



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 1

TO: MEMBERS OF THE SPECIAL COMMITTEE ON IMPROVING EDUCATIONAL OPPORTUNITIES IN HIGH SCHOOL

FROM: Jessica Karls-Ruplinger and Rachel Letzing, Senior Staff Attorneys

RE: Issues for Consideration by the Special Committee

DATE: October 18, 2012

This Memo provides a description of various issues for consideration by the Special Committee. The Memo is intended to assist the committee in identifying issues for further consideration by the committee and what recommendations the committee wishes to submit to the Joint Legislative Council. The issues are categorized into several areas. Committee members may have additional issues that they want to be considered by the Special Committee that are not described in this Memo.

In general, the recommendations submitted by a special committee to the Joint Legislative Council are proposed legislation. However, the committee may also make recommendations in an alternative manner, such as through a letter to appropriate individuals or through a report that highlights issues that should be addressed in the future.

A. PROGRAMS AND OPTIONS AVAILABLE TO HIGH SCHOOL PUPILS

1. Coordinate Programs and Options Available to High School Pupils

The committee received testimony on the various programs and options that are available to high school pupils, including work-based learning programs and the Youth Options program.

The committee could consider ways to coordinate the programs and options that are available to high school pupils. The coordination could include the coordination of resources for the programs and options, as well as the sharing of information about programs and options. The coordination could be on a statewide basis; on a regional basis, such as described in item C. 2., below; on a community basis; or on another basis.

2. Fund and Modify the Youth Apprenticeship Program

The committee received testimony on the Youth Apprenticeship program. The program is administered by the Department of Workforce Development (DWD) and is designed for high school pupils who want to experience hands-on learning at the worksite in conjunction with classroom instruction. The Youth Apprenticeship program includes two types of grants that DWD may award. A grant under the local grant program may not exceed \$900 per youth apprentice. In addition, state law specifies 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 for two years 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 upon completion of the apprenticeship.¹ [s. 106.13 (1) to (2m) and (3m), Stats.]

The committee could consider changes to the Youth Apprenticeship program that were identified by DWD, including eliminating the funding limit of \$900 per youth apprentice and the 60% employment expected outcome. The committee could also consider ways to raise awareness of the Youth Apprenticeship program and other changes to the program identified by employers and others as barriers to participation in the program.

3. Address the Funding and Inequality in the Youth Options Program

The committee received testimony on the Youth Options program. Under state law, any pupil enrolled in the 11th or 12th grade who satisfies certain requirements may attend a post-secondary institution in Wisconsin for the purpose of taking a course or courses for high school and post-secondary credit. If the pupil wants to take a course for high school and post-secondary 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, 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 post-secondary institution that is taken for high school credit and that is not comparable to a course offered in the school district.² [s. 118.55, Stats.]

The committee could consider whether to address how the Youth Options program is funded by school districts and the inequality in access, based on geography, to technical colleges and other postsecondary institutions under the program.

4. Increase the Availability of Technical Education Courses in High School

The committee has discussed the unavailability of technical education courses in high school. The unavailability may result from insufficient financial resources and other factors.

¹ For additional information on the Youth Apprenticeship program, refer to Staff Brief 2012-03, "Improving Educational Opportunities in High School," pages 16-17.

² For additional information on the Youth Options program, refer to Staff Brief 2012-03, "Improving Educational Opportunities in High School," pages 14-16.

High school pupils may take technical education courses at post-secondary institutions or obtain technical education through various programs. Options under state law include Youth Options, Youth Apprenticeship, and articulation agreements between technical colleges and high schools. Under articulation agreements, high school pupils are eligible to receive technical college credit if they successfully complete a course taught by a high school teacher using a high school curriculum where the high school and the technical college have aligned curriculum competencies and developed an articulation agreement. Upon enrollment in a technical college, the student is awarded credit for the course or courses taken in high school.

In addition, high school students may earn post-secondary credit for successfully completing college-level courses. A transcript is awarded from a post-secondary institution (technical college or four-year college or university) that documents the credits awarded for the course. This transcribed credit may be earned at the high school, on-site at the postsecondary institution, through distance learning, or Internet courses. These courses may also be referred to as “technical college credit” or “dual credit” courses when they are taught by a high school teacher with Wisconsin Technical College System Articulation Certification and an articulation agreement between the high school and the technical college.

