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(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2013-14

(session year)

### Assembly

(Assembly, Senate or Joint)

### Committee on Workforce Development...

#### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

#### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (October 2014)



Registrations for Information Only

- None.

June 04, 2013

**Executive Session Held**

Present: (14) Representative Loudenbeck; Representatives Petryk, Honadel, Pridemore, Knodl, Bernier, Kuglitsch, Born, Weatherston, Ringhand, Billings, Barnes, Kolste and Shankland.  
Absent: (0) None.  
Excused: (2) Representatives Severson and Wachs.

Moved by Representative Petryk, seconded by Representative Billings that **Assembly Bill 226** be recommended for passage.

Ayes: (14) Representative Loudenbeck; Representatives Petryk, Honadel, Pridemore, Knodl, Bernier, Kuglitsch, Born, Weatherston, Ringhand, Billings, Barnes, Kolste and Shankland.

Noes: (0) None.

Absent: (2) Representatives Severson and Wachs.

PASSAGE RECOMMENDED, Ayes 14, Noes 0

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Lonna Morouney  
Committee Clerk

# Vote Record Committee on Workforce Development

*passed 14-0*

Date: 6-4-13  
 Moved by: Petryk      Seconded by: Billings  
 AB 226      SB \_\_\_\_\_      Clearinghouse Rule \_\_\_\_\_  
 AJR \_\_\_\_\_      SJR \_\_\_\_\_      Appointment \_\_\_\_\_  
 AR \_\_\_\_\_      SR \_\_\_\_\_      Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_  
 A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_  
 A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

- Be recommended for:
- Passage       Adoption       Confirmation       Concurrence       Indefinite Postponement
  - Introduction       Rejection       Tabling       Nonconcurrence

Committee Member	Aye	No	Absent	Not Voting
Representative Amy Loudenberg, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Warren Petryk, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mark Honadel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Don Pridemore	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Daniel Knodl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Kathleen Bernier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mike Kuglitsch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Erik Severson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Mark Born	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Thomas Weatherston	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Janis Ringhand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jill Billings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mandela Barnes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Deb Kolste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Katrina Shankland	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Dana Wachs	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*14/0 Aye  
2 absent*

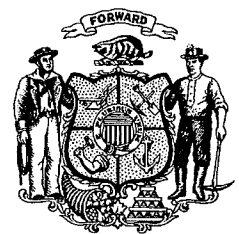
- Motion Carried       Motion Failed

Totals:

14 — 2  
absent

Motion Carried

Motion Failed



## Morouney, Lonna

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**From:** Ozalp, Jessica  
**Sent:** Monday, June 03, 2013 2:27 PM  
**To:** Morouney, Lonna  
**Subject:** RE: Assembly Committee on Workforce Development Public Hearing Notice

Ok, thank you!

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**From:** Morouney, Lonna  
**Sent:** Monday, June 03, 2013 2:10 PM  
**To:** Ozalp, Jessica; Loudenbeck, Amy  
**Subject:** RE: Assembly Committee on Workforce Development Public Hearing Notice

I just spoke with Rep. Doyle's staff and she said that 3 people will be testifying (Lee Rasch is NOT coming)

1. Rep. Doyle *Rep. Nelson*
2. Patti Balacek, Western Technical College, Director of Business and Industry Services
3. Steve Bissen, Western Technical College, Training Consultant

Lonna Morouney  
Research Assistant  
Committee Clerk for Assembly Committee on Workforce Development  
Office of Representative Amy Loudenbeck  
31<sup>st</sup> Assembly District

Office 209 North  
PO Box 8952  
Madison, WI 53708  
608-266-9967 Toll free: (888) 529-0031  
[Lonna.morouney@legis.wi.gov](mailto:Lonna.morouney@legis.wi.gov)

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**From:** Ozalp, Jessica  
**Sent:** Monday, June 03, 2013 1:15 PM  
**To:** Morouney, Lonna  
**Subject:** RE: Assembly Committee on Workforce Development Public Hearing Notice

