



# Staff Brief

## Improving Educational Opportunities in High School

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# INTRODUCTION

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This Staff Brief describes current Wisconsin law that is relevant to the discussion of policy options relating to improving educational opportunities in high school for both lower and higher achieving pupils.

In Wisconsin, the responsibility for public education is divided or shared between local school districts, the state, and the federal government. Under the direction of the State Superintendent of Public Instruction (“State Superintendent”), the state Department of Public Instruction (DPI) oversees the operation of all public schools, including charter schools, in the state. DPI also oversees certain requirements that apply to private schools participating in the Milwaukee or Racine parental choice programs.

At the local level, school districts are governed by elected school boards. A school board's management of the school district includes the power to supervise and tax for the operation and maintenance of the schools in the school district. School boards are generally authorized to adopt all policies reasonable to promote the cause of education, including establishing, providing, and improving school district programs, functions, and activities for the benefit of pupils. The general powers of a school board include the authority to enter into agreements with other governmental units and to generally administer the school district. The statutory duties and powers of school boards are broadly construed to authorize any school board action that is within the comprehensive meaning of the terms of the duties and powers, if the action is not prohibited by federal or state law.

Wisconsin law contains standards and requirements that affect high school education in the state, including educational requirements for high school pupils and high school graduation standards. In addition, Wisconsin law contains standards and requirements for alternative pathways to earn a high school diploma, as well as several programs and options that are available to high school pupils for career and technical education and post-secondary enrollment. Under the broad authority of school boards, each school district may design and implement educational structures or programs that provide an alternative to traditional educational structures or programs.

This Staff Brief is divided into the following parts:

*Part I* provides an overview of requirements applicable to high school pupils in Wisconsin, including school district standards and high school graduation standards.

*Part II* describes alternatives for certain high school pupils within the school system.

*Part III* describes programs and options available to high school pupils for career and technical education and post-secondary enrollment.

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# PART I – REQUIREMENTS APPLICABLE TO HIGH SCHOOL PUPILS

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Current law sets forth the minimum standards that school districts are required to meet and include, for example, minimum standards for teacher certification, number of school days, and standard school curriculum. Current law also specifies high school graduation standards, including the minimum number of credits required to graduate with a high school diploma, and compulsory school attendance requirements. Some of the requirements for school districts compel districts to offer services to high school pupils that may include assistance with college or career readiness or modifying a pupil’s curriculum to assist the pupil in succeeding in high school. The requirements for high school pupils to earn credits and to attend school may or may not be required for programs that provide educational alternatives to high school pupils.

## SCHOOL DISTRICT STANDARDS AND REQUIREMENTS

Wisconsin statutes provide that public education is a fundamental responsibility of the state. The statutes contain broad educational goals and expectations for the public schools. These goals cover broad areas under academic skills and knowledge, vocational skills, citizenship, and personal development. [s. 118.01, Stats.]

The “20 education standards” in the statutes set forth the standards that each school board must satisfy. These standards create requirements relating to: (1) teacher certification; (2) professional staff development; (3) remedial reading services; (4) kindergarten programming; (5) guidance and counseling services; (6) school schedules; (7) emergency nursing services; (8) instructional materials; (9) safe and healthful facilities; (10) qualified instruction in specified subjects; (11) required curriculum plans in specified subjects; (12) regular instruction in specified subjects; (13) education for employment programs; (14) children at risk plans; (15) school and school district performance reports; (16) high school graduation standards; (17) school personnel evaluation; (18) standardized reading tests; (19) 4<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup> grade assessment examinations; and (20) gifted and talented programs. [s. 121.02 (1), Stats.; and s. PI 8.01 (2), Wis. Adm. Code.]

With respect to education standards for high school pupils, the specific requirements that school boards must satisfy include the following:

- Provide guidance and counseling services.
- Provide access to an educational program that enables pupils each year to study English, social studies, mathematics, science, vocational education, foreign language, physical education, art, and music.
- Provide access to an education for employment program approved by the State Superintendent.
- Develop a plan for children at risk of not graduating from high school.

