

CHAPTER 39

HIGHER EDUCATIONAL AGENCIES AND COMPACT FOR EDUCATION

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SUBCHAPTER I

CO-ORDINATING COMMITTEE FOR HIGHER EDUCATION

39.01 Purpose. The purpose of this subchapter is to provide for the direction and co-ordination of the activities of the university of Wisconsin, the state colleges, schools of vocational, technical and adult education and county teachers colleges by providing a permanent joint committee to make a continuing study of the state-supported institutions of higher education under their jurisdiction and the relation thereto of the needs of the people of Wisconsin, to recommend necessary changes in programs and facilities, to provide for a single, consolidated, biennial budget request for the university of Wisconsin and the state colleges, and that portion of the budget request of the state board of vocational, technical and adult education described in s. 39.03 (3) and to report the results of its studies and recommendations to the governor and the legislature.

History: 1967 c. 92.

Legislative Council Note, 1967: Like s. 39.024 (1). (Bill No. 353-S)

39.02 Creation. To carry out the purposes of this subchapter, there is created a co-ordinating committee for higher education to consist of 17 members, one from the regents of the university of Wisconsin, one from the board of regents of state colleges, one from the state board of vocational, technical and adult education, 9 citizens, the president of the regents of the university of Wisconsin, the president of the board of regents of state colleges, the president of the state board of vocational, technical and adult education, the state superintendent of

public instruction and one member of a county teachers college board appointed annually by the governor from recommendations made by the association of county teachers college boards. The appointive regent members and the appointive member from the state board of vocational, technical and adult education shall be selected by a majority vote of the board of which they are members and shall be selected each year at the annual meeting of their board. The citizen members shall be appointed by the governor with the advice and consent of the senate. Terms of citizen members shall be for 8 years. The chairman of the committee shall be elected annually by the committee. The committee shall select a secretary from its membership. The committee shall hold regular meetings at least once every 3 months at such time and place as the chairman determines. Special meetings may be called at the request of a majority of the committee or on the chairman's own initiative upon 5 days' notice. Committee members shall be reimbursed for their actual and necessary expenses, except that members representing the regents of the university, the board of regents of state colleges and the state board of vocational, technical and adult education shall be reimbursed by their respective boards.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates s. 39.024 (2) (a), (b) and (c) with minor revisions and clarifications. (Bill No. 353-S)

39.03 Powers. Without limitation because of enumeration the committee is authorized and directed to make studies and recommendations in the following fields:

(1) EDUCATIONAL PLANNING. The committee shall determine what overall educational

programs shall be offered in the several units of the university, the state colleges, the collegiate transfer and technical education programs of the schools of vocational, technical and adult education and the county teachers colleges to avoid unnecessary duplication and to utilize to the best advantage the facilities and personnel available for instruction in the fields of higher education. No new educational program shall be developed or instituted at any institution of higher education except with the committee's approval. No existing educational program for which the legislature has made an appropriation at any institution of higher education shall be abandoned except with legislative approval.

(2) **PHYSICAL PLANT.** The committee shall adopt a co-ordinated plan for the integration and most efficient use of existing facilities and personnel, and an order of priority for the construction of new facilities at the university and the state colleges.

(3) **BUDGET REQUESTS.** The committee shall review the separate budget requests of the university and the state colleges and the budget request of the state board of vocational, technical and adult education for state aid to vocational, technical and adult schools in support of post high school collegiate transfer and technical education programs, and shall recommend a single, consolidated, biennial budget request to the governor for the support of all institutions under its jurisdiction, retaining the identity of the appropriation sections in ch. 20 relating to the institutions. It shall also review and make appropriate recommendations to the department concerning the biennial budget requests of the department of public instruction for state aids to county teachers colleges.

(4) **GRANTS TO INSTITUTIONS.** The committee shall establish a plan which will encourage and promote grants by private individuals and agencies to all such institutions.

(5) **LEGISLATIVE RECOMMENDATIONS.** The committee shall continuously study the needs of the people of Wisconsin for state-supported higher education and recommend any legislative proposals needed to carry out its decisions resulting from such study.

