

## **Contracting with Technical Colleges & Other Ways to Complete High School**

### **1. Which students have the right to attend a technical college for purposes of receiving high school graduation credit?**

Under §118.15(1)(b), Wis. Stats., students who are 16 years of age or older and meet the statutory definition of being a child at risk under §118.153(1)(a), Stats., may take classes at the technical college leading toward high school graduation. Section 118.15(2)(b), Stats., requires a school district to grant the parents' request and pay for the student to attend. Parents may not pay voluntarily or be required to pay. See Questions 5 and 7, below.

Two other options exist under youth options and course options; see Question 30, below.

### **2. What is the definition of being a child at risk?**

Under §118.153(1)(a), Stats., children at risk means pupils in grades 5 to 12 who are at risk of not graduating from high school because they are dropouts, or are 2 or more of the following:

- a) One or more years behind their age group in the number of high school credits attained;
- b) Two or more years behind their age group in basic skill levels;
- c) Habitual truants;
- d) Parents;
- e) Adjudicated delinquents;
- f) Eighth grade pupils whose score in each subject area on the examination administered under §118.30(1m)(am)1. was below the basic level, 8th grade pupils who failed the examination under §118.30(1m)(am)2., and 8th grade pupils who failed to be promoted to the 9th grade.

### **3. When are districts required to enter into an agreement with the technical colleges?**

Prior to the student's admission to the technical college, the pupil, his/her parent or guardian, the school board, and a representative of the high school equivalency program or high school completion program shall enter into a written agreement. §118.15(1)(c)3., Stats.

### **4. What are other ways that a student may attend the technical college under school district sponsorship?**

Under §118.15(1)(c)1., Stats., a child who is 16 years of age or older and who does not meet the statutory definition of being at risk, with the written permission of his/her parent or guardian, may request to attend the technical college to take classes leading to high school

graduation. The school board is not required to grant this request.

Under §118.15(1)(c)2., Stats., any child, who is 17 years of age or older, with the written permission of his/her parent or guardian, may request to attend the technical college to take classes leading to high school graduation or leading to a high school equivalency diploma (HSED). The school board is not required to grant this request. Note: For purposes of the waiver from GED Testing Service this option is considered GED Option #1 (GEDO #1), unless a district has been granted permission to operate a program under GED Option #2, this is the only way that a student may access the HSED while still in high school. See questions 24 – 28.

Under §118.15(1)(cm)1., Stats., if a child who is 17 years of age or older, with the written permission of his/her parent or guardian, began a program leading to a high school equivalency diploma (HSED) while in a secured correctional facility, a secured child caring institution, a secure detention facility or a juvenile portion of the county jail requests to finish the program at the technical college, the school board is required to grant this request and enter into the written agreement with the technical college. There is no educational cost to the public school or to the student and the technical college must admit the student.

A child is considered to have begun a program leading to an HSED if the child has received a passing score on a minimum of one of the four content area tests given under the general educational development (GED) tests or has demonstrated under a course of study meeting the standards established under §115.29(4), Stats., for the granting of a declaration of equivalency to high school graduation a level of proficiency in a minimum of one of the four content areas specified in §118.33(1)(a)1, Stats. (the state minimum high school graduation credits), that is equivalent to the level of proficiency that he or she would have attained if he or she had satisfied those requirements.

**5. Who pays for transportation costs under a contracted agreement?**

The school district of the student's residence is required to pay for the transportation under §118.15(2)(d), Stats. If the school district approves an alternative program, the district must abide by §121.54, Stats.; that is, the same laws apply for transporting students to both alternative programs and regular educational programs.

**6. May students who are 18 years of age and enrolled in school sign a contract with a technical college without parent signature(s)?**

Yes. Students 18 years of age or older are considered adults and can independently enter into an agreement. All other requirements of the school district and technical college still apply.

**7. Are parents permitted to pay to send their children to a technical college to acquire credits toward high school graduation?**

No. The Wisconsin Constitution guarantees a free education for children through age 20, provided that the student has not graduated from high school. Parents may pay for credits for

expelled students or for a course not credited for high school graduation.