- Comply with high school graduation standards.
  - Provide access to an appropriate program for pupils identified as gifted or talented.
- [s. 121.02 (1) (e), (L) 3., (m), (n), (p), and (t), Stats.; and s. PI 8.01 (2), Wis. Adm. Code.]

## **GUIDANCE AND COUNSELING SERVICES**

As noted above, each school board must provide a program of guidance and counseling services for pupils. A guidance and counseling program must satisfy all of the following requirements:

- The school district must maintain a school board approved plan for the provision of a program of guidance and counseling services.
- The program must be developmentally based and available to every pupil in every grade of the school district.
- The program must be systematically planned by licensed school counselors in collaboration with other licensed pupil services staff, teachers, parents, and community health and human service professionals; and provided by licensed school counselors in collaboration with other licensed pupil services staff, teachers, parents, and community health and human service professionals.
- The program must provide developmentally appropriate educational, vocational, career, personal, and social information to assist pupils in problem solving and in making decisions.
- The program must include pupil appraisal, post-secondary planning, referral, research, and pupil follow-up activities.

[s. PI 8.01 (2) (e), Wis. Adm. Code.]

## **HIGH SCHOOL GRADUATION STANDARDS**

One of the 20 education standards, described above, is compliance with high school graduation standards. A pupil must satisfy certain standards, including a minimum number of credits in specified subject areas, in order to receive a high school diploma. Some of the standards are contained in the statutes, while others are determined by the school board.

### **Minimum Credits**

A school board may not grant a high school diploma to any pupil unless the pupil has earned all of the following minimum credits in the high school grades:

- Four credits of English, which incorporate instruction in written communication, oral communication, grammar and usage of the English language, and literature.
- Three credits of social studies, which incorporate instruction in state and local government.

- Two credits of mathematics, which incorporate instruction in the properties, processes, and symbols of arithmetic and elements of algebra, geometry, and statistics.
- Two credits of science, which incorporate instruction in the biological sciences and physical sciences.<sup>1</sup>
- One and one-half credits of physical education, which incorporate instruction in the effects of exercise on the human body, health-related physical fitness, and activities for lifetime use.<sup>2</sup>

Current law also requires the completion of one-half credit of health education in grades seven to 12 to earn a high school diploma. Therefore, a pupil must earn a minimum of 13 credits in order to receive a high school diploma. The State Superintendent must encourage school boards to require an additional eight and one-half credits selected from any combination of vocational education, foreign languages, fine arts, and other courses. [s. 118.33 (1) (a) and (am), Stats.; and s. PI 18.03 (1) and (2), Wis. Adm. Code.]

### **Additional Criteria**

If a pupil satisfies all of the minimum credits, the school board must grant a high school diploma to the pupil regardless of whether the pupil satisfied all or a portion of the credits while attending an institution of higher education under the Youth Options program, described below, or a technical college. [s. 118.33 (3m), Stats.]

Each school board that operates high school grades must develop a written policy specifying criteria for granting a high school diploma that are in addition to the minimum credits requirement. The criteria must include the pupil's academic performance and the recommendations of teachers. [s. 118.33 (1) (f), Stats.]

### **COMPULSORY SCHOOL ATTENDANCE**

In general, any person having under control a child who is between the ages of six and 18 years must cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the school in which the child should be enrolled is in session until the end of the school term, quarter, or semester of the school year in which the child becomes 18 years of age, unless the child is otherwise excused under state law. The school attendance requirement does not apply to a child who is enrolled in a virtual charter school or participating in a home-based private educational program. [s. 118.15 (1) (a) and (g) and (4), Stats.] The statutes provide certain exceptions to the school attendance requirement for children at risk of not

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<sup>1</sup> For the minimum credits of science, the school board must award a pupil a science credit for successfully completing in the high school grades each course in agriculture that DPI has determined qualifies as science according to criteria established by DPI. [s. 118.33 (1) (a) 1., Stats.]