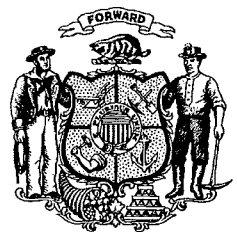
Here you are Lonna, and as you know, I'm at your disposal for questions. See you soon,  
Jessica

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**From:** Morouney, Lonna  
**Sent:** Monday, June 03, 2013 11:56 AM  
**To:** Ozalp, Jessica  
**Subject:** RE: Assembly Committee on Workforce Development Public Hearing Notice

So far I have Lee Rasch, President of Western Technical College

Lonna Morouney  
Research Assistant  
Committee Clerk for Assembly Committee on Workforce Development







STATE REPRESENTATIVE  
**DANA WACHS**

WISCONSIN STATE ASSEMBLY

91ST DISTRICT

June 3, 2013

Representative Amy Loudenberg  
Chair-Assembly Committee on Workforce Development  
Room 209 N, State Capitol  
HAND-DELIVERED

Dear Representative Loudenberg:

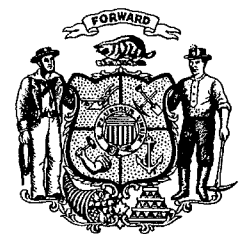
I am writing to inform you that I will not be able to attend the public hearing and executive session scheduled for Tuesday, June 4<sup>th</sup>. I have a previously scheduled medical appointment that I am unable to reschedule. I had scheduled this medical appointment on Tuesday, June 4<sup>th</sup> as this is not a day when hearings are normally scheduled.

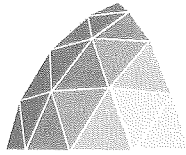
I request that you please provide my office with any information that is distributed at the hearing regarding this legislation.

Thank you, and don't hesitate to contact me at 266-7461 with any questions that you have.

Sincerely,

Dana Wachs  
State Representative-91<sup>st</sup> Assembly District





**Testimony in Support of AB 226**  
Assembly Committee on Workforce Development  
Representative Amy Loudenberg, Chair  
June 4, 2013

Chairperson Loudenberg and Committee Members,

On behalf of our 16 local governing technical college boards statewide, the Wisconsin Technical College District Boards Association supports AB 226. We thank Representative Doyle, Senator Leibham, and the bill's co-sponsors for this proposal.

Workforce Advancement Training (WAT) grants are an extremely important tool supporting job training, business productivity and Wisconsin's competitiveness in the global marketplace. These grants are awarded competitively to business and industry by the Wisconsin Technical College System (WTCS) Board. The grants support specific worker training projects. The business uses the funds for technical colleges to provide highly customized and targeted training to incumbent workers who directly improve the business or industry's processes, productivity and profitability. Technical colleges provide the training "at cost," and waive indirect overhead/administrative costs.

In 2012-2013, the \$3.97 million WAT grant appropriation has been used to fund 72 projects statewide to train more than 11,000 workers. Examples of recent projects include:

- Moraine Park Technical College trained 153 employees from Badger Mining, Helgesen Industries, Metalcraft, Midstates Aluminum, and Mayville Engineering in GMAW and GTAW welding, blueprint reading, brake press operation, basic machining, and Manufacturing Skills Standards Certification (MSSC). As a direct result, the businesses reported that customer complaints decreased 35%, lead times were reduced, and scrap expense as a proportion of sales was cut in half.
- Waukesha County Technical College provided training to 23 Superior Crane employees to lead the documentation and development of standard operating procedures and process improvements. As a direct result of training and ISO certification, production has expanded resulting in the promotion of eight incumbent staff and hiring of additional engineers, quality technicians, machinists, welder/fabricators, expeditors, and material handlers.
- Blackhawk Technical College provided MSSC, Six Sigma, and leadership training to 94 employees of Diamond (Kettle) Foods, United Alloy, and SSI/SSD. As a result, the five projects identified for implementation are projected to save \$500,000, United Alloy's safety performance improved (decrease in the "DART" rate from 3.92 to 2.26), and several trainees were given significant wage increases or promoted.

