* 38.01 (1) and 38.04 (21) (a) to (e); *to amend* 38.04 (21)
 2 (intro.), 38.24 (1m) (b), 38.27 (1) (a), 39.435 (1), 39.435 (3), 85.107 (3) (am) and
 3 230.22 (3); and *to create* 38.01 (1d), 38.04 (8m), 38.04 (21) (cm) and 38.31 of the
 4 statutes; **relating to:** technical college adult basic education programs,
 5 eligibility for Wisconsin higher education grants, and granting rule-making
 6 authority.

Analysis by the Legislative Reference Bureau

~~This is a preliminary draft. An analysis will be provided in a later version.~~
 This bill is explained in the NOTE provided by the Joint Legislative Council in the bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on strengthening Wisconsin families.

Under current law, s. 38.04 (21), stats., requires the Wisconsin technical college system (WTCS) board to submit an annual report to the department of administration, department of public instruction, department of workforce development, and to the legislature.

This bill amends s. 38.04 (21), stats., to include data related to adult basic education (ABE) among the information the board is required to include in the annual report.

The bill also requires the board to develop a plan to increase the number of pupils who enroll in diploma or degree programs, who previously completed an ABE program at a technical college. The plan requires the board to set 5-year goals with annual benchmarks for the number of students who transition from an ABE program to a technical college diploma or degree program.

Under current law, a technical college may require the prerequisite of a high school diploma, general educational development credential (GED), or high school equivalency diploma (HSED) to enroll in technical college diploma and degree programs.

* This bill creates s. ~~38.04(32)~~^{38.31}, stats., relating to a concurrent enrollment admissions program. Under the proposed program, the board shall allow pupils to concurrently enroll in a diploma or degree program and an ABE program. The proposed program also allows the board to require a high school diploma, GED, or HSED for enrollment in certain diploma and degree programs.

Under current law, s. 39.435 (1), stats., relating to Wisconsin higher education grants (WHEG) requires half-time enrollment in order for a pupil to be eligible for the higher education grant program.

This bill amends s. 39.435 (1), stats., to remove the requirement of half-time enrollment for higher education grant eligibility under s. 39.435 (1), stats., for students enrolled in the Wisconsin technical college system. The bill amends s. 39.435 (3), stats., relating to the amount of grants under s. 39.435 (1), stats., to reflect the modification of the half-time enrollment requirement under s. 39.435 (1), stats.

The bill also amends s. 39.435 (3), stats., to remove eligibility for grants under s. 39.435 (1), stats., for students who have earned more than 135 credits.

1 **SECTION 1.** 38.01 (1) of the statutes is renumbered 38.01 (1m).

2 **SECTION 2.** 38.01 (1d) of the statutes is created to read:

3 38.01 (1d) "Adult basic education program" includes the following programs:
4 family literacy, general educational development, high school equivalency, English
5 as a second language, and workplace education.

6 **SECTION 3.** 38.04 (8m) of the statutes is created to read:

7 38.04 (8m) ADULT BASIC EDUCATION TRANSITION PLAN. (a) Annually by January
8 1, the board shall develop a plan to increase the number of students who enroll in
9 vocational diploma or associate degree programs after completing an adult basic
10 education program at a technical college. The plan shall specify each district board's
11 goals and objectives for such adult basic education graduate transition. The plan

1 shall outline activities and programs that enhance adult basic education graduate
2 transition and shall review the progress made by the board and by the district boards
3 in the previous school year. The plan shall outline the efforts made to publicize
4 activities and programs that enhance adult basic education graduate transition.

5 (b) Every 5th year, the board shall promulgate rules establishing 5-year goals
6 with annual benchmarks for the number of students who enroll in vocational
7 diploma or associate degree programs after completing an adult basic education
8 program at a technical college.

9 **SECTION 4.** 38.04 (21) (intro.) of the statutes is amended to read:

10 38.04 (21) PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT. (intro.) (am)
11 Annually by the 3rd Monday in February the board shall submit a report to the
12 department of administration, department of public instruction and department of
13 workforce development, and to the legislature under s. 13.172 (2).

14 (bm) The report under par. (am) shall specify all of the following by school
15 district:

16 **SECTION 5.** 38.04 (21) (a) to (e) of the statutes are renumbered 38.04 (21) (bm)

17 1. to 5.