<sup>2</sup> For the minimum credits of physical education, a school board may allow a pupil who participates in sports or another organized physical activity to complete an additional one-half credit in English, social studies, mathematics, science, or health education in lieu of one-half credit in physical education. [s. 118.33 (1) (e), Stats.]

graduating from high school and children participating in a program or curriculum modification leading to the child's high school graduation or a high school equivalency diploma (HSED), as described below. [s. 118.15 (1) (b) and (c) 1. and 2., Stats.]

A school board may not grant a high school diploma to any pupil unless, during the high school grades, the pupil has been enrolled in a class or has participated in an activity approved by the school board during each class period of each school day, or the pupil has been enrolled in an alternative education program, described below. However, a school board may establish a program that allows a high school pupil who has demonstrated a high level of maturity and personal responsibility to leave the school premises for up to one class period each day if the pupil does not have a class scheduled during that class period. [s. 118.33 (1) (b), Stats.]



# PART II – ALTERNATIVES FOR CERTAIN HIGH SCHOOL PUPILS WITHIN THE SCHOOL SYSTEM

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The statutes authorize school districts to provide educational modifications or alternatives within the school system for certain high school pupils who may not be well served by the traditional curriculum or structure of the public schools. In general, the statutes specify certain requirements that these programs must meet but authorize school districts to develop programs suited to the needs of the individual district. Under certain circumstances, a pupil may complete high school by earning a high school diploma, an HSED<sup>3</sup> issued by the State Superintendent, or by attending a technical college and earning a general education development certificate (GED). While charter schools and schools in the parental choice programs in Milwaukee and Racine also offer alternative options for pupils, this part of the Staff Brief describes options available within traditional public schools.

## CHILDREN AT RISK OF NOT GRADUATING FROM HIGH SCHOOL

Current law requires each school board to: (1) identify the children who are at risk of not graduating from high school who are enrolled in the district; and (2) annually, by August 15, develop a plan that identifies the process for determining if a pupil is at risk and describes how the school board will meet the needs of children at risk. [s. 118.153 (2), Stats.; and s. PI 25.03 (1), Wis. Adm. Code.]

“Children at risk” are pupils in grades five to 12 who are at risk of not graduating from high school because they are dropouts<sup>4</sup> or are two or more of the following:

- One or more years behind their age group in the number of credits attained.
- Two or more years behind their age group in basic skill levels.

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<sup>3</sup> The State Superintendent may grant declarations of equivalency of high school graduation to persons, if in the State Superintendent’s judgment they have presented satisfactory evidence of having completed a recognized high school course of study or its equivalent. The State Superintendent may establish the standards by which high school graduation equivalency is determined. Such standards may consist of evidence of high school courses completed in high schools recognized by the proper authorities as accredited, results of examinations given by or at the request of the State Superintendent, successful completion of correspondence study courses given by acceptable correspondence study schools, a general educational development certificate of high school equivalency issued by an agency of the U.S. government, course credits received in schools meeting the approval of the State Superintendent, or other standards established by the State Superintendent. [s. 115.29 (4), Stats.; and ch. PI 5, Wis. Adm. Code.]

<sup>4</sup> A “dropout” means a pupil who ceased to attend school; does not attend a public, private, or tribal school, technical college, or home-based private educational program on a full-time basis; has not graduated from high school; and does not qualify for an exception to the compulsory school attendance requirement. [s. 118.153 (1) (b), Stats.]

- Habitual truants.<sup>5</sup>
- Parents.
- Adjudicated delinquents.
- Eighth grade pupils whose score in each subject area on the statewide assessment was below the basic level, eighth grade pupils who failed the statewide assessment, and eighth grade pupils who failed to be promoted to the ninth grade.

[s. 118.153 (1) (a), Stats.]

