

## CHAPTER 39

## HIGHER EDUCATIONAL AGENCIES AND COMPACT FOR EDUCATION

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## SUBCHAPTER I

## EDUCATIONAL COMMUNICATIONS BOARD

**39.11 Educational communications board; duties.** The educational communications board shall:

(1) 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.

(2) Plan, construct and develop a state system of radio broadcasting for the presentation of educational, informational and public service programs and formulate policies regulating the operation of such a state system.

(3) Protect the public interest in educational television by making application to the federal communications commission for educational television channels reserved for Wisconsin, and take such action as is necessary to preserve such channels to Wisconsin for educational use.

(4) 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;

(5) Work with the educational agencies and institutions of the state as reviewer, advisor and coordinator of their joint efforts to meet the educational needs of the state through radio and television.

(6) Furnish leadership in securing adequate funding for statewide joint use of radio and television for educational and cultural purposes,

including funding for media programming for broadcast over the state networks. The educational communications board may submit joint budget requests with state agencies and other nonstate organizations or corporations for the purposes stated above;

Note: The amendment of (6) by ch. 333, laws of 1973, is effective 7-1-75.

(7) 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;

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

(9) Establish and maintain a continuing evaluation of the effectiveness of the joint efforts of all participating educational institutions in terms of jointly-established goals in the area of educational radio and television.

(10) 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.

(11) 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.

(12) 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 educational communications board if deemed necessary and if funds are available for such purposes.

(13) Throughout this development, seek to cooperate 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.

(14) Coordinate the radio activities of the various educational and informational agencies, civic groups, and citizens having contributions to make to the public interest and welfare.

(15) Manage, operate and maintain broadcasting station WLBL.

(16) When appropriate and related to the programs of the state educational radio and television network, procure or publish instructional material. A reasonable handling charge may be established to cover the costs of providing such material.

(17) Assist any state agency, upon its request, in the development and review of plans for the utilization of educational radio and television to include, but not be limited to, equipment, personnel, facilities and programming.

History: 1971 c. 211; 1973 c. 90, 333.

**39.13 Board staff.** (1) The educational communications board shall appoint an executive director outside the classified service. He shall coordinate the activities and execute the program and orders of the board, maintain liaison with the various federal and state agencies interested in the system of state radio and television broadcasting and exercise such further powers, functions and duties as the board prescribes.

(2) The executive director shall employ, with the approval of the educational communications board, such professional staff, outside the classified service, and clerical and technical staff within the classified service as is necessary.

History: 1971 c. 125, 211.

**39.14 Affiliation agreement.** (1) The educational communications board may enter into an affiliation agreement with broadcast radio and television licensees for the purpose of furthering its responsibilities under s. 39.11 (2), (4), (7), (13) and (14). An affiliation agreement shall include the minimum amount of programming of the Wisconsin educational

radio or television network to be carried by the affiliated radio and television station.

(2) Any amendment to an agreement under sub. (1) in the amount of programming to be carried by the affiliated licensee which is offered by the Wisconsin educational radio or television network may be made by mutual agreement between the affiliated licensee and the educational communications board.

(3) Any nonprofit affiliated licensee of the Wisconsin educational radio or television network shall be required to submit to the educational communications board an annual report of their operating and capital budgets, plans for future development and expansion, schedules of weekly broadcast programming, and all other information deemed reasonable and appropriate by the contracting parties.

(4) The educational communications board shall negotiate an affiliation agreement under s. 36.063 with the university of Wisconsin system.

History: 1973 c. 333.

Note: This section takes effect 7-1-75.

**39.15 Aid for medical education.** As a condition to the release of funds under s. 20.250, one-third of the members of the board of trustees of the medical college of Wisconsin, inc., shall be nominated by the governor, and with the advice and consent of the senate appointed, for staggered 6-year terms expiring on May 1 and the college shall give first preference in admissions to residents of this state. The legislative audit bureau shall biennially postaudit expenditures under s. 20.250 so as to assure the propriety of expenditures and compliance with legislative intent. State affirmative action policies, rules and practices shall be applied to the medical college of Wisconsin, inc. consistent with their application to state agencies.

History: 1971 c. 125; 1973 c. 90 s. 184; 1973 c. 333 s. 78a.

