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## Introduction

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On September 21, Governor Walker signed the biennial budget bill that was forwarded to him by the legislature. Last month AWSA provided a simple overview of some of the items included in this budget. Now, we would like to provide a more thorough review. What follows is a review of key items included in the recently signed budget, items that are of particular importance to members.

### A note about the budget process:

Please keep in mind that in Wisconsin, the education budget process begins with a series of budget requests that are made by the Department of Public Instruction. These requests are forwarded to the governor, who submits a formal budget document to the legislature. Once in the legislature, the Joint Finance Committee reviews the requests made by the governor and keeps, deletes, or changes the request. After the Joint Finance Committee approves the budget, it is approved by the state assembly and senate before it goes back to the governor for consideration. The governor can sign the budget or use powerful line-item veto power to make what can amount to significant changes to the budget as it becomes law.

### A note about some acronyms:

Throughout this document numerous acronyms are used. In most cases, the acronyms are articulated the first time they are used. Two items for which there are no explanations and that require explanation are GPR for General Purpose Revenue and FY for fiscal year.

General Purpose Revenue is money raised by the state, mainly through taxes. In the 2015-17 budget, GPR accounts for 45% of the state budget. GPR is the most flexible type of funding and is available for appropriation by the legislature for any purpose. Fiscal year is simply a reference to the year in which the money will be spent.

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## Mental Health: Expanding Access and Improving Services

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### Mental Health Categorical Aid Program

The Department of Public Instruction requested \$3,000,000 GPR beginning in FY19 to create a new categorical aid program to support school districts and independent charter schools in the provision and expansion of mental health services, by reimbursing school districts for expenditures on social worker services (district employees or contracted services). The governor approved the DPI's request.

The Joint Finance Committee expanded the program to allow private schools participating in a parental choice private school program to be eligible for the aid program and specify that private schools would be subject to the same reporting and other requirements as public schools.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

### School-Based Mental Health Collaborative Grant Program

The Department of Public Instruction requested \$2,500,000 GPR beginning in FY19 to create a new grant program. Under this new grant program, the Department would award grants to school districts and operators of independent charter schools, to be used for the purpose of providing mental health services to pupils, in collaboration with community health agencies. Strategies may include co-locating community mental health clinics in schools and providing screening and intervention services. The Department would be provided authority to promulgate rules for this new program. The governor approved the DPI's request.

The Joint Finance Committee increased funding by \$750,000 GPR, so as to provide \$3,250,000 beginning in FY19. The committee also replaced language in the governor's proposal with specific provisions that require the Department to:

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- Establish and administer a competitive grant program to award grants to school districts and operators of independent charter schools, to be used for the purpose of providing mental health services to pupils, in collaboration with community health agencies.
- Permit school boards and independent charter schools to apply for a grant individually or as a consortium of school boards, charter schools, or both, and that Cooperative Educational Service Agencies (CESAs) could be considered a consortium of school boards.
- Promulgate rules (including emergency rules) for the program that include specific provisions related to billing the Medical Assistance (MA) program and health insurance where applicable, seeking out funding from other sources to offset costs not covered by MA or health insurance, and additional application criteria.
- Require the State Superintendent to establish an advisory committee to make recommendations to the Department about the criteria used to award grants under the administrative rule. The committee would terminate upon publication of the permanent rule unless the State Superintendent elects to continue the committee. Specify that the committee must include the following members:
  - A current or retired school administrator;
  - An individual who holds a teaching or pupil services license issued by the Department;
  - A mental health services provider or a representative of an association representing mental health service providers;
  - A family member of a pupil who is receiving or may receive mental health services;
  - A representative of a school board or an independent charter school.

In his budget veto, the governor's veto would:

- Eliminate the specific requirements added by the Joint Committee regarding the criteria to be included in the administrative rule (but preserve the requirement to promulgate a rule and authority to utilize the emergency rule process).
- Eliminate the requirement that the State Superintendent establish an advisory committee.

## Mental Health Training Support

The Department of Public Instruction requested \$420,000 GPR in FY18 and \$420,000 GPR in FY19 to support training opportunities aimed at increasing capacity within school districts and independent charter schools to provide mental health screening and intervention services to pupils. The department also requested authority to create 1.0 FTE GPR permanent position, and \$71,300 GPR in FY18 and \$91,400 GPR in FY19, to administer and support statewide training related to the Screening, Brief Interventions, and Referral to Treatment (SBIRT), Trauma Sensitive Schools (TSS), and Youth Mental Health First Aid (YMHFA) programs. In his request, the governor approved this item.