A program for children at risk must be designed to allow the pupils enrolled to meet state high school graduation standards, described above. As part of the district plan, each school board must describe how the board will meet the needs of the children identified to be at risk of not graduating from high school. A board, when developing a plan under this section, may consider all of the following:

- How pupils will be identified and enrolled in programs or provided services to meet their needs.
- How pupils will be identified in early childhood and kindergarten through grade four and what programs may be offered to prevent pupils from becoming at risk.
- How parents will be informed and involved in the available programs or services.
- What accommodations can be made to support pupils' achievement and success in school through any of the following: (1) curriculum modifications; (2) adaptive instructional strategies; (3) alternative education programs; (4) pupil support services; (5) school to work programs; (6) community services; (7) coordinating services provided by the district, community, agencies, and other organizations; and (8) eliminating systematic barriers that may cause pupils' success at school to become at risk.

[s. 118.153 (3) (b), Stats; and s. PI 25.03 (2), Wis. Adm. Code.]

Each school board that has identified children at risk must also comply with all of the following requirements:

- Designate a staff person who will be responsible for developing the district plan.
- Provide that all work-based learning experiences and other similar programs and activities taking place outside the school for which pupils receive academic credit under the district plan are supervised by departmentally licensed teachers or other licensed school personnel.

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<sup>5</sup> A "habitual truant" means a pupil who is absent from school without an acceptable excuse for part or all of five or more days on which school is held during a school semester. [s. 118.16 (1) (a), Stats.]

- Ensure that in grades nine through 12 curriculum modifications and alternative education programs provided for children at risk are designed to allow pupils to meet the high school graduation standards, described above.
- Notify each pupil and his or her parent in writing whenever the pupil has been identified as a child at risk.
- Enroll the pupil in the at risk program upon the request of the pupil or the pupil's parent. If the school board makes available more than one at risk program, the board must enroll the pupil in the district program selected by the pupil or the pupil's parent if the pupil meets the prerequisites for that program.
- Ensure that the special education and related services needs of a child with a disability are first addressed in the child's individualized education program whenever that child is also eligible to be served in a children at risk program.

[s. PI 25.04, Wis. Adm. Code.]

In the City of Milwaukee, the school board must ensure that there are least 30 pupils and no more than 250 pupils in each children at risk program and that a separate administrator or teacher is in charge of each program. [s. PI 25.06 (2), Wis. Adm. Code.]

### **Contracts With Nonprofit Agencies**

A school board may contract with appropriate private, nonprofit, nonsectarian agencies located in the school district or within five miles of the boundaries of the district in order to provide services to children at risk enrolled in the district if the school board determines that the agencies can adequately serve at risk children. The school board must pay each contracting agency, for each full-time equivalent pupil served by the agency, an amount equal to at least 80 percent of the average per pupil cost for the school district. [s. 118.153 (3) (c), Stats.]

Current law specifically authorizes school boards to contract with the Second Chance Partners for Education, or any other nonprofit corporation operating a program in which disengaged high school pupils attend a work-based learning program while earning high school diplomas, for pupils enrolled in the school district. "Disengaged pupils" are pupils who meet the definition of children at risk, and other pupils identified by the school board. The school board must pay to Second Chance Partners for Education or each nonprofit corporation an amount that is no more than the amount paid per pupil by DPI to independent charter schools in the current school year (currently, \$7,775) multiplied by the number of pupils participating in the program under the contract. [s. 115.363, Stats.]

### **Optional Technical College Attendance**

Upon request to the school board, a child at risk who is at least 16 years old may, instead of attending high school or attending high school on a part-time basis, attend a technical college if the child and his or her parent or guardian agree, in writing, that the child will participate in a program leading to the child's high school graduation. The district board of the technical college district in which the child resides must admit the child, and every technical college district board must offer day class programs satisfactory to meet the requirements of this provision. [s. 118.15

(1) (b), Stats.] Under this circumstance, a child at risk may earn high school credit and a high school diploma issued by the school district. If a child at risk chooses to attend a technical college, the school board must pay the technical college board an amount calculated by a statutory formula. Transportation to the technical college must be provided by the school district and state aids must be paid for it on the same basis as transportation for pupils attending high school. [s. 118.15 (2), Stats.]