The committee could consider mechanisms to increase the availability of technical education courses in high school. For example, the committee could consider how to enable high school pupils to take technical education courses at a technical college or other post-secondary institution, other than through the options provided under current state law.³

5. Increase the Number of Mathematics and Science Credits Required for a High School Diploma

Under state law, 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 high school grades: (1) four credits of English; (2) three credits of social studies; (3) two credits of mathematics; (4) two credits of science; and (5) one and one-half credits of physical education. State 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.⁴ [s. 118.33 (1) (a) and (am), Stats.]

Section 118.01, Stats., sets forth educational goals and expectations for public schools. The statute provides that each school board should provide curriculum, course requirements, and instruction consistent with the goals and expectations. The goals and expectations are divided into the categories of academic skills and knowledge, vocational skills, citizenship, and personal development. Under state administrative code, each school board is authorized to establish an equivalent graduation policy which meets the credit requirements specified for each subject area, but which permits selected equivalent

³ At its November 19, 2012 meeting, the Special Committee will receive testimony on mobile technical education labs.

⁴ For additional information on the minimum credits required for high school graduation, refer to Staff Brief 2012-03, “Improving Educational Opportunities in High School,” pages 4-5.

courses as long as such courses contain the time allotment and substantially the same objectives to develop the knowledge, concepts, and skills of the course for which an equivalent is proposed. [s. PI 18.02 (5), Wis. Adm. Code.]

A school board may grant a high school diploma to a pupil who has not satisfied the required credits, as described above, if both of the following apply:

- The pupil was enrolled in an alternative education program.
- The school board determines that the pupil has demonstrated a level of proficiency in the subjects listed for required credits equivalent to that which he or she would have attained if he or she had satisfied those requirements.

[s. 118.33 (1), Stats.]

Each school district may establish course equivalencies for its district. School districts have the option of soliciting the Department of Public Instruction (DPI) approval of equivalency courses that the district creates. DPI has approved math equivalency credits for technology and engineering courses as well as Project Lead the Way courses. DPI has approved science equivalency credits for family and consumer science courses, food science courses, and agriculture and natural resources courses.

The committee could consider increasing the minimum number of mathematics and science credits required for high school graduation. The committee could also consider creating credit options that involve applied mathematics and science or creating course equivalencies for math and science, other than through the options provided under current state law.

6. Require That Instruction on Personal Finance be Provided to High School Pupils

As described above, a school board may not grant a high school diploma to any pupil unless the pupil has earned a minimum number credits in specified subjects. State law does not require that high school pupils take any credits in courses that instruct on finance, including personal finance.

The committee could consider whether to require or encourage high school pupils to take a minimum number of credits in courses that instruct on personal finance.

B. COLLEGE AND CAREER PLANNING

1. Require or Encourage the Use of Academic and Career Plans

The committee received testimony on academic and career plans being used by the Green Bay School District and Sheboygan South High School, also known as individual graduation plans or individual learning plans. An academic and career plan is an individual plan for a pupil that assists the pupil in the identifying and attaining academic and career goals. Academic and career plans were also recommended in “The Road Ahead: Restoring Wisconsin’s Workforce Development,” the report prepared by Tim Sullivan for Governor Scott Walker.

The committee could consider requiring or encouraging the use of academic and career plans by all school districts in the state. If the committee recommends that the use of academic and career plans be required or encouraged for all school districts, the committee could also consider what criteria should be included in academic and career plans and whether to include accountability measures as part of academic and career plans.

2. Address Post-Secondary Planning for Students with Disabilities

Under state law, at the beginning of each school year, each local educational agency,⁵ must have in effect, for a child with a disability, an individualized education program (IEP). [s. 115.787 (1), Stats.] For additional information about IEPs, refer to item B. 5., below.

If the committee recommends the use of academic and career plans, the committee could consider whether, and how, academic and career plans could be used for students with disabilities.

3. Revise or Eliminate the Education for Employment Program

The committee received testimony on the education for employment program. Under state law, school districts must provide 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. In addition, the program must provide career awareness at the elementary grade levels; career exploration at the middle grade levels; and career planning and preparation at the high school levels.⁶ [s. 121.02 (1) (m), Stats.; and s. PI 26.03 (3), Wis. Adm. Code.]

The committee could consider revising or eliminating the education for employment program, or could consider incorporating the education for employment program in the academic and career plans, described in item B. 1., above, if the committee recommends the use of academic and career plans. The committee could also consider a regional approach to the education for employment program, in which school districts, technical colleges, universities, employers, and others coordinate on the development and execution of the program.

