

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected		2. Date
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) PI 40, Early College Credit Program		
4. Subject The Early College Credit Program and changes to PI 40 as a result of 2017 Wisconsin Act 59		
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected	
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget		
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input checked="" type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)		
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137 (3) (b) 1., Stats. \$0		
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137 (3) (b) 2., Stats.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
11. Policy Problem Addressed by the Rule This emergency rule will replace current emergency rule provisions which were established under Emergency Rule 1825, which repeals and recreates Chapter PI 40 of the Wisconsin Administrative Code to implement the Early College Credit program. Since implementation of the initial emergency rule, the Department has identified points of clarification which were necessary to administer while the related permanent rule, Clearinghouse Rule 18-077, completes the promulgation process. Among the changes, this emergency rule defines "attended" to include courses taken by pupils in an online, blended, or in-person format, as well as the following which were promulgated under the original emergency rule: <ul style="list-style-type: none">• The dates by which pupils may notify school boards of their intent to participate in the program during a summer session (fall and spring dates are set in statute).• Rules governing the determination of undue financial burden.• Revises procedures related to the reimbursement of transportation costs, including eligible modes of transportation and priority of reimbursement.• Rules governing the determination of credits, including granting of high school credits for courses taken under the program, comparability of courses offered by a high school, and notification of appeal rights.• Procedures for reviewing appeals under the program, as determined under ch. PI 1 of the Wisconsin Administrative Code.		
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments None		
13. Identify the Local Governmental Units that Participated in the Development of this EIA None		
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local		

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Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

Local:

2017 Wisconsin Act 59 eliminated the Youth Options program and created the new Early College Credit program, which allows public and private high school pupils to enroll in an institution of higher education for the purposes of taking one or more nonsectarian courses for high school and/or postsecondary credit. The rule repeals and recreates Chapter PI 40 in order implement changes in the statutes as a result of 2017 Wisconsin Act 59, including establishing a definition for undue financial burden and revising criteria for determining reimbursement amounts for pupil transportation. There is no economic impact on local units of government with respect to the rule that can be determined because the rule is created to clarify and align administrative code with statute.

State:

No fiscal effect.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

2017 Wisconsin Act 59 eliminated the Youth Options program and created the Early College Credit program, which allows public and private high school pupils to enroll in an institution of higher education for the purposes of taking one or more nonsectarian courses for high school and/or postsecondary credit. Under the program, the pupil is responsible for 25 percent of the tuition if the pupil takes a course for postsecondary credit only; however, the school board must waive the pupil's financial responsibility if the Department determines that the cost would pose an undue financial burden on the pupil's family. Additionally, 2017 Wisconsin Act 59 requires the Department to reimburse certain pupils' families for transportation costs incurred as a result of participating in the Early College Credit program. The Department therefore adopts a repeal and recreate of Chapter PI 40 so that it may implement changes in the statutes as a result of 2017 Wisconsin Act 59, including establishing a definition for undue financial burden and revising criteria for determining reimbursement amounts for pupil transportation. Unless this emergency rule is in place, parents and schools participating may have unclear guidance around program requirements and the Department may be prevented from efficiently administering the program.

16. Long-Range Implications of Implementing the Rule

The proposed rule will repeal and recreate ch. PI 40 to further align the DPI Administrative Code with the Wisconsin Statutes as modified by 2017 Wisconsin Act 59 with respect to the Early College Credit Program. School districts will have clear guidance on program requirements and the rule will become consistent with recent changes in statutes.

17. Compare With Approaches Being Used by Federal Government

N/A

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

- Illinois (23 Illinois Administrative Code 1009): The Illinois Department of Education provides for a Dual Credit program which permits high school students to enroll in a college course for both high school and college credit. The state also permits districts to enter into joint agreements with community college districts and other school districts to provide career education or advanced vocational training of 11th and 12th grade students. The rules permit appropriate measures to assess and grant eligibility for dual credit to students and specify that the determination of whether the course is offered for concurrent high school and college credit is made at the secondary level, according to the school's policies and district practices.
 - Iowa (Iowa Administrative Code Chapter 281-22): The Iowa Department of Education created an umbrella program called Senior Year Plus (SYP) that encompasses Concurrent Enrollment, Postsecondary Enrollment Options Program (PSEO), Advanced Placement (AP), Career Academies, Regional Academies, and Project Lead the Way. The SYP program was implemented to provide increased and more equal access to college credit and AP courses. SYP programs offer students an opportunity to enroll in college coursework and, in most cases, receive both high school and college credit simultaneously. The rules establish the criteria pupils and eligible postsecondary institutions must meet in order to participate in an SYP program.
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- Michigan (Michigan Administrative Code Section R 388.151-388.155): The Michigan Department of Education provides for payment from a school district’s foundation grant for enrollment of certain eligible high school students in postsecondary courses of education under its Postsecondary Enrollment Options program. The rules and underlying statutes establish eligibility criteria for students, institutions, and courses; requires eligible charges (tuition, mandatory course or material fees, and registration fees) to be billed to a school district; establishes enrollment and credit requirements; requires school districts to provide counseling and information to eligible students and their parents; and requires intermediate school districts to report to the Department of Education.
- Minnesota (Minnesota Statutes section 124D.09): The Minnesota Department of Education permits 10th, 11th, and 12th grade students to earn college credit while still in high school through enrollment in and successful completion of college-level courses through its Postsecondary Enrollment Options program. The statutes provide that college-level courses may be provided in a high school (referred to as concurrent enrollment, or “college in the high school”), a postsecondary institution, or another location according to an agreement between a public school board and the governing body of an eligible public postsecondary system or an eligible private postsecondary institution.

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