AB 226 expands the allowable purpose for WAT grant funding to include technical assistance for market expansion and/or business diversification. This change is proposed in direct response to business requests. It meets a need for services that improve a business's market share or diversify the marketplace for its existing products or for new products. Besides serving individual businesses, grant requests could also support consortia, industry clusters, economic development groups working with business, and other regional or industry-wide projects.

Like incumbent worker training, technical assistance provides customized services that strengthen business and industry, and, in turn, the local economy and job base. Growing business has always been at the heart of Wisconsin technical colleges. This bill provides an expanded purpose for these key competitively awarded grants that builds on that legacy in a mutually beneficial way.

The bill also changes the definition of business size for certain grant funding. While any size business qualifies for WAT grants now, current law provides that a portion of the appropriation may be reserved for small business awards. The pending 2013-15 state budget, AB 40, creates a new "block grant" across a number of existing categorical aid programs including WAT grants. These provisions were proposed by the Governor and have been included (with some helpful amendments) in the Joint Finance Committee bill version to date. These proposals will make this bill's business size definitional change of little consequence because of the new flexibility provided in awarding all grants including WAT grants.

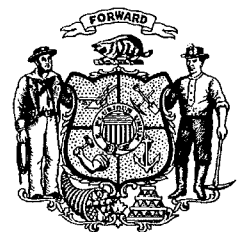
As proposed, we do not believe it is necessary to amend AB 226 to be consistent with the pending 2013-15 budget bill relative to WTCS block grants and the continuation of the WAT grant program. The "small business" language is permissive rather than mandatory now. The WTCS may currently award WAT grants to any size business in the state. We understand that this would not be affected whether AB 226 passes with or without the change in business size language.

Thank you for supporting AB 226.

Paul Gabriel  
Executive Director



# WISCONSIN STATE LEGISLATURE





**LEE NERISON**  
**96<sup>TH</sup> ASSEMBLY DISTRICT**

Remarks of Representative Lee Nerison  
on Assembly Bill 226  
Assembly Committees on Workforce Development  
June 4, 2013

Good afternoon, Chairwoman Loudenbeck and committee members. Today, I testify in support of Assembly Bill 226, termed the Small Business Diversification and Market Expansion Initiative, which I have co-authored with Representative Doyle.

*Capitol:*

Post Office Box 8953

Madison, WI 53708-8953

(608) 266-3534

Toll-Free: (888) 534-0096

Fax: (608) 282-3696

Rep.Nerison@legis.wi.gov

As Representative Doyle has explained, this legislation revises the Workforce Advancement Training (WAT) grant program so that more Wisconsin businesses can better address their training needs and enhance the skills of our state's workforce.

Created in 2005, the WAT program's initial goal was to help small businesses of fewer than 100 employees with annual gross sales of less than \$10 million. However, as the years have passed, the roadblock is lower-than-expected participation by businesses because the statutes define specific eligibility for this money.

*District:*

S3035 CTH B

Westby, WI 54667

(608) 634-4562

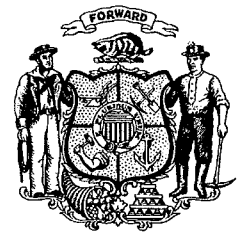
Also consider that, during tight economic times, one of the expenses that a business looks to cut is worker training, either because the business cannot afford lost productivity, or it simply doesn't have the money, or maybe both. The WAT grant helps businesses address worker training needs in times when they are operating on tight margins.

In closing, this legislation doesn't cost the state government or local government additional money, but it is a worthwhile investment. It is a perfect example of how government can be, and needs to be, more responsive to the changes needs of Wisconsin businesses. It is a common-sense solution to keeping Wisconsin businesses competitive in a global economy. It is an important investment in the future of our skilled workforce.