## **ALTERNATIVE EDUCATION PROGRAM**

School districts are authorized to develop alternative education programs to address the needs of pupils in their district. An alternative education program is an instructional program, approved by the school board, that utilizes successful alternative or adaptive school structures and teaching techniques and that is incorporated into existing, traditional classrooms or regularly scheduled curricular programs or that is offered in place of regularly scheduled curricular programs. An alternative education program does not include a private school or a home-based private educational program. [s. 115.28 (7) (e), Stats.]

An alternative education program may be operated at a site separate from the school district, but the facility housing the program must be operated in a manner assuring the safety and health of students and staff. [s. PI 8.01 (2) (i), Wis. Adm. Code.]

A school board may grant a high school diploma to a pupil who has not satisfied the minimum credits requirement if: (1) the pupil is enrolled in an alternative education program; and (2) the school board determines that the pupil has demonstrated a level of proficiency in English, social studies, mathematics, science, physical education, and health education equivalent to that which the pupil would have attained if he or she had satisfied the minimum credits requirement. [s. 118.33 (1) (d), Stats.] A pupil may demonstrate proficiency by completing a competency-based program created by the district or by completing the GED Option 2 program<sup>6</sup> if the district offers it. The type of diploma awarded to a pupil who meets the graduation requirements through a demonstration of proficiency created by the school district is a decision made by the school district. A pupil who passes the GED Option 2 program and completes any other requirements for high school graduation is awarded a traditional high school diploma.

## **HIGH SCHOOL PROGRAM OR CURRICULUM MODIFICATION**

Exceptions under the compulsory school attendance law authorize certain pupils to be excused from regular school attendance if the child participates in a program or curriculum modification. [s. 118.15 (1) (c) 1. and 2. and (d), Stats.]

Under the first exception, any child's parent or guardian, or the child if the parent or guardian is notified, may request the school board, in writing, to provide the child with program or curriculum modifications, including the following:

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<sup>6</sup> The GED Option 2 program allows school districts authorized by DPI to use the GED test battery along with additional program requirements to measure proficiency in lieu of high school credits for students enrolled in an alternative education program.

- Modifications within the child's current academic program.
- A school work training or work study program.
- Enrollment in any alternative public school or program located in the school district in which the child resides.
- Enrollment in any nonsectarian private school or program, or tribal school, located in the school district in which the child resides that complies with certain requirements in federal law.
- Homebound study, including nonsectarian correspondence courses or other courses of study approved by the school board or nonsectarian tutoring provided by the school in which the child is enrolled.
- Enrollment in any public educational program located outside the school district in which the child resides.

[s. 118.15 (1) (d), Stats.]

The school board must issue its decision on the request in writing within 90 days. If the school board denies the request, the board must give its reasons for the denial. [s. 118.15 (1) (dm), Stats.]

The statutes specify a second exception for a child who is at least 16 years old. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age or older may be excused by the school board from regular school attendance if the child and the child's parent or guardian agree, in writing, that the child will participate in a program or curriculum modification leading to the child's high school graduation and a diploma issued by the school district. [s. 118.15 (1) (c) 1., Stats.]

A third exception is for child who is at least 17 years old. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 17 years of age or older may be excused by the school board from regular school attendance if the child and the child's parent or guardian agree, in writing, that the child will participate in a program or curriculum modification leading to the child's high school graduation *or* an HSED issued by the State Superintendent. [s. 118.15 (1) (c) 2., Stats.] A school board may allow pupils to convert an HSED earned through a written agreement to a high school diploma. [s. 118.33 (1) (d), Stats.]