18 **SECTION 6.** 38.04 (21) (cm) of the statutes is created to read:

19 38.04 (21) (cm) The report under par. (am) shall also specify all of the following:

20 1. The number of students who were enrolled in, and the number of students
21 who completed, each adult basic education program at each technical college in the
22 previous school year.

23 2. The number of students who earned a certificate of general educational
24 development or completing a high school equivalency diploma in the previous school
25 year after completing an adult basic education program at a technical college.

1 3. The number of students who were enrolled in a vocational diploma or
2 associate degree program at a technical college in the previous school year after
3 completing an adult basic education program at a technical college, and the type of
4 vocational diploma or associate degree program in which each such student was
5 enrolled.

6 4. The number of students who completed a vocational diploma or associate
7 degree program at a technical college in the previous school year after completing an
8 adult basic education program at a technical college within the previous 5 school
9 years.

10 5. The type of adult basic education program completed by each student under
11 subds. 2., 3., and 4.

12 **SECTION 7.** 38.24 (1m) (b) of the statutes is amended to read:

13 38.24 (1m) (b) *Postsecondary and vocational–adult programs.* Uniform fees
14 based on not less than 14% of the combined estimated statewide operational cost of
15 postsecondary, exclusive of collegiate transfer, and vocational–adult programs. The
16 board shall maintain statewide uniformity in the program fees charged for
17 postsecondary and vocational–adult credits. Students 62 years old and over shall be
18 exempted from program fees under this paragraph in vocational–adult programs.
19 Students enrolled in adult high school, including students enrolled under s. 118.15
20 (1) (cm) 3., adult basic education skills, and English as a 2nd language courses shall
21 be exempted from program fees under this paragraph. The board shall establish fees
22 under this paragraph as if students exempt from fees under sub. (4) were not exempt.

23 **SECTION 8.** 38.27 (1) (a) of the statutes is amended to read:

24 38.27 (1) (a) The creation or expansion of adult high school, adult basic
25 education skills, and English as a 2nd language courses. The board shall give

1 priority to courses serving minority, unemployed, disadvantaged or handicapped
2 students.

3 **SECTION 9.** 38.31 of the statutes is created to read:

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5 to enroll concurrently in a program leading to a certificate of general educational
6 development, a high school equivalency diploma, or a high school diploma, and in a
7 vocational diploma or associate degree program unless the board has determined
8 under sub. (2) that the vocational diploma or associate degree program includes one
9 or more courses that require the student to first obtain a certificate of general
10 educational development, a high school equivalency diploma, or a high school
11 diploma.

12 (2) The board shall determine whether enrollment in a vocational diploma or
13 associate degree program requires a student to first obtain a certificate of general
14 educational development, a high school equivalency diploma, or a high school
15 diploma, and shall publish a list of those that do.

16 (3) The board shall identify and approve those basic education courses that also
17 satisfy curricular requirements for vocational diploma or associate degree programs.

18 (4) The board shall promulgate rules to implement and administer this section,
19 including rules establishing criteria for making the determinations under sub. (2).

20 **SECTION 10.** 39.435 (1) of the statutes is amended to read:

21 39.435 (1) There is established, to be administered by the board, a higher
22 education grant program for postsecondary resident students enrolled at least
23 half-time and registered as freshmen, sophomores, juniors or seniors in accredited
24 institutions of higher education or in tribally controlled colleges in this state who
25 have earned no more than 135 credits. The requirement of at least half-time

1 enrollment does not apply to students enrolled in a technical college. Except as
2 authorized under sub. (5), such grants shall be made only to students enrolled in
3 nonprofit public institutions or tribally controlled colleges in this state. ins. 6-3

4 **SECTION 11.** 39.435 (3) of the statutes is amended to read:

5 39.435 (3) Grants under sub. (1) shall not be less than \$250 or the actual cost
6 of fees and tuition, whichever is lower, during any one academic year, unless the joint
7 committee on finance approves an adjustment in the amount of the minimum grant.
8 Grants under sub. (1) shall not exceed \$3,000 during any one academic year. The
9 board shall, by rule, establish a reporting system to periodically provide student
10 economic data and shall promulgate other rules the board deems necessary to assure
11 uniform administration of the program.