In their budget bill, the Joint Finance Committee deleted \$200,000 GPR annually to reflect funding provided in 2017 Act 31. In addition, the committee sought to amend Act 31 so that it would reference the three evidence-based strategies identified in the Governor's recommendation.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Funding for Medical Assistance Benefits

The Joint Finance Committee's budget bill included a provision to increase funding for Medical Assistance (MA) benefits by \$610,000 (\$250,000 GPR / \$360,000 FED), beginning in FY19, to reflect an estimate of the cost of providing MA reimbursement for clinical consultation involving mental health practitioners and school personnel (students up to age 21). The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Information Technology Education Grant

In their budget bill the Joint Finance Committee included a provision to provide \$875,000 GPR in FY18 and FY19 for the Department of Public Instruction to contract with a single provider of information technology (IT) education for public school pupils in grades 6-12, technical college students, and library patrons.

In addition, the Joint Finance Committee's provision does the following:

- Requires that the program:
  - provide instruction on IT skills and competencies in areas requested by employers;
  - allow participating pupils and educators to secure broad-based industry-recognized IT certifications; and
  - operate in 225 sites, including 16 public libraries.
- Specifies that the funding be awarded as a competitive grant following a request for proposal process.
- Requires that the selected provider demonstrate that it has successfully offered an IT instructional program in schools in Wisconsin and develop an instructional program that includes all of the following:
  - A research-based and skill development IT curriculum;
  - Online access to the curriculum;
  - Instructional software for classroom and student use;
  - Coding curriculum and material that are aligned to the computer science advanced placement exam and grant a certificate upon successful completion of the curriculum and passage of an advanced placement exam;
  - Certifications of skills and competencies in a broad base of IT-related skill areas, including applications used most often in business;
  - Professional development and co-teaching for faculty, including but not limited to computer science;
  - Deployment program support, including but not limited to integration with current curriculum standards;
  - Methods for students to earn college credit; and
  - A demonstrated track record with schools within the state of Wisconsin.
- Requires that DPI give preference to an entity that demonstrates that it has successfully provided high quality IT instructional programming and educational opportunities to pupils in Wisconsin.
- Specifies that a school district would not be eligible for a CTE incentive grant for a pupil who receives a certification from the provider as a result of that certification.

This item was not included in the Department of Public Instruction's budget request. The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Personal Electronic Computing Device Grants

The Joint Finance Committee's budget provided \$9,187,500 GPR beginning in FY19 in a new appropriation for grants for personal electronic computing devices for school boards, independent charter schools, private schools, and tribal schools. The grants would be equal to \$125 per ninth grade pupil, defined as the number of ninth grade pupils included in a school district's membership (as used to aid purposes), and for an independent charter, private, or tribal school, as the number of ninth grade pupils attending the school in the current year.

In addition, the Joint Finance Committee's provision requires a local match equal to the grant as a condition of receiving a grant and requires the DPI to prorate grant payments among eligible applicants if the appropriation is insufficient to support all eligible claims. In addition, grants awarded under the program could be used only to purchase personal electronic computing devices, software for personal electronic devices, or curriculum (including any related educational content or materials, a portion or all of which includes content that may be accessed on a personal electronic computing device), or to train professional staff on how to effectively incorporate personal electronic devices into a classroom and into a high school curriculum. Finally, grants could be awarded beginning in FY19 and ending in FY23 and no funds could be encumbered from the appropriation after June 30, 2023.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Early College Credit Program (ECCP)

While the Department of Public Instruction did not include a budget request related to the Early College Credit Program, the governor's request eliminated current law provisions for the Youth Options and Course Options programs and created the Early College Credit Program (ECCP) to govern traditional dual enrollment for college credit, under which a public high school pupil<sup>1</sup> may enroll in an institution of higher education (IHE) for the purposes of taking one or more nonsectarian courses, including during summer semester or session.

The governor's budget included the following general eligibility parameters:

- A pupil in any high school grade could participate in the ECCP (current law for Youth Options limits participation to pupils in the 11th and 12th grades).
- Eligible IHEs include UW System (UWS) institutions, technical colleges within the Technical College System, tribally-controlled colleges, and private, nonprofit IHEs located in the state.
- Cost Sharing: costs would be shared between the IHE (limit on allowable tuition charge), the school district (direct payment to IHE), and the state (reimbursement to school district); and for postsecondary-only credit, the pupil (reimbursement to school district). See "Tuition" bullet and "Cost Sharing under the ECCP" table, below.