4. Address the Inequity in Guidance Counseling Services

The committee has discussed the inequity in guidance counseling services provided to high school pupils. Under state law, each school board must provide a program of guidance and counseling services for pupils.⁷ [s. PI 8.01 (2) (e), Wis. Adm. Code.] The inequity may result from insufficient

⁵ Generally, “local educational agency” means the school district in which the child with a disability resides, the Department of Health Services (DHS) if the child with a disability resides in an institution or facility operated by DHS, or the Department of Corrections if the child with a disability resides in a Type 1 juvenile correctional facility or a Type 1 prison. [s. 115.76 (10), Stats.]

⁶ For additional information on the education for employment program, refer to Staff Brief 2012-03, “Improving Educational Opportunities in High School,” pages 13-14.

⁷ For additional information on guidance counseling services, refer to Staff Brief 2012-03, “Improving Educational Opportunities in High School,” page 4.

financial resources and other factors. For example, a school district may have to reduce its number of guidance counselors based on financial constraints or school districts may differ in the level of guidance counseling services provided to high school pupils.

The committee could consider addressing the inequity in guidance counseling services. One option that the committee could consider is addressing the inequity in guidance counseling services as part of an academic and career plan, discussed above.

5. Facilitate Transitional Services for Students With Disabilities

As noted above, state law requires each school district to have an IEP in effect for each child with a disability. Beginning no later than the first IEP in effect when a child is 14, measurable post-secondary goals based upon age-appropriate transition assessments related to training or education, employment, and where appropriate, independent living skills, must be included in an IEP. Also, beginning no later than the first IEP in effect when a child is 14, an IEP must include a description of the transition services, including courses of study, needed to assist the child in reaching his or her post-secondary goals. [s. 115.787 (1) and (2) (g) 1. and 2., Stats.]

The committee could consider requiring that when a student has been determined to be eligible for disability related services from an outside agency, the school district must request written consent from the parent or adult student to send copies of all educational records specified in the release of information to the outside agency.

C. REGIONAL COORDINATION

1. Facilitate Regional Coordination of Information and Resources

The committee received testimony on coordination between school districts, technical colleges, universities, and employers that serves to ensure that high school pupils have the skills necessary to meet the workforce needs of employers in the community. For example, some of the testimony on coordination described instances in which the coordination led to work-based programs or to the sharing of information between educators and employers on workforce skills.

The committee could consider ways to facilitate coordination of resources and information between school districts, technical colleges, universities, employers, and others on a regional basis to ensure that high school pupils have the skills necessary to meet the workforce needs of employers in the state.

2. Facilitate Regional Coordination of Programs and Options Available to High School Pupils

The committee received testimony on the various programs and options that are available to high school pupils,⁸ including work-based learning programs and the Youth Options program. The

⁸ For additional information on the programs and options available to high school pupils, refer to Staff Brief 2012-03, "Improving Educational Opportunities in High School," Parts II and III.

committee also received testimony on the need for accurate labor market data, which would allow schools to become familiar with labor market needs in the school's community or region.

The committee could consider ways to raise awareness of the programs and options that are available to high school pupils and of the labor market needs in the school's community or region. One option that the committee could consider is a regional approach, in which school districts within a region of the state coordinate resources for and share information on the programs and options available to high school pupils, as well as share information on labor market data.

D. ASSESSMENTS AND COMPETENCIES

1. Support the Use of the ACT Suite and WorkKeys and Agenda 2017

The committee will receive testimony on the EXPLORE PLAN ACT (ACT Suite) at its October 24, 2012 meeting. DPI recently announced its 2013-15 budget proposal that requires all high school pupils to take the ACT Suite and WorkKeys; this proposal would replace the mathematics, reading, and language arts portions of the Wisconsin Knowledge and Concepts Examination (WKCE) that is administered to pupils in grade 10. Under the proposal, pupils in grade 9 would take the EXPLORE test, which assesses the pupil's strengths and weaknesses in academics and potential career options. Pupils in grade 10 would take the PLAN test, which assesses the pupil's academic progress in high school and assists with college and career planning. Pupils in grade 11 would take the ACT test, which is a college entrance exam, and WorkKeys, which assesses job skills.⁹ DPI's ACT Suite and WorkKeys proposal is part of Agenda 2017. Under Agenda 2017, DPI proposes to reach certain goals regarding college and career readiness for pupils.¹⁰

The committee could consider supporting the use of the ACT Suite, including WorkKeys, and Agenda 2017.