(6) **REPORT.** Semiannually, the committee shall issue reports of its findings and recommendations, which reports shall be delivered to the regents of the university of Wisconsin, the board of regents of state colleges, the state board of vocational, technical and adult education, the boards of the several county teachers colleges and the governor and to

both houses of the legislature when in session or the executive secretary of the legislative council when the legislature is not in session.

(7) **DUTIES AND FUNCTIONS OF EXISTING BOARDS.** The co-ordinating committee has final authority in determining the biennial budget requests of the university of Wisconsin and the state colleges and that portion of the budget request of the state board of vocational, technical and adult education described in sub. (3) to be presented to the governor and has full responsibility for such presentation. The over-all educational programs offered in the state-supported institutions of higher education shall be those determined by the co-ordinating committee, and facilities and personnel shall be utilized in accordance with the co-ordinated plan adopted by the committee. In the discharge of their duties, the boards of regents and the state board of vocational, technical and adult education shall observe all decisions of the co-ordinating committee made pursuant to this subchapter. Except as expressly provided in this subchapter, nothing herein shall be construed to deprive the regents of the university, the board of regents of state colleges, the state board of vocational, technical and adult education and boards of county teachers colleges of any of the duties and powers conferred upon them by law in the government of the institutions under their control.

(8) **INTERSTATE AGREEMENTS.** The co-ordinating committee, with the approval of the joint committee on finance if the legislature is in session or the board on government operations if the legislature is recessed or adjourned, or the governing boards of the systems under its jurisdiction, with the approval of the co-ordinating committee and the joint committee on finance if the legislature is in session or the board on government operations if the legislature is recessed or adjourned, may enter into agreements or understandings which include remission of nonresident tuition for designated categories of students at state institutions of higher education with appropriate state agencies and institutions of higher education in other states to facilitate utilization of public higher educational institutions of this state and other states. Such agreements and understandings shall have as their purpose the mutual improvement of educational advantages for residents of this state and such other states or institutions of other states with which agreements are made.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates s. 39.024 (3) with minor revisions and clarifications. (Bill No. 353-S)

39.04 Executive director and staff. The committee shall appoint, outside the classified service, and fix the salary of a full-time executive director who shall have a recognized and demonstrated interest in and knowledge of public higher education. The executive director shall employ, with the approval of the committee, such professional staff outside the classified service, and clerical staff, within the classified service, as is necessary. If the executive director or any professional staff of the co-ordinating committee are appointed from the faculty or staff of any of the higher educational institutions under its jurisdiction such institution shall grant the appointee a leave of absence for the duration of his service with the co-ordinating committee, and his tenure at the institution shall in no way be affected by the granting of such leave of absence.

History: 1967 c. 92, 313.

Legislative Council Note, 1967: Restates s. 39.024 (2) (d) and (e) with minor revisions and clarifications. (Bill No. 353-S)

39.05 New collegiate institutions. (1) New 3rd or 3rd and 4th year institutions of academic instruction shall be established in the northeastern area of this state and the Kenosha-Racine area as soon as is practicable.

(2) The responsibility for the government of both of the new institutions shall vest in the regents of the university of Wisconsin.

(3) The co-ordinating committee shall make a study relative to establishing a school of forestry and of establishing a wood utilization curriculum in connection with one of the existing extension centers of the university of Wisconsin.

(4) The educational programs offered by the new institutions shall be approved by the co-ordinating committee and shall be consistent with the courses of study offered by other institutions operated by the regents of the university of Wisconsin.

(5) The co-ordinating committee shall formulate a plan and schedule for the development and implementation of the new institutions; and shall report its plan to the governor, the legislature and the state building commission.

(6) The governor shall appoint a special committee consisting of the state architect, the state planning director, a representative of the regents of the university of Wisconsin and a representative of the state building commission to evaluate alternative sites for the new institutions according to criteria set by

the committee and to report its recommended sites to the governor, the state building commission and the co-ordinating committee.

