*Date:* February 5, 2020

*To:* Public SchoolDistrict Administrators/Summer and Interim Session Coordinators

*From:* Dan Bush, Director, School Financial Services Team

*Subject:* 2020 Summer and Interim Session

A public school district claiming membership for equalization aid and revenue limit purposes for academic summer and interim session classes must follow the summer and interim session statutes, rules, and guidelines available at <http://dpi.wi.gov/sfs/children/summer-school>. The following highlights some of the questions districts and auditors have asked for clarification as well as recent changes in the law:

***Administrative Rule PI 17 revisions effective May 1, 2017***

* Counts as instructional minutes, summer and interim session courses that align with the regular academic curriculum.
* Permits membership calculations to include pupils enrolled in courses funded partially or solely with grant funds.
* Allows the operation of summer or interim session courses in cooperation or through an agreement with another entity.

***Cooperatives and Agreements for Summer and Interim Session Courses \*\*NEW as of 2017\*\****

A district is required to adhere to statutes, rules, and guidelines for summer and interim session classes. Entering into agreements does not relieve the district of responsibility for adhering to statutes, rules, and guidelines for their course offerings. Such responsibilities include establishing instructional objectives, curriculum, and providing for instruction by Wisconsin Department of Public Instruction (DPI) -licensed teachers. Summer courses are open to all residents free of charge.

* A district may operate an academic summer program in cooperation with other municipal governments under [Wis.Stat.sec.66.0301](https://docs.legis.wisconsin.gov/code/register/2016/726B/remove/dhs172), (including CESAs and other school districts).
* A district may operate an academic summer program or offer courses in cooperation or through an agreement with another entity.
* A district may contract for services, including the delivery of instruction for a specific summer or interim-session course.

***Expansion of Eligible Instructional Minutes \*\*NEW as of 2017\*\****

Although the list of specific ineligible activities has been removed from the rule, only minutes of instruction for activities similar to the school year and taught by a licensed teacher are eligible to be counted for membership purposes. Under prior law, the list of ineligible activities included travel time to events (including field trips) and performances (including band, orchestra, parades, and plays). The rule has been updated to allow for eligible minutes of instruction, with a licensed teacher, to take place during these activities.

***Aidable Academic Courses May Include Courses Financed with Grants or Gifts\*\*NEW as of 2017\*\****

A district may include academic instructional minutes for eligible summer and interim session courses regardless of funding source. However, a district is responsible for adherence to statutes, rules, and guidelines for eligible course offerings. It is the district’s responsibility to ensure that meeting grant requirements is consistent with claiming instructional minutes for summer and interim session minutes.

***Aidable Academic Courses vs Non-aidable Summer and Interim Session Activities***

Under state law, membership may only be claimed for eligible academic summer classes that are necessary for academic purposes. The classes must be related or similar to instruction that is offered during the regular school year. In order to count pupils for state aid and revenue limit purposes, all summer and interim-session courses must be open to all students residing in the district, including home-based education and private-school students.

Under state law, pupils participating in summer recreational programs, extracurricular programs, and team sports are not eligible to be counted by school districts for state aid and revenue limit purposes. Examples of non-aidable summer activities: activities organized for athletic or club purposes or exclusive to athletic or club members; community service programs; child-care programs; open gym, non-academic camps, community events/festivals, non-academic performances, before- and after-school programs, recreational activities, orientations, and non-academic field trips.

***Online Course Offerings Taken and Completed During Summer or Interim Sessions***

Under [Wis.Stat.sec.121.14(1)(a)3,](https://docs.legis.wisconsin.gov/document/statutes/121.14%281%29%28a%293.) if eligible pupils complete certain online course offerings provided by DPI-licensed teachers, a district may count instructional minutes for the specific courses allowed by law and described below. Eligible students must be entering grades 7-12 in the fall and successfully complete the eligible online high school course to include resident students and students currently attending a virtual charter school via open enrollment in summer membership.

The online class must fulfill a requirement for high school graduation as specified under [Wis.Stat.sec.118.33(1)(a)](http://docs.legis.wisconsin.gov/statutes/statutes/118/33) in: (a) English, including writing composition; (b) social studies, including state and local government; (c) mathematics, including certain computer sciences and certain career and technical education; (d) science, including certain agriculture and career and technical education and (e) physical education.

***\*\*NEW as of 2018\*\**** In addition to the courses above, eligible pupils may complete courses in health education specified under [Wis.Stat.sec.118.33(1)(a)2](http://docs.legis.wisconsin.gov/statutes/statutes/118/33) or from any combination of vocational education, foreign languages, fine arts and other courses, which are specified under [Wis.Stat.sec.118.33(1)(am).](https://docs.legis.wisconsin.gov/document/statutes/118.33%281%29%28am%29)

These online courses no longer require resident students or students attending the virtual charter school via open enrollment to be on-site. The law continues to require students attending the district via open enrollment (in a non-virtual charter school) to access these online courses within the geographical boundaries of the district.