Current law requires that prior to a child's admission to a program leading to the child's high school graduation or a high school equivalency program, the child, the child's parent or guardian, the school board, and a representative of the program must enter into a written agreement. The written agreement must state the services to be provided, the time period needed to complete the program, and how the performance of the pupil will be monitored. The agreement must be monitored by the school board on a regular basis, but at least once per semester. If the school board determines that a child is not complying with the agreement, the school board must notify the child, the child's parent or guardian, and the program that the agreement may be modified or suspended in 30 days. [s. 118.15 (1) (c) 3., Stats.]

## **TECHNICAL EDUCATION HIGH SCHOOL DIPLOMA**

A school board may grant a technical education high school diploma to a pupil who satisfies the minimum credits requirement, described above; earns in the high school grades the same total number of credits that the school board requires of other pupils for high school graduation; and successfully completes a technical education program, established by the school board. [s. 118.33 (1) (g) 1., Stats.]

In establishing a technical education program, the school board may incorporate standards for industry-recognized certifications. DPI must annually provide to each school board operating high school grades a list of industry-recognized certifications. The school board must indicate on a pupil's technical education high school diploma the certifications attained by the pupil. [s. 118.33 (1) (g) 2., Stats.]

# PART III – PROGRAMS AND OPTIONS AVAILABLE TO HIGH SCHOOL PUPILS FOR CAREER AND TECHNICAL EDUCATION AND POST-SECONDARY ENROLLMENT

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Current law provides several options for pupils who want to focus on career and technical education in high school in order to earn either high school credit or postsecondary credit at a technical college or other higher education institution.

## **TECHNICAL PREPARATION PROGRAM**

In cooperation with a technical college district board, each school board must establish a technical preparation program in each public high school located in the school district. The program must consist of a sequence of courses, approved by the technical college system board, designed to allow high school pupils to gain advanced standing in the technical college district's associate degree program upon graduation from high school. [s. 118.34 (1), Stats.]

The technical college district director must appoint a technical preparation council, consisting of 12 members, to coordinate the establishment of the technical preparation programs. In addition, the technical college district board and the school boards of school districts that operate high schools located in the technical college district must establish a consortium to implement the technical preparation programs. [s. 118.34 (2), Stats.]

DPI and the technical college system board must provide technical assistance to school boards to develop technical preparation programs in each high school. Annually, the school board must evaluate its program and report the results to the State Superintendent and the technical college system board. [s. 118.34 (3), Stats.]

## **EDUCATION FOR EMPLOYMENT PROGRAM**

One of the 20 education standards, described above, is access to an education for employment program approved by the State Superintendent. The program must incorporate applied curricula; guidance and counseling services; technical preparation; college preparation; youth apprenticeship or other job training and work experience; and instruction in skills relating to employment. [s. 121.02 (1) (m), Stats.]

An education for employment program must include an education for employment long range plan developed by the school board. The plan must be consistent with any other district plans and must be defined in incremental steps. The plan must be reviewed annually by the

technical preparation council and revised, if necessary, at least once every five years by the school board. In addition, the plan must include all of the following: (1) an analysis of local, regional, and state labor market needs and the educational and training requirements for occupations that will fill those needs; (2) a description of vocational education provided in the district; and (3) a strategy to be used in developing the education for employment program and determining staff development needs and secondary and postsecondary education relationships. [s. PI 26.03 (1), Wis. Adm. Code.]

Further, the plan must identify other educational program requirements that will be included in the education for employment program, including the 20 education standards; vocational skills required under s. 118.01 (2) (b), Stats.; high school graduation standards; programs for children at risk; technical preparation program; youth options; and youth apprenticeship. [s. PI 26.03 (2), Wis. Adm. Code.]