(7) The state building commission shall allocate from funds made available to it by s. 20.710 (2) (b) moneys adequate for all purposes which in its judgment are appropriate to the planning of the new collegiate institutions authorized by this subsection. Such allocation shall be made following completion of all actions contemplated by subs. (3), (4), (5) and (6).

History: 1967 c. 92, 291 s. 14.

Legislative Council Note, 1967: Like s. 39.024 (4). (Bill No. 353-S)

39.20 Co-ordinating council for higher education; educational communications division. (1) **CREATION.** To develop educational radio and television into a vital public resource for the enrichment and education of the people of Wisconsin and to provide assistance in state classrooms there is created the educational communications division of the co-ordinating council for higher education. The division shall be under the direction and supervision of the educational communications board.

(2m) **EXPENSES.** All members shall serve without compensation but shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties.

(2r) **OFFICERS; MEETINGS.** The board shall annually elect a chairman and secretary from its members and shall meet at least quarterly.

(3) **DUTIES.** The co-ordinating council, through its educational communications division, shall:

(a) Receive and disburse state, federal and private funds and engage or contract for such personnel and facilities as it deems necessary to carry out the purpose of this section.

(b) On January 1 of each year, report its proceedings to the governor, including an accounting of moneys received and disbursed pursuant to this section.

(c) Initiate, develop and maintain a comprehensive state plan for the orderly operation of a state-wide television system for the presentation of noncommercial instructional programs which will serve the best interests of the people of the state now and in the future;

(d) Work with the educational agencies and institutions of the state as co-ordinator of their joint efforts to meet the educational needs of the state through radio and television;

(e) Furnish leadership in securing adequate funding for state-wide joint use of radio and television for educational and cultural purposes;

(f) Lease, purchase or construct radio and television facilities for joint use, such as network interconnection or relay equipment, mobile units, or other equipment available for state-wide use;

(g) Apply for, construct and operate radio and television transmission equipment in order to provide broadcast service to all areas of this state;

(h) Establish and maintain a continuing evaluation of the effectiveness of the joint efforts of all participating educational institutions in terms of jointly-established goals;

(i) Act as a central clearing house and source of information concerning educational radio and television activities in this state, including the furnishing of such information to legislators, offices of government, educational institutions and the general public.

(j) If appropriate funds are made available, file applications after appropriate engineering studies and feasibility surveys for the construction and operation of noncommercial educational radio and television transmitters in the vicinities of Wausau, Colfax, La Crosse and Appleton and translators in the Platteville and Ashland area.

(k) Establish and operate, as soon as practicable, an interconnection between the broadcast facilities and higher education campuses to facilitate state-wide use of closed circuit and broadcast radio and television for educational purposes. Additional facilities may be authorized by the council if deemed necessary and if funds are available for such purposes.

(m) Throughout this development, seek to co-operate with similar bodies in other states and participate in regional and national network planning so as to insure maximum educational benefits for the people of this state.

(4) AUTHORITY TO PROVIDE RADIO AND TELEVISION FACILITIES. (a) As used in this subsection, unless the context requires otherwise:

1. "Existing building" in relation to any conveyance, lease or sublease made under par. (b) means structures in this state which in the judgment of the council are needed and useful for educational television purposes, and all equipment therefor and all improvements and additions thereto, which were erected, constructed or installed prior to the making of such conveyance, lease or sublease.

2. "New building" in relation to any conveyance, lease or sublease made under par. (b) means such buildings, structures, facilities and permanent improvements as in the judgment of the council are needed and useful for educational radio and television purposes, in connection with lands and structures in this state, and all equipment therefor or for existing buildings, and all improvements and additions thereto or to existing buildings, which are erected, constructed or installed after the making of such conveyance, lease or sublease.

3. "Corporation" in relation to any conveyance, lease or sublease made under par. (b) means a nonstock, nonprofit corporation organized under ch. 181 or any law amendatory thereof or supplemental thereto.