**39.155 Medical college of Wisconsin; state aid and tuition policies.** (1) Effective July 1, 1975, all funds appropriated to the medical college of Wisconsin, inc. under s. 20.250, shall be based on a per capita formula for an amount for each Wisconsin resident student enrolled at the college. A student's qualification as a resident of this state shall be determined under s. 36.16, so far as applicable.

(2) Effective for the fall semester, 1975, the medical college of Wisconsin, inc. shall charge a tuition to students who are residents of this state, not to exceed the first year medical student tuition charged at the university of Wisconsin-Madison medical school for that same academic year. The state may appropriate to the medical college of Wisconsin, inc. under s. 20.250 an

amount equal to the difference between tuition actually charged to residents of this state, and the tuition charged to nonresidents, for each state resident student enrolled.

History: 1973 c. 333.

**39.16 Medical education review committee.** There is created a medical education review committee consisting of 9 members as follows. Five members shall be appointed by the governor for staggered 5-year terms, and shall be selected from citizens with broad knowledge of medical education who are currently not associated with either of the medical schools of this state. The remaining members of the committee shall be the president of the board of regents of the university of Wisconsin system or his designee, the president of the university of Wisconsin system or his designee, a representative designated by the board of trustees of the medical college of Wisconsin, inc. and the president of the medical college of Wisconsin, inc. or his designee.

(2) The medical education review committee shall:

(a) Stimulate the development of cooperative programs by the medical college of Wisconsin, inc. and the university of Wisconsin-Madison medical school, and advise the governor and legislature on the viability of such cooperative arrangements.

(b) Develop basic information on the potential resources for medical education in this state.

(c) Study the resources available and needs for hospital affiliations throughout the state, and approve hospital affiliations after developing a statewide plan in consultation with the 2 medical institutions and various hospitals.

(d) Encourage the development of continuing education programs for practicing physicians in this state, including communication links with outlying regions of the state that would allow practitioners to have access to their medical schools.

(e) Encourage the development of training programs in primary care.

(f) Encourage the development of joint or cooperative programs for training of allied health personnel and the development of accelerated bachelor of science and doctor of medicine training programs.

(g) Encourage the development of systems for cross registration of students for specialized courses.

(h) Stimulate the development of joint research and patient care programs that would most effectively apply the resources of both schools and avoid duplication of expensive

equipment and personnel, and help attract resources for such developments and projects.

(i) Draw upon existing executive, legislative and agency personnel for the provision of staff services to the committee. Any necessary and reasonable expenses incurred by the committee shall be paid from the appropriation under s. 20.505 (5) (a).

History: 1973 c. 333.

## SUBCHAPTER II

### HIGHER EDUCATIONAL AIDS BOARD

**39.26 Definition.** In this subchapter, "board" means the higher educational aids board.

**39.27 Council on financial aids.** The council on financial aids shall advise the board on matters pertaining to the state's student financial aids programs.

History: 1973 c. 90.

**39.28 Powers and duties.** (1) The board 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 board shall establish plans to be administered by the board 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 board may utilize such criteria for determination of priorities, participation or purpose as are delineated in the federal acts.

(3) In its annual report under s. 15.04 (4), the board also shall include recommendations for improvement of the state's student financial aid programs.

History: 1971 c. 125, 211; 1973 c. 90.

**39.29 Executive secretary.** An executive secretary shall be appointed outside the classified service by the board.

History: 1971 c. 211, 228

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

(c) "Effective income" means the sum of the taxable incomes, as defined in sec. 63 of the internal revenue code.

(d) An "accredited" institution is an institution accredited by a nationally recognized accrediting agency or by the board of nursing pursuant to s. 441.01 (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. 36.27, so far as applicable.

(2) **ELIGIBILITY.** A full-time resident student registered as a freshman, sophomore, junior or senior 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.

(b) A student shall be and shall remain eligible for grants provided he meets acceptable academic standards prescribed by his institution.

(d) No grant shall be awarded to members of religious orders who are pursuing a course of study leading to a degree in theology, divinity or religious education.

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

(a) If the student or his spouse, or both, provides the majority of his support, their 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 this section.

(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 to each such student.

(e) The grant under this section for any semester or term shall not be more than that portion of a student's tuition and instruction-related fees exceeding the resident fee at the Madison campus of the university of Wisconsin.