**8. May students who are home-schooled attend the technical college during the hours that the public high school serving his/her area is in session?**

For home-schooled students who are age 16 or 17, attendance during regular school hours is permitted under §38.22(1) and (1s), Stats., provided the desired course is not categorized as either an adult basic education or adult high school course. Home-schooled students who are age 15 or 3 younger, and meet the enrollment requirements, may attend a technical college anytime during the summer recess and during evening hours when the local K-12 school is in session.

**9. What is the difference between GED and HSED?**

The GED is the test of general educational development that was developed by the American Council on Education and administered in Wisconsin at testing sites approved by the state superintendent and the American Council on Education. The GED test consists of a battery of tests to measure competency in math, science, social studies and language arts. Persons who pass only the GED test battery qualify for a GED certificate issued by the Department of Public Instruction. This is the original program that was begun after World War II and is available for adults. Wisconsin's version has four additional subject areas and is called the High School Equivalency Diploma (HSED). It consists of the GED test battery as well as health, civic literacy, employability skills, and career awareness. High school students accessing the program through a §118.15 contract must prepare for the GED test battery and the four additional HSED requirements (GED Option #1).

**10. Can a school district require a student to withdraw from special education services before entering into a §118.15 contract program with the technical college?**

No, a school district has a duty to provide needed special education services to each child with a disability.

**11. Can a student with a disability be denied access to an HSED program?**

A high school student with a disability who is at least 17 years of age cannot be denied access to an HSED program because of his or her disability. The Individual Education Program (IEP) team determines which education program is appropriate to meet the needs of the student through the development of an Individual Educational Program. The IEP team must consider program modifications and adaptations, supplemental aids and services, and program modifications and support for school personnel. In addition, the IEP team must consider special factors when developing the individual education program which include behavior, limited English proficiency, Braille, communication needs and assistive technology. If an IEP team determines that a 17 year old student's needs are best met through an HSED program, then the school district must enter into a contracted agreement for such services.

**12. Are school districts required to pay for special education services over and above general education costs at the technical college?**

Yes. The services may be provided by the public school or the public school may contract with the technical college to provide services identified in the individual education plan. In either case, the school district is responsible for the costs of these services.

**13. When contracting with the technical college to enroll in an alternative program, must students be enrolled in a full day of instruction?**

No. Under §118.15(1)(a), Stats., students may be excused from regular attendance; however, it is desirable for students to have a program which is equivalent in length to the full day provided pupils in the regular education program. The contract arrangement should specify the hours of instruction that will be provided. At the high school level, regular school attendance is 1,137 hours per year of instruction. Programs providing fewer hours of instruction should be justified on the basis of student needs and an opportunity to learn. Wisconsin's waiver from GED Testing Service establishes the required minimum of 15 hours/week for students enrolled in an HSED program.

**14. Must all of the 15 hours per week be spent on academics until the student takes the final test?**

Wisconsin's waiver from GED Testing Service establishes that of the 15 hours of instruction the student will be required to participate in at least 10 hours of math, science, social studies, language arts or health instruction each week until his/her instructors certify that he or she is academically prepared to take the final GED test. When the student is academically prepared to take the final test, a larger portion of the student's 15 hours per week can be devoted to experiential training (e.g., vocational/technical college education, art, music, foreign language or work experience). All students must be continuously enrolled and attending the program until they are eligible to take the final GED test.

**15. What is the current hourly rate for §118.15 contracting between school boards and the technical colleges?**

This rate changes annually. For the 2019-20 school year, the hourly rate is \$12.07. This hourly rate does not include charges for special student services requested by the school district which are over and above those routinely provided to all technical college students.

**16. How do parents request approval for their children to attend a technical college?**

The parents make their request to the local school district. This request may be verbal, but it may be necessary to make the request in writing. Prior to admission into the program at the technical college, the parent, the student, the technical college and the school district are required to sign a written agreement/contract.

**17. What are the components of the agreement between the school district and the technical college?**

The agreement should specify the following:

- a) services which are to be provided,
- b) time period needed to complete the high school equivalency program or program leading to high school graduation, and
- c) how the performance of the pupil will be monitored.