(b) In order to provide new buildings and to enable the construction and financing thereof, to refinance indebtedness hereafter created by a corporation for the purpose of providing new buildings or additions or improvements thereto which are located on land owned by or owned by the state and held for the co-ordinating council for higher education or by a corporation or for any one or more of said purposes but for no other purpose unless authorized by law, the council has the following powers and duties:

1. Without limitation by reason of any other provisions of the statutes, the power to sell and to convey title in fee simple to a corporation any land and any existing buildings thereon owned by or owned by the state and held for the council for such consideration and upon such terms and conditions as in the judgment of the council are in the public interest.

2. The power to lease to a corporation for a term or terms not exceeding 50 years each any land and any existing buildings thereon owned by or owned by the state and held for the council upon such terms and conditions as in the judgment of the council are in the public interest.

3. The power to lease or sublease from a corporation and to make available for public use any such land and existing buildings conveyed or leased to such corporation under subs. 1 and 2 and any new buildings erected on such land or on any other land owned by such corporation, upon such terms, conditions and rentals, subject to available appropriations, as in the judgment of the council are in the public interest.

4. The duty to submit the plans and specifications for all such new buildings and all conveyances, leases and subleases made under this

subsection to the department of administration and the governor for written approval before they are finally adopted, executed and delivered.

5. The power to pledge and assign all or any part of the revenues derived from the operation of such new buildings as security for the payment of rentals due and to become due under any lease or sublease of such new buildings under subd. 3.

6. The power to covenant and agree in any lease or sublease of such new buildings made under subd. 3 to impose fees, rentals or other charges for the use and occupancy or other operation of such new buildings in an amount calculated to produce net rentals sufficient to pay the rentals due and to become due under such lease or sublease.

7. The power to covenant and agree in any lease or sublease made under subd. 3 to impose fees, rentals or other charges for the use and occupancy or other operation of existing buildings in an amount calculated to produce net rentals sufficient to pay the rentals due and to become due under such lease or sublease.

8. The power and duty, upon receipt of notice of any assignment by a corporation of any lease or sublease made under subd. 3, or of any of its rights under any such sublease, to recognize and give effect to such assignment, and to pay to the assignees thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by such corporation.

(c) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under par. (b) 3 and may be sued therefor on contract as in other contract actions under ch. 285, except that it shall not be necessary for the lessor under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor to file any claim with the legislature prior to the commencement of any such action.

(d) Nothing in this subsection empowers the council to incur any state debt.

(e) All laws conflicting with this subsection are, insofar as they conflict with this subsection and no further, superseded by this subsection.

History: 1967 c. 349.

SUBCHAPTER II

COMMISSION FOR HIGHER EDUCATIONAL AIDS

39.26 Creation. (1) There is created a

commission for higher educational aids to consist of 15 members appointed by and serving at the pleasure of the governor.

(a) Five members shall be nominated by the co-ordinating committee for higher education from the membership of such committee to represent the state institutions of higher education.

(b) Five members shall be nominated by joint action of the Wisconsin association of independent colleges and universities and the Wisconsin association of presidents and deans of institutions of higher learning to represent all private institutions of higher education.

(c) Five citizen members shall be directly appointed by the governor to represent the general public.

(2) The commission annually shall select a chairman and a secretary from its membership. The commission shall hold meetings at the call of the chairman at such time and place as the chairman determines. Special meetings may be called at the request of a majority of the commission. Members of the commission shall be reimbursed for their actual and necessary expenses.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates s. 39.023 (1) and (2) with minor revisions. (Bill No. 353-S)

39.27 Advisory committee. The commission shall appoint an advisory committee composed of guidance counselors from Wisconsin public and private secondary schools and financial aid officers from public and private institutions of higher education to advise the commission on methods of identifying scholastically talented high school graduates. The committee also shall advise the commission on all matters pertaining to the operation, administration and improvement of the state's student financial aid program. All advisory committee members who are not employees of state agencies shall be reimbursed for their actual and necessary expenses while attending committee meetings. Advisory committee members who are employees of state agencies shall be reimbursed for their actual and necessary expenses by their employing state agencies.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates s. 39.023 (11) with minor revisions. (Bill No. 353-S)

39.28 Powers and duties. (1) The commission shall administer the programs under this subchapter and may establish such rules as are necessary to carry out its functions. It may accept and use any funds which it receives from participating institutions under

this subchapter. It may enter into such contracts as are necessary to carry out its functions under this subchapter.