In addition, the governor's budget included the following pupil responsibilities:

- Indicate on the application for the ECCP whether they will take the course for high school or postsecondary credit, or both; and
- Consent to the IHE disclosing information pertaining to the course(s) the pupil enrolled in, and the pupil's grades and attendance record, to the public school in which the pupil is enrolled.

The Institute of Higher Education (IHE) had the following requirements:

- Admit a pupil to attend a course under the ECCP at the IHE, provided the pupil meets the requirements/prerequisites of the course, and there is space available in the course.
- If a pupil indicates that they intend to take a course for postsecondary credit at a UWS institution, the UWS must notify the pupil as to whether credits earned for the course are transferable between and within institutions within the UWS.

Finally, the school district had the following responsibilities:

- Pay the IHE for the cost of the course within 30 days of the end of the semester.
- Submit an itemized report to the Department of the amounts paid to IHEs for pupils participating in the ECCP.
- Establish a written policy governing the timing and method for recovering the pupil's share of the tuition for courses that a pupil takes for postsecondary credit only.
- Update the required notice of educational options available to children in the school district to include the ECCP, and to reflect the restoration of part time open enrollment (and the elimination of Course Options and Youth Options).

For courses that a pupil takes at a UW System institution, technical college or tribally-controlled college, the allowable charge for tuition would be set at one-third of the amount that would be charged to a state resident undergraduate student enrolled in the IHE for each credit assigned to the course.

For courses that a pupil takes at a private, nonprofit IHE located in the state, the allowable charge for tuition would be set at no more than 33 percent to the amount charged by a UWS institution (for each credit assigned to the course).

If the pupil takes that course at a high school in a school district (for high school credit), the school board of the school district in which the pupil is enrolled (rather than the IHE) would be responsible for the costs of books and other necessary materials for the course.

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<sup>1</sup> Pupils attending a technical college under s. 118.15 (1) (b) [alternative education] would not be eligible to participate in the ECCP.

Prohibition on additional charges: Neither the IHE or the school board may charge any additional costs or fees to a pupil, except that the bill would retain the current law provision that a school board may limit the amount it will pay to no more than 18 postsecondary semester credits per pupil.

*Cost Sharing under the ECCP*

Credit is earned for:	School District	State	Pupil	IHE
High School (even if also for postsecondary)*	75%	25%^	0%	Cost sharing through limit on allowable tuition charge
Postsecondary <u>only</u> *	25%	50%^	25%^	

\*The course must not be comparable to one offered in the school district in which the pupil is enrolled.

^Via reimbursement to school district from grant funds appropriated in the Dept. of Workforce Development and from the pupil.

Note: Pupil's share of tuition: the pupil is responsible for 25 percent of the tuition if the pupil takes a course for postsecondary credit only. However, the school board must waive the pupil's financial responsibility if the Department of Public Instruction determines that the cost would pose an undue financial burden on the pupil's family.

State's share of tuition: the state's share of the tuition cost sharing model would be accomplished by appropriating funds within the Department of Workforce Development (DWD) and reimbursing school districts for costs incurred under the ECCP.

Note: Provide \$ 1,150,300 GPR in FY18 and \$1,753,500 GPR in FY19, in a new appropriation in DWD, for payments to school districts. The Secretary of DWD is directed to make payments to the Department, on behalf of the school board of a school district in which a pupil who attended an IHE, of the following amounts:

- For a pupil who took a course for high school credit (even if also for postsecondary credit), 25 percent of the actual cost of tuition for the course\*.
- For a pupil who took a course for postsecondary credit, 50 percent of the actual cost of tuition for the course<sup>2</sup>.

The Department of Public Instruction is directed to distribute the payments received from DWD as reimbursement to school districts to provide the state's share of tuition costs, in accordance with the cost sharing model described above and based on the itemized report of the amounts paid to IHEs for pupils participating in the ECCP submitted by the school district to the Department.

For their part, the Joint Finance Committee's budget included the following:

- Delay the creation of the ECCP and restoration of the part-time open enrollment program until FY19.
- Delete \$1,150,300 GPR in FY18 for payments to school districts (retain \$1,753,500 GPR in FY19).
- Modify the allowable tuition amounts:
  - For courses that a pupil takes at UW College campuses (2-year institutions), one-half of the amount that would be charged to a state resident undergraduate student enrolled at the UW College (per credit).
  - For courses that a pupil takes at other UW institutions (4-year institutions), not to exceed one-third of the amount that would be charged to a state resident undergraduate student enrolled at the UW institution (per credit).

<sup>2</sup> The payments would be prorated if the Department of Workforce Development appropriation were insufficient to fully fund all eligible reimbursements to all school districts.