Districts are required to monitor the pupil's progress at least once each semester, however, districts that are concerned about a student's ability to comply with the requirements can monitor the student's compliance more often. §118.15(1)(c) 3. and §118.15(1)(cm)2., Stats.

**18. Must school boards notify students prior to modifying or suspending an agreement?**

Yes. Students must receive a 30-day notice if the agreement is to be modified or suspended. §118.15(1)(c)3. and §118.15(1)(cm)2., Stats.

**19. What types of courses may high school students take at a technical college in lieu of high school?**

Students may receive general education subjects (i.e., math, science, English) at the technical college which lead to high school graduation. Nothing precludes a student from taking other technical college courses for elective credit. Note: Under §118.33(3m), Stats., a course taken at a technical college, under §118.15 (1), does not fulfill any of the high school graduation standards under §118.33(1), Stats., unless the state superintendent has approved the course for that purpose.

**20. How many credits do high school students receive for passing a three-credit technical college course?**

No specific formula exists for converting college credit to high school credit for §118.15 courses. However, PI 40.07(2), the administrative code that governs the youth options program offers some guidance: A post secondary course taken under the youth options program and approved for high school credit shall be granted  $\frac{1}{4}$  high school credit per 1 semester credit offered by a postsecondary course. Using this guidance, a 3 credit technical college course would be worth .75 high school credits.

**21. Is passing courses the only way that §118.15 contracted students may earn high school credit?**

No. §118.33(1)(d), Stats., allows school boards to grant a high school diploma to a pupil who has not satisfied the course work requirements if that pupil has demonstrated a level of proficiency in the subjects required for graduation and has been enrolled in an alternative education program as defined in §115.28(7)(e)1., Stats. If a student in an alternative program can demonstrate proficiency using means acceptable to his or her school district, course

work in required subjects need not be completed.

**22. When should a student be allowed to enter into a §118.15 contract to pursue an HSED?**

By law, a student must be at least 17 years of age to begin an HSED program. Because a student may take the final test pursuant to an HSED no sooner than three weeks prior to the end of the semester in which the student turns 18 years of age or three weeks prior to the graduation date of the class in which he or she entered grade 9 it is important that the student not enter the program too early. Students who are awaiting their final test must be continuously enrolled and attending a minimum program of 15 hours per week as required by Wisconsin's waiver from GED Testing Service.

**23. When can a §118.15 contract student actually receive his or her high school equivalency diploma?**

Students will not receive their HSED credential until the class with whom they entered grade 9 has graduated from high school or until the student has reached 18 years and 6 months of age. PI 5.03(2), Admin. Code.

**24. May a local school district prepare students to take the GED tests?**

Yes, local school districts that have applied to the Department of Public Instruction and received approval to offer the GED Option #2 (GEDO #2) program may prepare students who are at least 17 years of age to take the GED tests at the local technical college. See Questions 26, 27, and 28.

**25. May a local school district that has not been authorized to offer GED Option #2 contract with the technical college under §118.15(1) Stats., solely to allow a student to take the GED exams?**

No. PI 5.035, allows a person who is at least 17 years of age to begin taking the GED tests but only if that person is continuously enrolled and attending a program under a contracted arrangement between the local high school and a local technical college or a community-based organization which leads to a high school equivalency diploma and meets the requirements under §118.15(1)(c)2., Stats.

**26. What is the GED Option #2 Program?**

The GED Option #2 (GEDO #2) Program allows authorized school districts to use the GED test battery to measure proficiency in lieu of high school credit for students enrolled in an alternative education program. A student who passes the GED tests and completes the other requirements for graduation is entitled to the traditional high school diploma. Wisconsin received approval to offer this opportunity to local school districts as part of its waiver application to GED Testing Service. The approval was contingent on very specific requirements that are outlined in Question 28.

**27. How is it possible to use the GED/HSED to measure proficiency in lieu of high school credits?**

Wisconsin law allows a school district to issue a high school diploma to a student who has attained the required credits, or if all of the following apply:

- the student is enrolled in an alternative education program, as defined in §115.28 (7)(e)1., and
- the school board determines that the pupil has demonstrated a level of proficiency in the subjects for which credit is required equivalent to that which he or she would have attained if he or she had satisfied the credit requirements. §118.33(1)(d), Stats.