Online classes must comply with all other state summer or interim session course requirements (e.g., fees, partnerships, academic courses, etc.) and provide 8,100 minutes of direct instruction to earn one (1) credit to be eligible to count students for membership*.* A district must document and retain records used in the calculation of the instructional minutes generated for each class that is included for the DPI Pupil Count Summer or Interim Session Membership report.

***Instructional Minutes and Membership***

There is no limit on the maximum number of instructional minutes per pupil per day that may be claimed for membership. Only the time spent by pupils receiving direct instruction from a DPI-licensed teacher may be counted for membership. Independent study times/study halls are not considered to be instructional time and are not eligible to be counted for state aid or revenue limit purposes. The total number of instructional minutes continues to be divided by 48,600 to calculate 1.0 full-time equivalent (FTE) pupil.

***Logged Classes***

Logged classes are for individualized, direct, and one-on-one instruction. The instructional time generally varies per student. The teacher maintains a daily log and a summary log, reflecting the student’s name, start and finish time, and number of minutes the teacher provided instruction to each student. Minutes cease to accrue when the instructor is no longer providing direct instruction to the student. Generally, these types of classes generate very few minutes or FTEs.

***Fees***

If a district is claiming membership for state aid or revenue limit purposes for the course, they may only charge a minimal material fee. If a district claims state aid under [Wis.Stat.sec.121.14](http://docs.legis.wisconsin.gov/statutes/statutes/121/II/14), there shall be no cost to the resident student beyond individual use supplies (such as towels, gym clothes, notebooks, and pencils), textbooks, or similar items. Items for which fees are charged must be legally permitted and actually purchased for use by the student enrolled in the particular summer or interim session course.

If a district is not claiming the minutes as a part of its summer or interim session program, it may establish and collect reasonable fees for social, recreational or extracurricular summer classes and programs which are neither credited toward graduation nor eligible for state aid [Wis.Stat.sec.118.04(4)](http://docs.legis.wisconsin.gov/statutes/statutes/118/04). School boards may also provide and charge for transportation for extracurricular activities such as school athletic contests, after-school practices, late activities, school outings, or extracurricular school field trips [Wis.Stat.sec.121.54(7)](http://docs.legis.wisconsin.gov/statutes/statutes/121/IV/54/7)[s. 121.54 (7) Wis. Stats.]. Such activities are not eligible for state aid or revenue limit purposes and cannot be included in the summer membership report.

***Reconciling Fees\*\*NEW as of 2017\*\****

A district that charges a fee for a summer or interim session course must complete the fee reconciliation in the PI-1804 or PI-1805 workbook by October 1st. Failure to complete the fee reconciliation in the PI-1804 or PI-1805 workbook will result in a finding from the district’s auditor and may result in a reduction in state aid and/or membership.

Fees, if charged, must be based on an allowable and actual cost per student per course. If course fee revenue is in excess of eligible course costs the district will have to either refund the student(s) by October 1st, or accept a DPI aid penalty, or accept a DPI FTE reduction.

 ***Fees – Examples of Ineligible Fees***

Examples of items for which fees cannot be charged are: internet access, computer hardware, operating software, tuition/instruction, equipment/apparatus, vehicles, gas, insurance, transportation, shuttling, food or lodging for off-campus classes, building costs, and entry fees.

Summer or interim session fees cannot be used to subsidize other classes or students. For example, charging a single fee, such as $20, to all summer or interim session participants is not allowed unless it can be documented that each student received or consumed supplies at least equal to the fee. Most often fees will vary and depend on what supplies and materials each class uses.

If a district offers a course in cooperation or through an agreement with another entity, the district must ensure that the cooperating entity does not charge a fee to gain access to the course. Fees including organization membership, participation, and facility access are prohibited.

***Summer Membership Report Filing***

Summer and interim session coordinators should submit the Excel-generated PI-1804 and/or PI-1805 Summer or Interim Session Membership workbook to your business office. School officials must electronically submit the membership information to DPI via the password protected SAFR reporting portal located at <https://dpi.wi.gov/sfs/reporting/safr/overview>.

The report is due on or before October 1st of each year, even if October 1st falls on a weekend. The school district’s business office must retain the PI-1804 and/or PI-1805 workbook, including fee reconciliation, for audit purposes.

***Contacts***

General and financial summer or interim session questions may be directed to Roger Kordus at Roger.Kordus@dpi.wi.gov or 608-267-3752 or Bruce Anderson at bruce.anderson@dpi.wi.gov or 608-267-9707.

Questions concerning summer or interim session transportation may be directed to Bruce Anderson at bruce.anderson@dpi.wi.gov or 608-267-9707.