12 **SECTION 12.** 85.107 (3) (am) of the statutes is amended to read:

13 85.107 (3) (am) Award scholarships of not more than \$2,000 each to any
14 targeted group member who is registered in his or her 2nd year of full-time
15 enrollment in an associate degree program, as defined in s. 38.01 (1) (1m), or
16 vocational diploma program, as defined in s. 38.01 (11), at a technical college in this
17 state.

18 **SECTION 13.** 230.22 (3) of the statutes is amended to read:

19 230.22 (3) Subject to s. 230.275, the administrator may establish separate
20 recruitment, evaluation and certification procedures for certain entry professional
21 positions. Vacancies in entry professional positions may be limited to persons with
22 a degree from an institution of higher education, as defined in s. 108.02 (18), or a
23 degree under an associate degree program, as defined in s. 38.01 (1) (1m).

24 **SECTION 14. Nonstatutory provisions.**

6-3

no There is no limit on the number of consecutive
semesters for which a student may
receive a grant under this subsection.

2007 BILL

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Regen

1 AN ACT *to renumber* 38.01 (1) and 38.04 (21) (a) to (e); *to amend* 38.04 (21)
 2 (intro.), 38.24 (1m) (b), 38.27 (1) (a), 39.435 (1), 39.435 (3), 85.107 (3) (am) and
 3 230.22 (3); and *to create* 38.01 (1d), 38.04 (8m), 38.04 (21) (cm) and 38.31 of the
 4 statutes; **relating to:** technical college adult basic education programs,
 5 eligibility for Wisconsin higher education grants, and granting rule-making
 6 authority.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTE provided by the Joint Legislative Council in the bill.

FE-SL

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on strengthening Wisconsin families.

Under current law, s. 38.04 (21), stats., requires the Wisconsin technical college system (WTCS) board to submit an annual report to the department of administration, department of public instruction, department of workforce development, and to the legislature.

BILL

This bill amends s. 38.04 (21), stats., to include data related to adult basic education (ABE) among the information the board is required to include in the annual report.

The bill also requires the board to develop a plan to increase the number of pupils who enroll in diploma or degree programs, who previously completed an ABE program at a technical college. The plan requires the board to set 5-year goals with annual benchmarks for the number of students who transition from an ABE program to a technical college diploma or degree program.

Under current law, a technical college may require the prerequisite of a high school diploma, general educational development credential (GED), or high school equivalency diploma (HSED) to enroll in technical college diploma and degree programs.

This bill creates s. 38.31, stats., relating to a concurrent enrollment admissions program. Under the proposed program, the board shall allow pupils to concurrently enroll in a diploma or degree program and an ABE program. The proposed program also allows the board to require a high school diploma, GED, or HSED for enrollment in certain diploma and degree programs.

Under current law, s. 39.435 (1), stats., relating to Wisconsin higher education grants (WHEG) requires half-time enrollment in order for a pupil to be eligible for the higher education grant program.

This bill amends s. 39.435 (1), stats., to remove the requirement of half-time enrollment for higher education grant eligibility under s. 39.435 (1), stats., for students enrolled in the Wisconsin technical college system. The bill amends s. 39.435 (3), stats., relating to the amount of grants under s. 39.435 (1), stats., to reflect the modification of the half-time enrollment requirement under s. 39.435 (1), stats.

The bill also amends s. 39.435 (3), stats., to remove eligibility for grants under s. 39.435 (1), stats., for students who have earned more than 135 credits.

1 **SECTION 1.** 38.01 (1) of the statutes is renumbered 38.01 (1m).

2 **SECTION 2.** 38.01 (1d) of the statutes is created to read:

3 **38.01 (1d)** “Adult basic education program” includes the following programs:
4 family literacy, general educational development, high school equivalency, English
5 as a second language, and workplace education.

6 **SECTION 3.** 38.04 (8m) of the statutes is created to read:

7 **38.04 (8m)** ADULT BASIC EDUCATION TRANSITION PLAN. (a) Annually by January
8 1, the board shall develop a plan to increase the number of students who enroll in
9 vocational diploma or associate degree programs after completing an adult basic
10 education program at a technical college. The plan shall specify each district board’s
11 goals and objectives for such adult basic education graduate transition. The plan

BILL

1 shall outline activities and programs that enhance adult basic education graduate
2 transition and shall review the progress made by the board and by the district boards
3 in the previous school year. The plan shall outline the efforts made to publicize
4 activities and programs that enhance adult basic education graduate transition.