(g) A full-time resident student registered as a freshman after September 1, 1969, as a freshman or sophomore after September 1, 1970, as a freshman, sophomore or junior after September 1, 1971, as a freshman, sophomore, junior or senior after September 1, 1972, in an accredited, nonprofit, post high school, educational institution in this state shall be eligible for grants under this section for each semester or term of attendance, and the schedule shall be as follows:

Effective Income	Maximum grant each semester of study
\$ 0-5,000	\$325

5,001-6,000	250
6,001-7,000	200
7,001-8,000	150
8,001-9,000	100
9,001-10,000	50
over 10,000	None

(h) A full-time resident student registered as a freshman after September 1, 1972, as a freshman or sophomore after September 1, 1973, as a freshman, sophomore, or junior after September 1, 1974, as a freshman, sophomore, junior or senior after September 1, 1975, in an accredited, nonprofit, post high school, educational institution in this state shall be eligible for grants under this section for each semester or term of attendance, and the schedule shall be as follows:

Effective income	Maximum grant each semester of study
\$ 0-6,000	\$450
6,001-8,000	350
8,001-10,000	250
10,001-12,000	150
over 12,000	None

(i) A full-time resident student registered as a freshman after August 1, 1973, as a freshman or sophomore after August 1, 1974, as a freshman, sophomore, or junior after August 1, 1975, as a freshman, sophomore, junior or senior after August 1, 1976, in an accredited, nonprofit, post-high school, educational institution in the state shall be eligible for grants under this section for each semester or term of attendance, and the schedule shall be as follows:

Effective income	Maximum grant each semester of study
\$ 0-6,000	\$500
6,001-8,000	400
8,001-10,000	300
10,001-12,000	200
over 12,000	None

(4) **FORMS.** The board 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: 1971 c. 125; 1973 c. 90; 1973 c. 335 s. 13.

**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 students at any approved, nonprofit public or private institution of higher education in this state. No honor scholarships shall be awarded to persons 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 the resident fee at the Madison campus of the university of Wisconsin. 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 board 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: 1971 c. 125

### 39.32 Student loans. (1) 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. 36.27, so far as applicable.

(2) The board 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.

(3) The board 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 board 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.

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

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

(6) The board shall satisfy the loan of any student who obtained a loan under this section or s. 39.023 between July 1, 1966, and December 15, 1968, where such student died or dies after July 1, 1966, and before completing repayment thereof, and shall write off the balance of principal and interest owing on the loan on the date it received confirmation of such student's death. Obligation to repay such a loan shall terminate on the date of the student's death and any payments made thereon to the board after such date shall be refunded to the payor or his heirs, executor or administrator from the appropriation in s. 20.235 (1) (fa) upon receipt by the board of an application for refund.

(7) The board may write off defaulted student loans made pursuant to this section or made prior to July 1, 1966, under s. 49.42, 1963 stats., from moneys other than advances from the investment board originally appropriated for student loans.

History: 1971 c. 85; 1971 c. 211 s. 126; 1973 c. 90; 1973 c. 335 s. 13

### 39.33 Guaranteed student loan program.

(1) The board may organize and maintain a nonstock corporation under ch. 181 to provide for a guaranteed student loan program in this state under P.L. 89-287 and P.L. 89-329 as may from time to time be amended. The board may make use of and pay for the use of the facilities and services of such corporation.

(2) The board may provide administrative services for the nonstock corporation with which the board has entered into a contractual agreement for purposes of providing for a guaranteed student loan program in this state. Services provided under this section shall be in accordance with the decision of the board as to the type and scope of services requested and the civil service range of any employe assigned to them.

(3) The board or the legislature or any person delegated by the legislature may inspect and examine or cause an inspection and examination

of all records relating to all programs that are, or are to be, administered under contractual agreement between the board and the corporation.

**39.38 Indian student assistance.** (1) There is established, to be administered by the board, a grant program to assist those Indian students who are residents of this state to receive a higher education.

(2) Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed \$1,500 per year. Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. Grants shall be renewable for up to 5 years, if a recipient remains in good academic standing at the institution he is attending.

History: 1971 c. 125

**39.39 Talent incentive program.** (1) ADMINISTRATION. (a) There is established, to be administered by the board, a grant program for resident students enrolling in accredited, nonprofit institutions of higher education in this state.

(b) The board shall determine the number of grants to be awarded to new students for each academic year beginning in September 1972. All students who maintain a satisfactory academic record shall have their grants renewed for the equivalent of one additional academic year.