(2) The commission shall establish plans to be administered by the commission for participation by this state under any federal acts relating to higher education and submit them to the U.S. commissioner of education for his approval. The commission may utilize such criteria for determination of priorities, participation or purpose as are delineated in the federal acts.

(3) The commission shall make an annual report to the legislature and governor containing the status of present financial aid programs and including recommendations for improvement of the state's student financial aid program.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates s. 39.023 (3), (4), (8), (9) and (12) with minor revisions and clarifications. Restates s. 39.023 (3) in general terms because the omitted specific language merely repeats the requirements of P.L. 88-204 and is therefore unnecessary, and because the plan required by that act has been submitted. (Bill No. 353-S)

39.29 Staff. The Wisconsin association of independent colleges and universities, the Wisconsin association of presidents and deans of institutions of higher learning, the co-ordinating committee for higher education and the department of administration shall make available such staff services as are requested by the commission. Such staff services shall be co-ordinated by an executive secretary appointed outside the classified service by the commission.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates s. 39.023 (10) with minor clarifications. (Bill No. 353-S)

39.30 Grants. (1) **DEFINITIONS.** In this section:

(a) "Semester" means any term 16 or more weeks in length.

(b) "Net taxable income" means the figure reported as such on the Wisconsin income tax return for the previous calendar year.

(c) "Effective income" means net taxable income plus tax exempt income less \$600 per dependent.

(d) An "accredited" institution is an institution accredited by a nationally recognized accrediting agency or by the state board of nursing pursuant to s. 149.01 (4), or, if not so accredited, is a nonprofit institution of higher education whose credits are accepted on transfer by not less than 3 institutions which are so accredited, on the same basis as

if transferred from an institution so accredited.

(e) "Resident student" shall be determined under s. 36.16, so far as applicable.

(2) **ELIGIBILITY.** A full-time resident student registered as a freshman after September 1, 1965, as a freshman or sophomore after September 1, 1966, as a freshman, sophomore or junior after September 1, 1967, as a freshman, sophomore, junior or senior after September 1, 1968, or as a freshman, sophomore, junior, senior or graduate student after September 1, 1969, in an accredited, nonprofit, post high school, educational institution in this state shall be eligible for grants under this section for each semester of attendance, but:

(a) No student shall be eligible for grants in more than the equivalent of 8 semesters of undergraduate education and in more than the equivalent of 6 semesters of graduate education.

(b) No student shall be eligible for grants unless he maintains such minimum standards of academic performance as the commission determines.

(c) No grant shall be paid for the first semester of attendance at any institution until the student has completed the semester and attained minimum standards of academic performance determined by the commission.

(d) No grant shall be paid to any student enrolled in a course of study leading to a degree in theology, divinity or religious education or to religious aspirants.

(3) **BASIS OF GRANTS.** Effective income and the grant to be paid for each semester shall be determined as follows:

(a) If the student provides the majority of his support, his effective income shall be used in determining the grant under this section.

(b) If a parent or parents provide the majority of the support of the student, the combined effective income of such parent or parents shall be used in determining the grant under par. (f).

(c) If more than one student for whom such parents provide a majority of support qualifies for a grant under this section, the combined effective income of the parents shall be divided by the number of such eligible students in the family in determining the grant payable under par. (f) to each such student.

(d) Any student attending an institution with an academic term shorter than a 16-week semester shall be eligible for grants based on the ratio which such term bears to a 16-week semester.

(e) The grant under this section for any semester shall not be more than that portion of a student's tuition and instruction-related fees for a semester exceeding \$200. The grant under this section for any term shorter than a 16-week semester shall not be more than that portion of the student's tuition and instruction-related fees for the term exceeding such part of \$200 as the number of weeks in the shorter term bears to 16.