5 (b) Every 5th year, the board shall promulgate rules establishing 5-year goals
6 with annual benchmarks for the number of students who enroll in vocational
7 diploma or associate degree programs after completing an adult basic education
8 program at a technical college.

9 **SECTION 4.** 38.04 (21) (intro.) of the statutes is amended to read:

10 38.04 (21) PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT. (intro.) (am)
11 Annually by the 3rd Monday in February the board shall submit a report to the
12 department of administration, department of public instruction and department of
13 workforce development, and to the legislature under s. 13.172 (2).

14 (bm) The report under par. (am) shall specify all of the following by school
15 district:

16 **SECTION 5.** 38.04 (21) (a) to (e) of the statutes are renumbered 38.04 (21) (bm)

17 1. to 5.

18 **SECTION 6.** 38.04 (21) (cm) of the statutes is created to read:

19 38.04 (21) (cm) The report under par. (am) shall also specify all of the following:

20 1. The number of students who were enrolled in, and the number of students
21 who completed, each adult basic education program at each technical college in the
22 previous school year.

23 2. The number of students who earned a certificate of general educational
24 development or completing a high school equivalency diploma in the previous school
25 year after completing an adult basic education program at a technical college.

BILL**SECTION 6**

1 3. The number of students who were enrolled in a vocational diploma or
2 associate degree program at a technical college in the previous school year after
3 completing an adult basic education program at a technical college, and the type of
4 vocational diploma or associate degree program in which each such student was
5 enrolled.

6 4. The number of students who completed a vocational diploma or associate
7 degree program at a technical college in the previous school year after completing an
8 adult basic education program at a technical college within the previous 5 school
9 years.

10 5. The type of adult basic education program completed by each student under
11 subds. 2., 3., and 4.

12 **SECTION 7.** 38.24 (1m) (b) of the statutes is amended to read:

13 38.24 (1m) (b) *Postsecondary and vocational–adult programs.* Uniform fees
14 based on not less than 14% of the combined estimated statewide operational cost of
15 postsecondary, exclusive of collegiate transfer, and vocational–adult programs. The
16 board shall maintain statewide uniformity in the program fees charged for
17 postsecondary and vocational–adult credits. Students 62 years old and over shall be
18 exempted from program fees under this paragraph in vocational–adult programs.
19 Students enrolled in adult high school, including students enrolled under s. 118.15
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BILL

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19 including rules establishing criteria for making the determinations under sub. (2).

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24 institutions of higher education or in tribally controlled colleges in this state who
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BILL

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5 under this subsection.

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23 positions. Vacancies in entry professional positions may be limited to persons with
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25 degree under an associate degree program, as defined in s. 38.01 (~~4~~) (1m).

BILL**1 SECTION 14. Nonstatutory provisions.**

2 (1) The board shall include the initial criteria determined under section 38.31
3 (4) of the statutes, as created by this act, and the list of programs under section 38.31
4 (2) of the statutes, as created by this act, in the first report under section 38.04 (21)
5 of the statutes that is due after the effective date of this subsection.

6 (2) The board shall submit in proposed form the rules required under sections
7 38.04 (8m) and 38.31 of the statutes, as created by this act, to the legislative council
8 staff under section 227.15 (1) of the statutes no later than the first day of the 7th
9 month beginning after publication.

10 SECTION 15. Initial applicability.

11 (1) WISCONSIN HIGHER EDUCATION GRANTS. The treatment of section 39.435 (1)
12 and (3) of the statutes first applies to Wisconsin higher education grants awarded by
13 the higher educational aids board for the 2009-10 academic year.

14 **SECTION 16. Effective dates.** This act takes effect on the first day of the 13th
15 month beginning after publication, except as follows:

16 (1) SECTION 14 (2) of this act takes effect on the day after publication.

17 (END)

Parisi, Lori

From: Grosz, Scott
Sent: Thursday, June 21, 2007 3:32 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-2729/2 Topic: Adult basic education; concurrent enrollment; higher education grants

Please Jacket LRB 07-2729/2 for the ASSEMBLY.