2. Address State Requirements for Secondary Assessments

Under the federal No Child Left Behind Act (NCLB), public schools are required to test 3rd to 8th grade pupils in reading and math each year and to administer science assessments once each in elementary, middle, and high school. Under NCLB, states are to select and design their own assessments, which must align with the state's model academic standards.

State law requires the State Superintendent to adopt or approve examinations designed to measure pupil attainment of knowledge and concepts in grades 4, 8, and 10. [s. 118.30 (1), Stats.] The State Superintendent has adopted the WKCE to meet the federal and state requirements. Students in grades 3, 5, 6, and 7 take tests in reading and mathematics. Students in grades 4, 8, and 10 take tests in reading, mathematics, science, language arts, writing, and social studies.

⁹ For additional information on DPI's ACT Suite and WorkKeys proposal, refer to the following DPI news release: www.dpi.wi.gov/eis/pdf/dpinr2012_98.pdf.

¹⁰ For additional information on DPI's Agenda 2017, refer to the following information on DPI's website: www.dpi.wi.gov/sprntdnt/everychild.html.

In its 2013-2015 biennial budget request, DPI is proposing to use the SMARTER Balanced Assessment Consortium (SBAC) assessment system in grades 3 to 8 beginning in the 2014-15 school year.¹¹ The SBAC assessment system is aligned with the Common Core State Standards and would replace the mathematics, reading, and language arts portions of the WKCE in grades 4 and 8. The SBAC assessment system will not replace the science and social studies portions of the WKCE; instead, DPI is proposing to use a science and social studies test to be developed to meet the state requirements for testing in grades 4, 8, and 10.

As noted above, DPI is proposing to use the ACT Suite in high school in grades 9, 10, and 11. Specifically, DPI is proposing that EXPLORE be administered in grade 9, PLAN be administered in grade 10 and the ACT and WorkKeys be administered in grade 11.

In its 2013-2015 biennial budget request, DPI is requesting that current statutes be amended to direct the State Superintendent to adopt or approve examinations designed to measure pupil attainment of knowledge and concepts in the grades 9 and 11 in addition to those currently required in grades 4, 8, and 10, in order to for the state to adopt the ACT Suite for all high school pupils statewide.

The committee could consider whether to recommend that students take both the PLAN test and the SBAC assessment in grade 10. The committee may also wish to consider making recommendations regarding the timing of the ACT Suite tests in high school.

3. Address Competencies in High School

State law provides flexibility for districts to award high school credit for things such as 24/7 learning, work-based and service learning experiences outside of the classroom, and student mastery of content and skills.

Under state law regarding high school graduation standards, “credit” is defined as the “credit given for successful completion of a school term of study in one course in the high school grades that meets daily for a normal class period or the equivalent established by the board.” [s. PI 18.02 (3), Wis. Adm. Code.] In addition, state law regarding alternative education programs define an alternative education program to mean “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.” [s. 115.28 (7) (e) 1., Stats.]

The committee could consider creating additional or more specific methods for school districts to award credit for competency-based activities to pupils in high school.

¹¹ For additional information on the DPI 2013-2015 biennial budget request, the full text of the request is available at: <http://dpi.wi.gov/pb/pdf/budreq1315.pdf>.

E. OTHER

1. Revise or Eliminate the 20 Education Standards

The “20 education standards” in state law 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) 4th, 8th, and 10th grade assessment examinations; and (20) gifted and talented programs.¹² [s. 121.02 (1), Stats.; and s. PI 8.01 (2), Wis. Adm. Code.]

Under state law, a school board may request DPI to **waive** any school board or school district requirement under chs. 115 to 121, Stats., including the 20 education standards in s. 121.02 (1), Stats., or any requirement in the administrative rules promulgated by DPI under the authority of chs. 115 to 121, Stats. The school board must specify in its request for a waiver its reason for requesting the waiver. However, the school board may not request a waiver for statutes or rules related to any of the following:

- The health or safety of pupils.
- Pupil discrimination under s. 118.13, Stats.
- The pupil assessment program under s. 118.30 and the standardized reading test required under the 20 education standards.
- Pupil records under s. 118.125, Stats.
- The collection of data by DPI.
- The uniform financial fund accounting system under ss. 115.28 (13) and 115.30 (1), Stats., and audits of school district accounts under s. 120.14, Stats.
- Licensure of teachers or certification of school nurses under s. 115.28 (7) or (7m), Stats., other than the licensure of the school district administrator or business manager.
- The commencement of the school term under s. 118.045, Stats.