For these reasons, I encourage you to vote for this legislation so that it can be considered by the State Assembly. Thank you for time and your consideration of this proposal.



# WISCONSIN STATE LEGISLATURE



## **Assembly Bill 226**

### **Grants to Technical College District Boards**

### **under the Workforce Advancement Training Program**

Thank you for considering Assembly Bill 226, which modifies the Workforce Advancement Training Grant Program (WATG). The current WATG program has provided thousands of hours of customized training for Wisconsin employers, providing needed skills for incumbent workers. It has been a major tool for job retention and economic growth in Wisconsin. A highly skilled and efficient workforce is of vital importance as Wisconsin companies seek to effectively compete on a global stage.

AB 226 will provide added flexibility to the current program to include technical assistance as an allowable activity. This change is particularly important for small to mid-size companies. Consider this ... as companies develop strategies to become as lean and efficient as possible, they have been able to effectively compete for business. At the same time, because of this focus on maintaining a lean operation, they may lack the resources to plan for new and emerging business opportunities. To be certain, the global marketplace is not static. In order to compete in the long run, Wisconsin companies need to be able to adapt to the changing needs and opportunities in the marketplace.

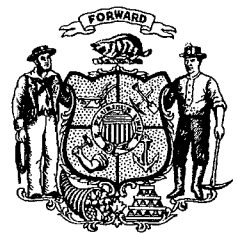
AB 226 will allow companies to contract with a local technical college for strategic planning and technical assistance in order to develop business plans that can capture new business opportunities. This approach is particularly advantageous because it is built upon the existing relationships between Wisconsin companies and local technical colleges. AB 226 will help Wisconsin companies to be lean and efficient, and yet also be adaptable to the changing business marketplace. I strongly urge you to support Assembly Bill 226.

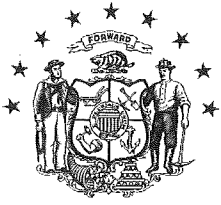
Lee Rasch, President





# WISCONSIN STATE LEGISLATURE





## TESTIMONY OF REP. STEVE DOYLE ON AB 226

Thank you Chairwoman Loudenberg for holding a prompt hearing on Assembly Bill 226, the Small Business Diversification and Market Expansion Initiative. This bill was introduced last session, and again this session, as a result of a roundtable discussion which Senator Shilling and I held in La Crosse County. The group consisted of representatives from Western Technical College, Workforce Connections, La Crosse County Chamber of Commerce, La Crosse Area Development Corporation, a union official and other members of the Seven Rivers Alliance. Our request to the group was to come up with ideas that could create jobs in both the near and long term future. And we also told them it couldn't cost any money. This bill meets those objectives: it will create jobs. It will not cost any new money.

This Small Business Diversification and Market Expansion Initiative will expand the existing scope of Workforce Advancement Training Grants available to Wisconsin technical colleges. Currently, WAT grants are awarded to technical colleges to upgrade the skills and productivity of employees of businesses of not more than 100 employees or which had no more than \$10,000,000 in gross annual income in its most recent fiscal year. First, this proposal increases the threshold to 250 employees. Second, AB 226 was designed to allow the grants to be expanded to enable both emerging and existing companies to diversify their operations and compete in new markets. One of the concerns

discussed at our economic development roundtable was the need for businesses who are struggling in the current economy to change their business model to be able to continue in operation through diversification. Again, this proposal does not add new additional money to the program; it simply allows new uses for the current grant money.

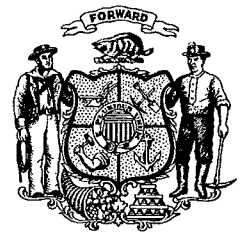
The WAT grant program was created in 2005 Wisconsin Act 25 to help address training needs of Wisconsin business and enhance skills of the workforce. When asked about their experience with the program from the first year of operations, 100% of the employers who participated in the program indicated that the customized training improved employee skills.