(c) The amount of the grant shall be based on the student's financial need, as determined by the board. In no case may the incentive grant exceed \$1,000 during any one academic year.

(2) ELIGIBILITY. The board shall be responsible for selecting grant recipients under this section, and shall require that the student meet one or more of the following criteria:

(a) Reside in a poverty area in this state, as determined by the board.

(b) Be a client of an educational talent search program.

(c) Meet other requirements established by the board.

History: 1971 c. 125; 1973 c. 333

**39.40 Educational manpower grants.** (1) There is established, to be administered by the board, a program to provide grants to resident students enrolled in full-time courses of study in critical manpower shortage areas at accredited, nonprofit institutions of higher education.

(2) Grant amounts shall be based on need, as determined by the board, and shall not exceed \$2,000 per year for undergraduates and \$4,000 per year for graduate students.

(3) Critical manpower shortage areas shall be determined by the board upon the recommendation of the department of industry, labor and human relations and shall include:

(a) Teachers of the educationally disadvantaged.

(b) Teachers of children with emotional disturbances or special learning disabilities.

(4) Funds appropriated under s. 20.235 (1) (fd) for the purposes of this section shall be awarded on a pro rata basis if approved grant requests exceed the appropriation.

History: 1971 c. 125

**39.42 Interstate agreements.** The board, 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 any publicly supported institution of post-high school education, with the approval of the board 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 use of public higher education 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: 1971 c. 100, 125

Note: Chap. 125, laws of 1971, which created s. 39.42, also provided:

"Section 528 (4) CONTINUATION OF STUDENT EXCHANGE AGREEMENTS. the repeal of s. 39.03 (8), and the creation of s. 39.42 of the statutes by this act shall not interrupt the continuation of existing student exchange agreements adopted under s. 39.03 (8), 1969 stats. The higher educational aids board shall be responsible for ensuring that all students eligible for resident status maintain that status until changed by actions taken under s. 39.42".

Note: Chap. 106, laws of 1973, directs the board to seek agreements under this section to allow residents to pursue education in veterinary science at out-of-state public institutions.

**39.43 Loan forgiveness for critical manpower occupations.** (1) There is established, to be administered by the board, a loan forgiveness program for students enrolled in full-time courses of study in critical manpower shortage areas at accredited, nonprofit institutions of higher education in this state and outside the state.

(2) Critical manpower shortage areas shall be determined by the state manpower council and shall include the first professional degree in veterinary medicine, dentistry, dental hygiene and optometry.

(3) Eligible students enrolled in designated critical manpower shortage areas shall receive loans under s. 39.32 not to exceed \$2,500 per academic year. Loan amounts shall be based on the financial need of the student as determined by the board.

(4) Loans made to students under this section shall be forgiven at the rate of one-fifth the sum total of the amount borrowed plus accrued interest for each year the recipient practices, or is otherwise employed in the critical manpower occupation in this state.

(5) To be eligible under this section, a student must meet the following requirements:

(a) Be accepted for or satisfactorily enrolled in a designated critical manpower shortage course of study at an accredited nonprofit institution of higher education.

(b) Indicate a willingness to remain in the state or return to the state to practice, or be employed in, the critical manpower occupation for which he was aided.

(c) Be a resident of this state.

History: 1973 c. 90, 333

**39.435 Wisconsin higher education grants.** (1) There is established, to be administered by the board, a grant program for resident students as defined by s. 36.27, so far as applicable, enrolling in accredited, nonprofit public institutions of higher education in this state.

(2) The board may make or authorize such grants to eligible students.

(3) Grants under this section shall be based on financial need, but shall not exceed \$1,500 during any one academic year. The board may establish a minimum grant amount, uniform need determination procedures, a reporting system to periodically provide student economic data, and other rules as the board deems necessary to assure uniform administration of the program, as previously authorized by s. 39.28 (4), 1971 stats.

History: 1973 c. 90; 1973 c. 335 s. 13.

**39.45 College or school of veterinary medicine.** The coordinating council for higher education shall authorize the board of regents of the university of Wisconsin system to establish a school or college of veterinary medicine if studies by the coordinating council in consultation with the council on education of the American veterinary medical association, confirm the need for such school or college and results of these

studies are approved by the legislature. Findings and recommendations shall be reported to the 1971 legislature by March 1, 1971.

History: 1971 c. 100 s. 23; 1973 c. 90 s. 185.