- For courses that a pupil takes at a private, non-profit IHE, one-third of the amount that would be charged to a state resident undergraduate student enrolled at UW Madison (per credit).
- Specify that technical colleges would not be included in the program, but would continue to operate under statutes similar to the current law for the Youth Options Program (Act 59 moves the language of the current law for Youth Options to the statutes for the Technical College System [Chapter 38, Wis. stats.]).
- Specify that a high school pupil attending a private school could participate in the program and that the private school would be required to abide by the same requirements and rules as public schools related to the ECCP.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Early College Credit Program

The governor's budget included a provision to create an annual GPR appropriation and provide \$1,150,300 in FY18 and \$1,753,500 in FY19 to reimburse school districts for payments under the early college credit program (ECCP), under which any public high school pupil could enroll in an institution of higher education for the purpose of taking one or more nonsectarian courses, including during a summer semester or session.

Moreover, the provision would require the Department of Workforce Development to pay to the Department of Public Instruction a portion of the costs of tuition for a pupil attending an institution of higher education under this program on behalf of the school board, with the reimbursement percentage determined based on the type of course credit received by the pupil.

If the appropriation under Department of Workforce Development is insufficient to reimburse all school districts the full amount of reimbursable tuition, the Secretary of DWD would be required to notify the State Superintendent, who would then be required to prorate the amount of the payments among eligible school districts.

The Joint Finance's budget bill delayed the creation of the early college credit program and restoration of the part-time open enrollment program until FY19, and as a result, the committee's budget deleted \$1,150,300 GPR in FY18.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

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## Educator Licensure and Education Preparation Programs

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### Eliminate Expiration Dates for Teaching and Administrator Licenses

While the Department of Public Instruction did not include a budget item, the governor's budget eliminated the requirement that an individual who holds a valid and current initial teaching license, a professional teaching license, a master educator license, or an administrator license, issued by the Department, renew that license. Moreover, the governor's request eliminated renewal requirements for teaching and administrator licenses issued by the Department after the effective date of the bill and maintained current law with respect to the substantive requirements for initial licensure and to the conditions for revocation of these licenses.

The Joint Finance Committee modified the Governor's recommendation to require the Department of Public Instruction to invalidate the lifetime license of an individual who has not been actively employed in a school district for five or more consecutive years. The individual could apply for a three-year provisional license and work towards a lifetime license. The committee also modified the governor's recommendation to require the Department to issue a provisional three-year license for new educators, administrators, and pupil services professionals, with a lifetime license granted after the completion of six semesters of successful experience, as certified by the school boards where the person works.

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The committee's bill also required the Department of Public Instruction to issue a provisional three-year license to current holders of initial licenses, who could obtain a lifetime license after completion of six semesters of successful service and specified that provisional licenses could be renewed if the holder does not complete six semesters of experience within three years (license holder would have to complete the six semesters of experience within three years of the provisional license renewal in order to obtain a lifetime license). Finally, the committee's budget continued to require the Department to conduct background checks for MPS, school districts, and independent charter schools.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Background Checks for Teaching and Administrator Licenses

While the Department of Public Instruction did not include a request in this area, the governor's budget sought to transfer responsibility for conducting ongoing background checks, with the assistance of the Department of Justice, at least every five years, from the Department to the school board in which the individual is employed. Moreover, the governor's budget sought to permit school boards to contract with the Department of Justice to conduct these background checks.

The requirement to conduct background investigations will also apply to the governing board of a private school participating in a parental choice program – see Program Language Changes "Private School Parental Choice Programs". Finally, the governor's budget sought to retain the Department's responsibility for conducting initial educator background investigation (with the assistance of the Department of Justice), prior to issuing an educator or administrator license.

The Joint Finance Committee's budget bill continued to require the Department to conduct background checks on behalf of all school districts, including the Milwaukee Public Schools, and independent charter schools, as under current law.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Alternative Teacher Preparation Program (License)

While the Department of Public Instruction and the governor did not include specific requests, the Joint Finance Committee's budget bill requires the DPI to grant an initial teaching license to an individual who meets the following requirements:

- possesses a bachelor's degree;
- has successfully completed an alternative teacher certification program operated by an alternative preparation program provider that is a non-profit organization under section 501 (c) (3) of the Internal Revenue Code, that operates in at least five states and has been in operation for at least ten years, and that requires the candidate to pass a subject area exam and the pedagogy exam known as the Professional Teaching Knowledge exam to receive a certificate under the program; and
- successfully completes a background check. These specific provisions describe the American Board for Certification of Teaching Excellence (ABCTE).