(f) The schedule for determining grants is as follows:

Effective income	Maximum grant each semester of study
\$ 0- 2,000	\$250
2,001- 3,000	225
3,001- 4,000	200
4,001- 5,000	175
5,001- 6,000	150
6,001- 7,000	125
7,001- 8,000	100
8,001- 9,000	75
9,001-10,000	50
over 10,000	None

(4) FORMS. The commission shall prescribe, furnish and make available, at locations in the state convenient to the public, application forms for grants under this section. Upon request, it shall advise and assist applicants in making out such forms.

(5) RETURN OF GRANTS. Any student who receives a grant under this section, but subsequently does not complete the semester for which the grant was received, shall return a prorated share of the grant based on the number of weeks of the semester left unattended.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates and re-arranges s. 39.023 (5) with minor revisions and clarifications. (Bill No. 353-S)

39.31 Honor scholarships. (1) For the purpose of recognizing and awarding scholastically talented graduates of Wisconsin high schools who are residents of the state as defined in s. 39.30, there are created honor scholarships which may be awarded to qualified students who plan to enroll as first-time, full-time freshmen at any approved, nonprofit public or private institution of higher education in Wisconsin, including first-time, full-time students enrolling in associate degree programs approved by the state board of vocational, technical and adult education or nursing schools approved by the state board of nursing. Honor scholarships shall be cash stipends awarded directly to students. No honor scholarships shall be awarded to per-

sons who plan to enroll in a course of study leading to a degree in theology, divinity or religious education or to religious aspirants.

(2) Honor scholarship recipients shall receive stipends based on individual financial need which is calculated by deducting resources available to the student from total educational costs. The amount of tuition used in calculating total educational costs shall not exceed \$400 for 2 semesters or its equivalent, and any amounts received under s. 39.30 shall not be included in calculating available resources. The minimum honor scholarship awarded to any student shall be \$100, notwithstanding the student's need. The maximum honor scholarship awarded to a student shall be \$800.

(3) Honor scholarships shall be awarded in order of rank based on criteria determined by the commission and shall be awarded to persons scholastically ranked in the top 10% of their graduating classes, as follows:

(a) To 2 graduates at each Wisconsin public or private secondary school enrolling less than 250 students.

(b) To 4 graduates at each Wisconsin public or private secondary school enrolling 250 to 750 students.

(c) To 6 graduates at each Wisconsin public or private secondary school enrolling more than 750 students.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates s. 39.023 (6) with minor revisions and clarifications. (Bill No. 353-S)

39.32 Student loans. (1) It is the purpose of this section to provide resident students of this state with greater freedom to choose a higher educational opportunity enabling them to achieve their individual desires and goals consistent with the interests and welfare of society through the consolidation of the administration of the state's programs of financial aid to students by the transfer of the state student loan program and personnel from the department of public welfare to the commission for higher educational aids.

(2) In this section:

(a) "Institution of higher education" means an educational institution meeting the requirements of P.L. 89-329 for institutions covered therein and of P.L. 89-287 for business, trade, technical or vocational schools and full-time post-high school vocational, technical and adult education schools in this state.

(b) "Resident student" shall be determined under s. 36.16, so far as applicable.

(3) The commission shall:

(a) Make and authorize loans to be made to resident students who have satisfactory academic records, who need financial assistance and who are desirous of attending institutions of higher education, when such loans are to assist them in meeting expenses of post-high school education in accordance with this section.

(b) Establish standards and methods for determining the amount of loans, rates of interest, financial need and other administrative procedures consistent with P.L. 89-329 and P.L. 89-287.

(4) The commission may make and authorize loans to be made to students if:

(a) The student is enrolled or accepted for enrollment in an institution of higher education.

(b) The student's eligibility for a loan is certified to the commission by the institution of higher education in which he is enrolled or has been accepted for enrollment.

(c) The student has a satisfactory academic record.

(d) The student is a resident student.

(e) The student needs financial assistance.

(5) Loans may be made to minors and minority shall not be a defense to the collection of the debt.

(6) The commission may collect any loans made or authorized to be made by the commission pursuant to this section or made prior to July 1, 1966, under s. 49.42, 1963 statutes.