The program must provide to all pupils in grades kindergarten through 12 access to an education for employment program that provides for foundations of good citizenship and that links academic and occupational standards to workplace skills and experiences. The program must provide information to pupils at various grade levels as follows:

- Career awareness at the elementary grade levels.
- Career exploration at the middle grade levels. Career exploration must address stereotyping and may include work-based learning experiences and career research identifying personal preferences in relation to future work roles.
- Career planning and preparation at the high school levels, including all of the following:
  - Career research identifying personal preferences in relation to specific occupations and school supervised work based learning experiences.
  - Instruction in career decision making and employability skills, including work behaviors.
  - Instruction that provides for the practical application of academic skills and applied technologies.
  - The study of the practical application of economics and American economic institutions, including entrepreneurship education.
  - Pupil access to technical education programs that have a curriculum incorporating accurate national, regional, and state labor market information, including labor market supply and demand.

[s. PI 26.03 (3), Wis. Adm. Code.]

## **YOUTH OPTIONS PROGRAM**

Under the Youth Options program, any pupil enrolled in the 11<sup>th</sup> or 12<sup>th</sup> grade who satisfies certain requirements may attend a postsecondary institution in Wisconsin for the purpose of taking a course or courses for high school and postsecondary credit. For purposes of the program,



postsecondary institutions are any Wisconsin Technical College System (WTCS) campus, University of Wisconsin (UW) System institution, Wisconsin tribally controlled college, or Wisconsin private, nonprofit institution of higher education. [s. 118.55 (1), (2) (a), and (7r), Stats.]

In order to attend the UW, a tribally controlled college, or a private college, a pupil must apply to the university or college in the school semester prior to the one in which the student plans to take the postsecondary course. The pupil must also notify the school board of the pupil's intention to enroll in a postsecondary institution, the titles of the courses in which the pupil intends to enroll, the number of credits of each course, and whether the pupil will be taking the course for high school or postsecondary credit. A university or college may admit a pupil under the Youth Options program only if space is available. [s. 118.55 (2), (3) (a), and (4) (a), Stats.]

In order to attend the WTCS, in addition to applying to the technical college and notifying the school board, a pupil must have completed the 10<sup>th</sup> grade, be in good academic standing, and not qualify as a child at risk. The technical college district board must admit the pupil if he or she meets the requirements and prerequisites of the course or courses for which he or she applied. However, the district board may admit a pupil to a course only if there is space available after admitting to the course all individuals applying for the course who are not applying under the program. In addition, the district board may reject an application from a pupil who has a record of disciplinary problems, as determined by the district board. [s. 118.55 (7r), Stats.]

If the pupil wants to take a course for high school and postsecondary credit, the school board must determine whether the course is comparable to a course offered in the school district, whether the course satisfies any of the high school graduation standards, described above, and the number of high school credits to award the pupil for the course, if any. The school board must pay for any course taken at a postsecondary institution that is taken for high school credit and that is *not comparable* to a course offered in the school district. Specifically, if the pupil attends an institution within the UW System, the school district must pay the actual cost of tuition, fees, books and other necessary materials directly related to the course. If the pupil attends a private institution of higher education, the school district must pay the lesser of the actual cost of tuition, fees, books and other necessary materials directly related to the course or an amount determined by a statutory formula. If the pupil attends a technical college under the program, the school board must pay the technical college district board an amount equal to the cost of tuition, course fees, and books. [s. 118.55 (3) (b), (5), (6) (a), and (7r) (d) and (f), Stats.]

Pupils enrolled in the Youth Options program are responsible for traveling to the technical college or college campus to take the course or courses. State financial assistance for transportation costs is available for low-income students. [s. 118.55 (7g), Stats.]

A school board may refuse to permit a pupil to attend a technical college under the program if the pupil is a child with a disability and the school board determines that the cost to the school district would impose an undue financial burden on the school district. [s. 118.55 (7r) (am), Stats.] This limitation does not apply to pupils who wish to attend any other postsecondary institution under the program.

A pupil taking a course at a postsecondary institution for high school credit that is *comparable* to a course offered in the school district is responsible for paying the tuition and fees for the course. If a pupil disagrees with the school board's decision regarding comparability of courses, satisfaction of high school graduation standards, or the number of high school credits to be awarded, the pupil may appeal the board's decision to the State Superintendent within 30 days after the decision. The State Superintendent's decision is final and is not subject to administrative review under ch. 227, Stats. A pupil is responsible for the tuition and fees for a course taken only for postsecondary credit. [s. 118.55 (3) (b), (6) (b) and (c), (7r) (c) and (d), Stats.]