The budget provision specified that this license would authorize an individual to teach the subject and educational levels for which the individual successfully completed this program.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Substitute Teacher Permit for Individual with Associate's Degree

While the Department of Public Instruction and the governor did not include specific requests, the Joint Finance Committee's budget bill requires the State Superintendent to grant a substitute teacher permit to an individual with a two-year degree or its equivalent and substitute teacher training.



The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

### **Junior Reserve Officer Training Corps Teaching License**

While the Department of Public Instruction and the governor did not include specific requests, the Joint Finance Committee's budget bill requires the Department to grant a license to an individual to provide instruction to pupils enrolled in a Junior Reserve Officer Training Corps (JROTC) program offered in the high school grades if the individual satisfies the following criteria: (a) possesses a bachelor's degree; (b) successfully completed a JROTC instructor certification program; and (c) fulfills current law requirements related to criminal convictions and background checks for educators.

Moreover, the committee's bill specified that the license under this provision would authorize the individual to teach the courses for which the individual successfully completed the JROTC instructor certification process.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

### **Online Teacher Reciprocity**

While the Department of Public Instruction and the governor did not include specific requests, the Joint Finance Committee's budget bill specified that an individual who is located in another state but teaches an online course through a virtual charter school or public school district located in Wisconsin, and who holds a license or permit to teach that subject and level in the state in which he or she is located, would be appropriately licensed to teach that subject and level in Wisconsin.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

### **Reciprocity Teaching and Administrator Licenses (Licensure in Another State)**

While the Department of Public Instruction did not include specific requests, the governor's and Joint Finance Committee's budget bills included language to repeal the requirement that a teacher or administrator must have received an offer of employment to teach in a school located in this state in order to qualify for a teacher license or an administrator license based on licensure in another state.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

### **Teacher Licensure Rulemaking Process**

While the Department of Public Instruction and the governor did not include specific requests, the Joint Finance Committee's budget bills included language to require the Department to submit a rule to the Legislature by January 1, 2018, revising PI 34 (administrative rule), which contains provisions related to teacher licensure. They specified that the rule could not reduce the standard of quality for obtaining a teacher license.

Their bill also required the rule to simplify the licensure system as much as practicable, including at least all of the following: (a) simplify the grade levels licensees can teach and create broad field subject licenses; (b) enable school districts to increase the number of teachers by offering internships and residency opportunities; (c) simplify out-of-state licensure reciprocity; (d) expand pathways for existing licensees to fill positions in geographic areas or subject areas that are in need of educational personnel; and (e) create a permit that allows a person enrolled in an educator preparation program to work in a school district as part of an internship, residency program, or equivalent program.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

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## Civics Assessment Requirement for High School Graduation

The Joint Finance Committee bill increased the score that an individual must achieve on a civics assessment in order to graduate from high school from 60 points to 65 points. The Department of Public Instruction and the governor did not include specific requests for their item. The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

## Faculty Teaching in Public High Schools College Professors in High Schools

While the Department of Public Instruction did not include specific requests, the governor's budget included a provision to permit a faculty member of an eligible institution of higher education (IHE) to teach in a high school, without a license issued by the Department, if the individual possesses a bachelor's degree and is in good standing with their employing institution. An eligible IHE includes institutions or college campuses within the UW System, a technical college, or any private, nonprofit postsecondary institution that is a member of the Wisconsin Association of Independent Colleges and Universities.

The Joint Finance Committee adopted the governor's recommendation and specified that the faculty member would be required to successfully complete a background check. The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

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## Bullying Prevention Grants

While the Department of Public Instruction did not have a specific request, the governor and the Joint Finance Committee added language to the budget bill to provide \$150,000 GPR annually and direct the Department to award grants to a nonprofit organization to provide training and an online bullying prevention curriculum to pupils in grades kindergarten to 8. The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law.

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## School Report Card Reforms

While the Department of Public Instruction did not have a specific request, the governor and the Joint Finance Committee added language to the budget bill to require the Department to add the following information about high school pupils in the annual school (accountability) report cards for each school district and each high school in the school district:

- The number and percentage of pupils attending a course through the Early College Credit Program.
- The number and percentage of pupils participating in a Youth Apprenticeship.
- The number of community service hours provided by pupils.
- The number of advanced placement courses offered to, and earned by, pupils.
- The number of pupils earning industry-recognized credentials through a technical education program established by a school board.

The Joint Finance Committee's request ultimately was included in the final budget bill that was signed into law. [Here is the link](#) to DPI's summary of all education related provisions in the state budget.

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