**39.46 Contract for dental education.** (1) On or before July 1 of each year, the higher educational aids board shall initiate, investigate and formulate for procurement, a contract for dental education services in accordance with this section. Thereafter, the board shall conduct a biennial analysis of the program and include a report on its findings and recommendations in its reports under s. 15.04 (4). The legislative audit bureau shall biennially post-audit expenditures under this section. Section 16.75 (1) to (5) are waived with respect to such contract.

(2) The contract under this section shall be between this state and a private nonprofit institution of higher education in this state which operates a school of dentistry approved and accredited by the council on dental education of the American dental association and by the dentistry examining board under s. 447.03, and shall relate, in all provisions, exclusively to the providing of dental education in the dental school of such institution. The contract shall require:

(a) That no courses of instruction in subject matters of a religious nature be included in any instructional program or curriculum administered in or by the school of dentistry, and that no such courses be required for admission to or graduation from the school of dentistry.

(b) That applicants for admission to the school of dentistry who are residents of this state be accorded preference over other applicants having substantially equal academic qualifications and credentials.

(c) That for purposes of this section the nondiscrimination provisions of s. 16.765, expanded to prohibit discrimination on the basis of sex, be limited to apply only to the operation of the school of dentistry and that no such prohibited discrimination be practiced with respect to admissions to the school of dentistry.

(d) That the school of dentistry administer and operate its courses and programs in dentistry in conformity with academic and professional standards, rules and requirements and seek progressively to enrich and improve its courses of dental education, research and public service by full and efficient use of budgetary and other resources available to it.

(e) That all sums to be received by the school of dentistry under the contract be used exclusively in providing undergraduate education in dentistry.

(3) (a) In the contract under this section, the state shall agree, subject to availability of

appropriations for such purpose, that it will pay to the school of dentistry of the contracting institution, on account of its furnishing of such dental education, research and public service courses and programs, an amount for each resident of this state who is regularly enrolled as a full-time undergraduate student in dentistry therein.

(b) The state shall remit payments directly to the school of dentistry of the contracting institution in quarterly or semiannual instalments upon submission and audit of instalment bills or statements.

(4) A student's qualification under this section as a resident of this state shall be determined in accordance with s. 36.27, so far as applicable. No amount may be computed based upon the enrollment of any student who is not a full-time dental student. The number of full-time resident students shall be determined 2 weeks following the late registration period each semester.

History: 1973 c. 90; 1973 c. 335 s. 13

**39.47 Minnesota-Wisconsin student reciprocity agreement.** (1) There is established, to be administered by the board, a Minnesota-Wisconsin student reciprocity agreement. The board, representing this state, shall enter into an agreement meeting the requirements of this section with the designated body representing the state of Minnesota.

(2) Such agreement shall provide for remission of nonresident tuition for a resident of either state who is enrolled as an undergraduate, graduate or professional student at a public institution of higher education operated wholly by the other state. The agreement shall take effect no earlier than July 1, 1973.

(3) Annually on June 30, each state shall determine the number of students for whom nonresident tuition has been remitted under this agreement during the period specified in sub. (5) (b). Each state shall certify to the other state, in addition to the number of students so determined, the aggregate amount of tuition that would have been paid in that year had this agreement not been in effect, the aggregate amount of tuition actually paid in that year and its net tuition loss. The state with the greater net tuition loss shall receive from the other state an amount determined by subtracting the net tuition loss of the state making the payment from the net tuition loss of the state receiving the payment. Such payment shall be made no later than 90 days after such certification is made. Any payments received by this state under this subsection shall be deposited in the general fund.

(4) No agreement under this section shall be effective unless the university of Minnesota,

each year, accepts a negotiated number of qualified residents of this state, not to exceed 20, as entering first-year students into the professional veterinary medicine program at the university of Minnesota.

(5) In this section:

(a) "Net tuition loss" means the difference between the aggregate amount of tuition that would have been paid to a state in any school year by residents of the other state had this agreement not been in effect and the aggregate amount of tuition paid to that state in that school year by residents of the other state.

(b) Enrollment determinations under this section shall begin with the fall session preceding the June 30 date under sub. (3) and include the next following spring and summer sessions.

History: 1973 c. 90

### 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 professional 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 position 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.

**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 (5) (a). Annual commission membership dues shall be paid from the appropriation in s. 20.505 (5) (a).

**(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.