History: 1967 c. 92.

Legislative Council Note, 1967: Restates and rearranges s. 39.023 (7) with minor revisions and clarifications.

This chapter deletes present s. 39.35, relating to retirement payments to certain teachers, since the section is completely obsolete and no persons are receiving benefits under it. (Bill No. 353-S)

39.33 Guaranteed student loan program.

The commission may organize and maintain a nonstock corporation under ch. 181 to administer a guaranteed student loan program in this state under P.L. 89-287 and P.L. 89-329. The commission may make use of and pay for the use of the facilities and services of such corporation.

History: 1967 c. 313.

39.34 Tuition reimbursement; certain courses of study. Any person entitled to exemption from nonresident tuition under s. 36.16 (1) (a) who has completed at least one year of collegiate work and who is attending or has been admitted to an institution of higher education to engage in a first professional degree course of study in veterinary

medicine, architecture, forestry or dentistry, or in a course in optometry or dental hygiene conducted by a school accredited under s. 39.30 (1) (d), which is not offered in a Wisconsin public institution of higher education may apply to the commission for the difference between the tuition he is required to pay and the resident fees he would have paid as a resident student at the university of Wisconsin. If the commission determines that the applicant is eligible under this section and that his academic record indicates that he is capable of benefiting from the instruction, the commission may grant the application. No payment for any one individual may exceed \$500 per academic year consisting of 2 academic semesters or 3 academic quarters.

History: 1967 c. 313, 341.

39.35 Scholarships for teachers in educationally disadvantaged areas. (1) ADMINISTRATION.

(a) There is established, to be administered by the higher educational aids board, a scholarship program for full-time students enrolled in a program leading to certification as an elementary or high school teacher at a public institution of higher education in this state.

(b) Two hundred scholarships may be given under this section in each school year.

(c) The amount of each scholarship shall be equal to the cost of tuition, fees and room and board in a publicly-owned dormitory for the recipient during the school year.

(2) ELIGIBILITY. The state superintendent of public instruction shall determine the eligibility of applicants for such scholarships, based on the following requirements:

(a) The student must be a high school graduate and possess the qualifications and aptitude for benefiting from training at an institution of higher education.

(b) The student must have attended a school in which 30% or more of the pupils enrolled are educationally disadvantaged, as determined by the state superintendent, considering such factors as academic achievement levels, average annual family income and school drop-out, truancy and chronic absenteeism rates.

(c) The student must indicate a willingness, upon graduation, to return to teach in a school described in par. (b) and to give, in addition to his teaching duties, 5 hours per week of service to the area community.

(d) To be eligible for a scholarship for the ensuing school year, the student must main-

tain, at the end of the previous school year, a cumulative 2.5 grade average based on a 4-point grading system.

(e) The student must be an undergraduate.

(3) REPAYMENT OF SCHOLARSHIPS. A recipient is not required to begin repaying the scholarship until the end of the 5th year following termination of payments to him. Moneys paid under this section to a student after his freshman year shall be repaid or amortized as provided in this subsection. The scholarship shall be amortized by one-fifth the total amount for each year during such 5-year period, of teaching service by him in a school described in sub. (2) (b), if he also gives, in addition to his teaching duties, 5 hours per week of service to the area community. If the scholarship is not fully amortized at the end of the 5-year period or repaid by that date, it shall be repaid at the rate of not less than one-tenth of the then outstanding amount per year, plus interest at the legal rate on such amount computed from the date of receipt of the amount. At the end of the 15th year following termination of payments to the recipient, the higher educational aids board may bring legal action to collect any unpaid balance.

History: 1967 c. 333.

SUBCHAPTER III

COMPACT FOR EDUCATION

39.75 Compact for education. The compact for education is hereby enacted into law and entered into by this state with all other jurisdictions legally joining therein, in the form substantially as follows:

COMPACT FOR EDUCATION.

Article I. Purpose and Policy.