A school board may establish a written policy limiting the number of credits for which the school board will pay under the program to the equivalent of 18 postsecondary semester credits per pupil. If a school board is required to pay tuition and fees on behalf of a pupil, the payments may not exceed the amounts charged to a pupil who is a state resident. If a pupil receives a failing grade in a course or fails to complete a course for which the school board has made payment, the pupil's parent or guardian, or the pupil if he or she is an adult, must reimburse the school board the amount paid on the pupil's behalf upon the school board's request. [s. 118.55 (7t), Stats.]

## **YOUTH APPRENTICESHIP PROGRAM**

As noted above, school boards are required to provide pupils with access to an education for employment program approved by the State Superintendent. Among other requirements, the program must incorporate youth apprenticeships or other job training and work experience. [s. 121.02 (1) (m), Stats.]

The youth apprenticeship program is administered by the Department of Workforce Development (DWD). According to DWD, the program is designed for high school students who want to experience hands-on learning at the worksite in conjunction with classroom instruction. The council on workforce investment, the technical college system board, and DPI are directed to assist DWD in providing the program. DWD is required to approve occupations and maintain a list of approved occupations for the program and develop curricula for youth apprenticeship programs for approved occupations. The program includes two types of grants that DWD may award. [s. 106.13 (1) to (2m), Stats.]

Under the local youth apprenticeship grant program, DWD awards grants to local partnerships for the implementation and coordination of youth apprenticeship programs. "Local partnership" means one or more school districts, or any combination of one or more school districts, other public agencies<sup>7</sup>, nonprofit organizations, individuals, or other persons who have agreed to be responsible for implementing and coordinating a local youth apprenticeship program. A local partnership that applies for and is awarded a local youth apprenticeship grant may use the money for any of the following implementation and coordination activities:

- Recruiting employers to provide on-the-job training and supervision for youth apprentices and providing technical assistance to those employers.

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<sup>7</sup> "Public agency" means a county, city, village, town, school district, or technical college district, an agency of one of those entities, or a state agency. [s. 106.13 (4) (a) 2., Stats.]

- Recruiting students to participate in the local youth apprenticeship program and monitoring the progress of youth apprentices participating in the program.
- Coordinating youth apprenticeship training activities within participating school districts and among participating school districts, postsecondary institutions, and employers.
- Coordinating academic, vocational, and occupational learning, school-based and work-based learning, and secondary and postsecondary education for participants in the local youth apprenticeship program.
- Assisting employers in identifying and training workplace mentors and matching youth apprentices and mentors.
- Any other implementation or coordination activity that DWD may direct or permit the local partnership to perform.

[s. 106.13 (3m) (a) and (b), Stats.]

A local partnership that is awarded a grant from DWD may not use any of the money awarded to provide funding to a business that is operated for profit or to a nonprofit organization that represents business interests. A grant may not exceed \$900 per youth apprentice. A local partnership that is awarded a grant must provide matching funds equal to 50% of the grant amount awarded. [s. 106.13 (3m) (c) and (d), Stats.]

The statutes specify that the following outcomes are expected of a local youth apprenticeship program that receives a grant: (1) at least 80% of the youth apprentices who participate in the program must receive a high school diploma on completion of the apprenticeship; and (2) at least 60% of the youth apprentices who participate in the program for two years must be offered employment by the employer that provided the on-the-job training for the youth apprentice on completion of the apprenticeship. [s. 106.13 (3m) (e), Stats.]

In addition, DWD has the authority to award youth apprenticeship training grants to a public agency, nonprofit organization, or eligible employer that is responsible for the on-the-job training and supervision of a youth apprentice. [s. 106.13 (4) (b), Stats.]