In a nutshell, here is the problem: Our tech schools are able to use these grants to retrain workers in small businesses. However, that retraining doesn't always do much to help either the worker or the company. That's because sometimes the company is a start-up, still struggling to get a foothold or is an existing company struggling to maintain its market share. Sometimes their competition is domestic; often it is global. Let's say that XYZ Company makes widgets that they are selling throughout Wisconsin. And now they can sell them throughout the Midwest. They are very good widgets but the market for widgets has tanked because the Chinese now have superwidgets. Using a WAT grant under the bill, the tech school can assist XYZ Company to retool its operations to make those superwidgets that are selling like hotcakes. And now they can sell them throughout the Midwest. XYZ's existing employees learn a new skill – super-widget making – and XYZ is able to expand its operation and hire ten more employees. The employer wins. The existing employees win. The new hires win. And the state's economy wins.

In recent years a portion of funds available for this grant program have gone unclaimed because companies weren't in a position to

either diversify or expand. By broadening the eligibility to include market expansion and business diversification and to include businesses up to 250 employees, the funds that are already available will actually be used.

Everyone agrees that job creation needs to be our number one priority. This bill takes an underused resource and directs it toward that goal without adding one dollar in GPR. Last session, this bill passed the Colleges and Universities Committee on a unanimous vote. I appreciate your consideration of this proposal. Thank you again, Madam Chair, for scheduling this hearing.



**PUBLIC HEARING**

I. CALL TO ORDER AND ROLL CALL

- A. This public hearing of the Workforce Development Committee is called to order.
1. *Strike the gavel.*
  2. The clerk will call the roll.

II. TESTIMONY

1. Welcome to everyone who has come to testify.
2. The committee will hear testimony today on **Assembly Bill 226**, relating to grants to technical college district boards under the Workforce Advancement Training Program. An **executive session** on this bill will immediately follow the hearing.
3. Those wishing to speak may **register** with the Assembly Sergeant's staff. Members of the public may also register a position without speaking. Anyone with a special time constraint should note that when they register.
4. *If desired, announce the order for testimony on the bill.*
5. Our **first speaker** will be... — *announce all testifying together.*
6. *Call each speaker in turn. After each person testifies, thank them, ask any questions you have, and ask the committee members whether they have any questions.*

III. ADJOURNMENT

1. Thank you to those who testified today.
2. The public hearing is **adjourned.** *Strike the gavel.*

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**EXECUTIVE SESSION**

IV. CALL TO ORDER AND ROLL CALL

- A. The executive session of the Workforce Development Committee is called to order. *Strike the gavel.*
1. With unanimous consent we will **carry forward the roll** already taken for the public hearing. Hearing no objection we will begin our business.

## V. ASSEMBLY BILL 226

### A. ITEMS OF BUSINESS

1. We have **one item of business** today: Assembly Bill 226, which we've just heard testimony on.
2. Would **Legislative Council summarize** AB 226.

### B. AMENDMENTS (IF APPLICABLE)

1. (\*\***ONLY IF** there is an amendment that doesn't yet have an Amendment Number: I will entertain a motion and second for **introduction** of the Amendment with LRB number \_\_\_\_.)  
If amendment has an Amendment Number: We will **now take up** Amendment Number \_\_\_\_.
2. Would **Legislative Council explain** this Amendment.
3. Is there any **discussion**.
4. I will entertain a **motion and second** for recommending **adoption** of Amendment \_\_\_\_\_. *Note: if you oppose the Amendment you can leave out the type of motion and say I will entertain a motion on Amendment \_\_\_\_\_. A motion for rejection of an amendment is also in order but is unusual.*
5. The clerk will **call the roll**; the vote is whether to recommend adoption of this Amendment.
6. *Announce results:* The committee **recommends / rejects adoption** of Amendment Number \_\_\_\_ by a vote of \_\_\_\_ Ayes and \_\_\_\_ Noes.

