2021 SENATE BILL 1016

February 23, 2022 - Introduced by Senators TESTIN, NASS and FEYEN, cosponsored by Representatives WITTKE, CABRAL-GUEVARA and MOSES. Referred to Committee on Education.

AN ACT to create 36.53 and 118.65 of the statutes; relating to: reporting on, and charging high schools for the cost of, remedial courses at University of Wisconsin System institutions.

Analysis by the Legislative Reference Bureau

Under current law, the University of Wisconsin System must determine and report on high schools that have graduated more than six students who, on the basis of their performance on placement tests in the preceding 12 months, are required to take remedial coursework in English or mathematics. This bill requires the Board of Regents to charge high schools that have graduated any student needing remedial coursework in English or mathematics for the cost of providing that student remedial coursework. The bill also requires the Board of Regents to complete and submit an annual report to the legislature detailing the cost of providing remedial coursework.

The bill provides that, if a high school fails to pay the charges, the Department of Public Instruction must reduce state aid or certain other amounts otherwise payable to the high school by an amount equal to the unpaid charges.

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:
SECTION 1. 36.53 of the statutes is created to read:

36.53 Remedial coursework reimbursement. (1) Definitions. In this section:

(a) “High school” means a public or private school in this state in which a high school grade is taught, including a school classified as a senior high school under s. 115.01 (2).

(b) “Placement test” means an English or mathematics placement or proficiency test that is required upon a student’s admission to the system.

(c) “Student” means an incoming freshman undergraduate student who has graduated high school within the previous 5 years.

(2) Remedial charges. By September 1 of each year the board shall do all of the following:

(a) Identify the graduating high school of any student whose score on a placement test indicates a low probability of success in college-level courses in English or mathematics.

(b) Identify the graduating high school of any student who is required to take any credit or noncredit course that is designed for students needing a remedial course.

(c) Submit a charge to each high school identified in pars. (a) and (b) for the cost of providing a remedial course to a student who graduated from the high school. The charge shall include a deadline for the high school to pay that is no more than 3 months after which students are required to pay undergraduate tuition.

(3) Student privacy. The system administration may not disclose the identity of any student who is required to take a remedial course or whose score on a placement test indicates a low probability of success in college-level courses in
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English or mathematics, except that the name of a student may be disclosed to the student’s former high school.

(4) Annual Remedial Report. By September 1 of each year, the board shall submit a report to the appropriate standing committees of the legislature under s. 13.172 (3) and the state superintendent of public instruction that identifies all of the following:

(a) The number of students, and from which high schools the students graduated and which institutions the students attend, whose scores on placement tests indicate a low probability of success in college-level courses in English or mathematics.

(b) The number of students, and from which high schools the students graduated and which institutions the students attended, who, on the basis of their performance on placement tests in the preceding 12 months, are required to take a remedial course in English or mathematics.

(c) Any institution that has not provided English or mathematics remedial courses to students in the preceding 12 months.

(d) An accounting of each institution’s costs in the preceding 12 months relating to the institution’s provision of courses and services for students needing remedial courses, including the percent of the board’s and each institution’s annual operating budget that goes towards remedial education, and including costs related to all of the following:

1. Remedial courses, including the creation of new remedial courses, staffing of remedial courses, and the space used to provide remedial courses.

2. The reduction of class or laboratory sizes.

3. Additional testing to students needing remedial courses.
4. Tutoring to students needing remedial courses.

5. The creation and administration of bridge programs and campus readiness programs for students needing remedial courses.

(e) The amount of each high school’s charges under sub. (2) (c) that are unpaid from charges assessed in previous years.

SECTION 2. 118.65 of the statutes is created to read:

118.65 Reimbursement for college remedial education costs. (1) A school board, the operator of a charter school under s. 118.40 (2r) or (2x), or the governing body of a private school that is charged an amount under s. 36.53 (2) (c) shall pay that amount to the board of regents of the University of Wisconsin System no later than the deadline specified in the submission under s. 36.53 (2) (c).

(2) For any high school identified in a report submitted under s. 36.53 (4) (e) as having unpaid charges, the department shall do the following:

(a) If the high school is a public school, other than a charter school under s. 118.40 (2r) or (2x), in a school district, decrease the school district’s state aid payment under s. 121.08 for the next school year by an amount equal to the amount of unpaid charges. If the school district’s state aid payment under s. 121.08 is insufficient to cover the reduction, the department shall decrease other state aid payments made by the department to the school district by the remaining amount.

(b) If the high school is a charter school under s. 118.40 (2r) or (2x), withhold from the next installments payable to the operator of the charter school under s. 118.40 (2r) (e), (f), or (fm) or (2x) (e) or (em) an amount equal to the amount of unpaid charges.

(c) If the high school is a private school, decrease state aid payments made by the department to the governing body of the private school by an amount equal to the
amount of unpaid charges. If the private school is participating in a program under s. 115.7915, 118.60, or 119.23, the department may instead withhold from the next installments payable to the governing body of the private school under s. 115.7915 (4m) or (4p), 118.60 (4) or (4m), or 119.23 (4) or (4m) an amount equal to the amount of unpaid charges.


(1) Twenty-year remedial report.

(a) In this subsection, “institution” has the meaning given in s. 36.05 (9).

(b) No later than the 2nd September 1 following the effective date of this paragraph, the board of regents of the University of Wisconsin System shall prepare and submit a report to the appropriate standing committees of the legislature under s. 13.172 (3) that provides an accounting of each institution’s costs in the preceding 20 years relating to the institution’s provision of courses and services for students needing remedial courses, including the percent of the board’s and each institution’s annual operating budget that went towards remedial education each year, and including costs related to all of the following:

1. Remedial courses, including the creation of new remedial courses, staffing of remedial courses, and the space used to provide remedial courses.

2. The reduction of class or laboratory sizes.

3. Additional testing to students needing remedial courses.

4. Tutoring to students needing remedial courses.

5. The creation and administration of bridge programs and campus readiness programs for students needing remedial courses.

(END)