[s. 118.38, Stats.]

In addition, under DPI’s administrative rules, a school board may request that the State Superintendent approve a plan for **alternative compliance** with any of the 20 education standards. The request must include all of the following information:

¹² For additional information on the 20 education standards, refer to Staff Brief 2012-03, “Improving Educational Opportunities in High School,” pages 3-4.

- The school district standard addressed by the alternative compliance plan.
- The means by which the alternative compliance plan addresses the objectives of the school district standard including all of the following information:
 - The program objectives and anticipated outcomes of the alternative compliance plan.
 - The rationale and research or other information supporting the alternative compliance plan.
 - The staffing patterns that may be affected by the alternative compliance plan.
 - The number of students by grade level to be affected by the alternative compliance plan.
 - Any needed staff development to support the alternative compliance plan.
 - Timelines for implementation of the alternative compliance plan.
 - A description of how the alternative compliance will be evaluated, including a description of how progress toward meeting program objectives and anticipated outcomes identified will be monitored and measured at regular intervals and at the conclusion of the year for which the plan is approved.

The State Superintendent may approve a school district board's plan for alternative compliance with a school district standard if he or she determines the alternative compliance plan will meet the objectives of the school district standard, maintains educational equity, and will result in any of the following: (1) improved efficiency in school administration or instruction; (2) innovation in school district management or instruction, including progress toward outcome-based instruction and assessment; enhancement of educational opportunities; enhancement of education professions; and flexibility in staffing, programming, and scheduling; or (3) other educational improvements. The plan approval may be subject to conditions specified by the State Superintendent. [s. PI 8.01 (3), Wis. Adm. Code.]

The committee could consider revising or eliminating the 20 education standards.

2. Coordinate the Efforts of the Special Committee With the Efforts of the College and Workforce Readiness Council and DPI

The committee received testimony on efforts by the College and Workforce Readiness Council and by DPI on college and career planning and readiness for high school pupils. The College and Workforce Readiness Council was created by Governor Scott Walker by Executive Order #56 on January 13, 2012, to make recommendations to improve college or career readiness for pupils. DPI has addressed college and career planning and readiness through several initiatives, including Agenda 2017 and the ACT Suite budget proposal, described in item D. 1., above.

The committee could consider creating a mechanism to coordinate the efforts of the Special Committee with the efforts of the College and Workforce Readiness Council and DPI.

3. Provide Alternative Certification for Science, Technology, Engineering, and Mathematics (STEM) Teachers

State law provides ways for an individual who has not received an education degree from a college or university to obtain a license to teach, or what is commonly referred to as an “alternative license.”

Under s. 118.192, Stats., an individual who satisfies the following requirements may apply to the State Superintendent for enrollment in an alternative teacher training program established by DPI: (1) holds a bachelor’s degree in engineering, music, art, foreign language, computer science, mathematics, or science from an accredited institution of higher education; (2) has at least five years of experience as a professional in the subject area in which the degree was awarded; and (3) demonstrates, to the satisfaction of the State Superintendent, competency in that subject area that is current and compatible with modern curricula. The alternative teacher training program must consist of approximately 100 hours of formal instruction. A professional teaching permit is awarded to an individual who satisfactorily completes the program. The permit specifies the subject area in which the person may teach. The initial permit is valid for two years, during which the individual must be supervised by an individual who holds a regular teaching license. The permit is renewable for five-year periods.

DPI recently created the Wisconsin License Based on Equivalency (LBE) Standards-Based Assessment pathway for certain individuals who do not have an education degree from a college or university to obtain a license to teach. According to DPI, an individual who satisfies the following requirements may receive an LBE: (1) has three years of teaching experience in Pre-K-12, postsecondary, or industry; and (2) completes a performance-based assessment process to determine competency in the Wisconsin educator standards.

The committee could consider providing alternative certification of STEM teachers, other than the equivalency-based certification option provided by DPI and other options provided in state law.

If you have any questions, please feel free to contact us directly at the Legislative Council staff offices.

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