### C. VOTE ON THE BILL

1. I will entertain a **motion and second** to recommend **passage of Assembly Bill 226** (as amended, if applicable).
2. Is there any **discussion** on the proposal.
3. *When debate is complete:* The clerk will **call the roll**; the vote is whether to recommend passage of this bill (as amended).
4. *Announce results:* The committee **recommends passage** of AB 226 (as amended) by a vote of \_\_\_\_ Ayes and \_\_\_\_ Noes.

## VI. ADJOURNMENT

### A. With our business completed, this meeting is **adjourned**.

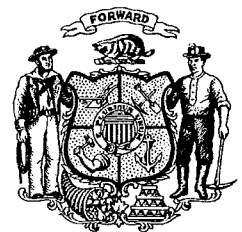
1. *Strike the gavel.*
2. Under Assembly Rule 11 (5) (a), the vote must be held open after adjournment of the committee session to allow an absent member to vote until 5:00 p.m. on the day on which the committee is adjourned or 30 minutes after adjournment, whichever is earlier. The absent member must cast his or her vote in the committee room where the meeting is held.

no amendments  
I am aware of -  
if needed

to  
in  
one



# WISCONSIN STATE LEGISLATURE





## EXECUTIVE SESSION

### IV. CALL TO ORDER AND ROLL CALL

- A. The executive session of the Workforce Development Committee is called to order. *Strike the gavel.*
1. With unanimous consent we will **carry forward the roll** already taken for the public hearing. Hearing no objection we will begin our business.

### V. ASSEMBLY BILL 226

#### A. ITEMS OF BUSINESS

1. We have **one item of business** today: Assembly Bill 226, which we've just heard testimony on.
2. Would **Legislative Council summarize** AB 226.

#### B. AMENDMENTS (IF APPLICABLE)

1. (**\*\*ONLY IF** there is an amendment that doesn't yet have an Amendment Number: I will entertain a motion and second for **introduction** of the Amendment with LRB number \_\_\_\_.)  
If amendment has an Amendment Number: We will **now take up** Amendment Number \_\_\_\_.
2. Would **Legislative Council explain** this Amendment.
3. Is there any **discussion**.
4. I will entertain a **motion and second** for recommending **adoption** of Amendment \_\_\_\_\_. *Note: if you oppose the Amendment you can leave out the type of motion and say I will entertain a motion on Amendment \_\_\_\_\_. A motion for rejection of an amendment is also in order but is unusual.*
5. The clerk will **call the roll**; the vote is whether to recommend adoption of this Amendment.
6. *Announce results:* The committee **recommends / rejects adoption** of Amendment Number \_\_\_\_ by a vote of \_\_\_\_ Ayes and \_\_\_\_ Noes.

#### C. VOTE ON THE BILL

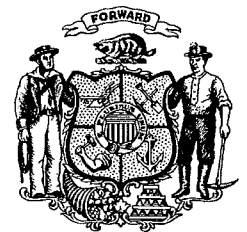
1. I will entertain a **motion and second** to recommend **passage of Assembly Bill 226** (*as amended, if applicable*).
2. Is there any **discussion** on the proposal.
3. *When debate is complete:* The clerk will **call the roll**; the vote is whether to recommend passage of this bill (*as amended*).
4. *Announce results:* The committee **recommends passage** of AB 226 (*as amended*) by a vote of \_\_\_\_ Ayes and \_\_\_\_ Noes.

## VI. ADJOURNMENT

A. With our business completed, this meeting is **adjourned**.

1. *Strike the gavel.*

2. Under Assembly Rule 11 (5) (a), the vote must be held open after adjournment of the committee session to allow an absent member to vote until 5:00 p.m. on the day on which the committee is adjourned or 30 minutes after adjournment, whichever is earlier. The absent member must cast his or her vote in the committee room where the meeting is held.



Register April 2011 No. 664

**Chapter TCS 17****TRAINING PROGRAM GRANTS**

TCS 17.01 Purpose.  
TCS 17.02 Definitions.  
TCS 17.03 General.  
TCS 17.04 Grant applications.  
TCS 17.05 Grant award criteria.  
TCS 17.06 Conditions of the grant award.  
TCS 17.07 Reporting requirements.