The GED tests are a nationally normed, standards-based means of measuring high school competency. GED testing service has granted Wisconsin permission to use the GED test battery as a means to demonstrate proficiency provided that the program leads to a traditional high school diploma. 7

**28. How does a school district become authorized to offer GED Option #2?**

A school district seeking to offer GEDO #2 must apply to the Department of Public Instruction using PI-8201. In addition to submitting the narrative describing the district's proposed program, the district must also make the following assurances:

- a) Students served will be at least 17 years of age.
- b) Students will be at least one year behind their (9th grade) class in credits earned.
- c) Students served should be able to demonstrate an ability to read at or above the 9th grade level.
- d) A formal meeting(s) will be held before a student is allowed to begin a GEDO #2 program. This meeting will include a discussion of the educational options available to the student; the academic, attendance and behavioral expectations of the student once in the program; and the anticipated goal of the program (traditional high school diploma). Educational options should also be discussed if a student completes academic preparation before they are eligible to take the final GED test. The student, his or her parent or guardian, the student's guidance counselor, principal, and at least one teacher (or their designees) must participate in the meeting(s).
- e) Students must volunteer for the program after participating in the meeting described in (d) above.
- f) A contract with the student, the student's parent/guardian(s), the school, and the GEDO program's coordinator outlining the hours of attendance, academic and behavioral expectations, and services to be provided by the school district will be signed.
- g) A student/teacher ratio of no more than 15:1 will be maintained in the GEDO #2 program.
- h) At least 15 hours of instruction are required each week. The student will be required to participate in at least 10 hours of math, science, social studies, language arts, or health instruction each week until his/her instructors certify that he or she is academically prepared to take the final GED test. At this point a larger portion of the student's 15 hours per week can be devoted to experiential training (e.g. vocational/technical education, art, music, foreign language, or work experience). All students must be continuously enrolled and

attending the program until they are eligible to take the final GED test.

i) Students with disabilities will not be excluded from the program, but must have a current IEP recommending participation in GEDO #2. The IEP must document any related aids and services necessary for successful completion of the program.

j) Eighty percent (80%) or more of the students accepted for GEDO #2 must successfully complete the program and graduate with their class as a condition of program approval for the following year.

k) Students participating in the GEDO #2 program will be required to meet the high school graduation requirements under §118.33, Stats. or district policy.

l) Students who successfully complete GEDO #2 requirements will be entitled to a traditional high school diploma issued by their school district and to participate in the same graduation ceremony as other high school graduates.

m) Program data required by GED Testing Service will be collected and submitted to the Department of Public Instruction each year.

**29. When a student is open enrolled in another school district other than his or her district of residence (i.e., neighboring district, virtual school) how does a §118.15 contract work?**

When a student is full-time open enrolled into another school district and wants to participate in a §118.15 contract, the school district where the student attends enters into a contract with the technical college where the child resides. All other requirements remain the same. For example, if a student who lives in Ashland is enrolled in the Monroe Virtual School, the Monroe School District would enter into a contract with Wisconsin Indianhead Technical College – Ashland Campus.

**30. Are there school district sponsored programs other than those provided pursuant to §118.15, Stats., that would allow high school students to attend a technical college during the regular school day?**

While §38.22, Stats. restricts students under the age of 16 from attending a technical college during the hours of the normal school day. Students age 16 and over can attend through Youth Options and Course Options. The Youth Options Program allows all public high school juniors and seniors who meet certain requirements to attend a technical college during the semester that their high school is in session.

In addition the Course Options Program allows a pupil enrolled in a public school district to take up to two courses at any time from an educational institution. Wisconsin Educational institutions are defined under the Course Options statute as:

- A public school in a nonresident school district;
- the University of Wisconsin System; • a technical college;
- nonprofit institutions of higher education;
- a tribal college;
- a charter school; and
- a nonprofit organization that has been approved by the Department of Public Instruction.



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