(A) It is the purpose of this compact to:

1. Establish and maintain close co-operation and understanding among executive, legislative, professional educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearinghouse of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and pro-

fessional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

(B) It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

(C) The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

Article II. State Defined.

As used in this compact, "state" means a state, territory, or possession of the United States, the District of Columbia, or the commonwealth of Puerto Rico.

Article III. The Commission.

(A) The education commission of the states, hereinafter called "the commission", is hereby established. The commission shall consist of 7 members representing each party state. One of such members shall be governor; 2 shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and 4 shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, 6 members shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a posi-

tion collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and nonpublic educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed 10 non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

(B) The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to article IV and adoption of the annual report pursuant to article III (j).

(C) The commission shall have a seal.

(D) The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

(E) Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws

shall provide for the personnel policies and programs of the commission.

(F) The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of 2 or more of the party jurisdictions or their subdivisions.

(G) The commission may accept for any of its purposes and functions under this compact any and all donations and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant or services borrowed, and the identity of the donor or lender.

(H) The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold and convey real and personal property and any interest therein.

(I) The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

(J) The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

Article IV. Powers.

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.

2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration and instructional

methods and standards employed or suitable for employment in public educational systems.

3. Develop proposals for adequate financing of education as a whole and at each of its many levels.

4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education and other agencies and institutions, both public and private.

5. Formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.

6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

Article V. Co-operation with Federal Government.

(A) If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed 10 representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

(B) The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

Article VI. Committees.

(A) To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of 32 members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission.

One-fourth of the voting membership of the steering committee shall consist of governors, one-fourth shall consist of legislators, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of 2 years, except that members elected to the first steering committee of the commission shall be elected as follows: 15 for one year and 15 for 2 years. The chairman, vice chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than 2 terms as a member of the steering committee: provided that service for a partial term of one year or less shall not be counted toward the 2-term limitation.

(B) The commission may establish advisory and technical committees composed of state, local, and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to 2 or more of the party states.

(C) The commission may establish such additional committees as its bylaws may provide.

Article VII. Finance.

(A) The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

(B) The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

(C) The commission shall not pledge the credit of any party states. The commission

may meet any of its obligations in whole or in part with funds available to it pursuant to article III (G) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to article III (G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

(D) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

(E) The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

(F) Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

Article VIII. Eligible Parties; Entry Into and Withdrawal.

(A) This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia and the commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

(B) Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same: provided that in order to enter into initial effect, adoption by at least 10 eligible party jurisdictions shall be required.

(C) Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in

this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

(D) Except for a withdrawal effective on December 31, 1967, in accordance with paragraph (C) of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

Article IX. Construction and Severability.

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters.

History: 1965 c. 641; 1967 c. 43.

39.76 Compact commission delegation.

(1) STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES. There is created a 7-member delegation to represent the state of Wisconsin on the education commission of the states. The delegation shall consist of the governor, the state superintendent of public instruction, one member of the assembly and one member of the senate selected by the respective houses and serving in such manner as the legislature determines, and 3 members appointed by the governor in compliance with Article III (A) of the compact under s. 39.75 who shall serve at the pleasure of the governor. The chairman of the delegation shall be designated by the governor from among its members. Members of the delegation shall serve without compensation but shall be reimbursed for their actual

and necessary expenses incurred in the performance of their duties, from the appropriation in s. 20.505 (6) (a), upon vouchers signed by the chairman.

(2) **ADMINISTRATION SERVICE.** The department of administration shall provide administrative and staff services for the delegation to the education commission of the states.

(3) **REPORTS; BYLAWS.** Pursuant to Article III (J) of the compact, the education commission of the states shall file a copy of its bylaws and any amendments thereto with the

secretary of state and the executive office on or before January 15 of each odd-numbered year. The delegation or the education commission of the states shall submit to the governor and the legislature a report of the activities of the delegation and the commission.

(4) **CO-OPERATION OF STATE AGENCIES.** Any existing state department or board in the field of public education shall within existing appropriations co-operate with the education compact delegation in the execution of its functions.

History: 1965 c. 641; 1967 c. 43, 291 s. 14.