**TCS 17.01 Purpose.** The purpose of this chapter is to establish procedures to implement and administer training grants to technical college districts to provide skills training or other education related to the needs of business under s. 38.41, Stats.

History: CR 05-107: cr. Register April 2006 No. 604, eff. 5-1-06.

**TCS 17.02 Definitions.** In this chapter:

- (1) "Board" means the technical college system board established under s. 15.94, Stats.
- (2) "District" means a technical college district established under ch. 38, Stats.
- (3) "District board" means the district board in charge of the technical colleges of a district.
- (4) "Instructional materials, software, and equipment" means instructional materials, software and equipment to be directly used or consumed by the business employees during instructional activities.
- (5) "Staff development" means learning activities that can be expressly designed to increase the expertise of a technical college district instructor who will deliver instruction described in the grant application.
- (6) "Technical college" means a Wisconsin technical college established under ch. 38, Stats.

History: CR 05-107: cr. Register April 2006 No. 604, eff. 5-1-06.

**TCS 17.03 General.**

- (1) Only technical college districts are eligible to apply for grants funds under this chapter.
- (2) The board shall approve grant guidelines and may update as needed. The guidelines shall contain application instructions, requirements and

procedures, application deadline dates, allowable uses of funds, and award limits.

History: CR 05-107: cr. Register April 2006 No. 604, eff. 5-1-06.

#### **TCS 17.04 Grant applications.**

- (1) At times established by the board, a district may submit a proposal for a grant to provide skills training or other education related to the needs of business.
- (2) Each grant proposal shall include all of the following:
  - (a) A description of the process used to identify both employee and company needs and the goals and expectations of the program.
  - (b) A description of the nature of the business receiving training as well as its products or services, including a description of the impact of the business on the local or regional economy.
  - (c) A description of the allowable activities to be funded by the grant.
  - (d) A standard financial report and detailed budget.

History: CR 05-107: cr. Register April 2006 No. 604, eff. 5-1-06.

#### **TCS 17.05 Grant award criteria.** When considering approval or disapproval, in whole or in part, of a grant award, the board shall consider:

- (1) Whether the grant proposal indicates that the district will allocate sufficient financial resources to successfully provide the training or education as proposed in the grant proposal.
- (2) The extent to which the proposed training or education will improve employee skill levels, workplace efficiency and productivity.
- (3) The extent to which the proposed training or education will improve the availability of services to businesses and promote an increased investment in the development of incumbent workers.
- (4) The extent to which the proposed training or services support regional workforce and economic development efforts.

History: CR 05-107: cr. Register April 2006 No. 604, eff. 5-1-06.

#### **TCS 17.06 Conditions of the grant award.**

- (2) Grant award funds may not be used for administration, marketing, or indirect costs.
- (3) The board may establish limitations on the percentage of the grant award funds that may be used to purchase or lease instructional materials, software, equipment or supply items and that may be used to fund staff development costs. Such limitations shall be specified in the grant guidelines approved by the board under s. TCS 17.03 (2).

History: CR 05-107: cr. Register April 2006 No. 604, eff. 5-1-06; CR 10-096: r. (1), am. (2), (3) Register April 2011 No. 664, eff. 5-1-11.

#### **TCS 17.07 Reporting requirements.** A district receiving a grant under this chapter shall submit to the board data and information on the use and effect of grant funds as specified in the grant guidelines approved by the board under s. TCS 17.03 (2).

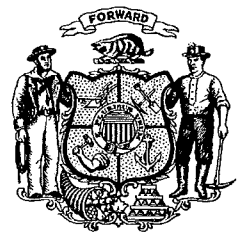
History: CR 05-107: cr. Register April 2006 No. 604, eff. 5-1-06.

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The Wisconsin Administrative Code on this web site is updated on the 1st day of each month, current as of that date. See also Are the Codes on this Website Official?



# WISCONSIN STATE LEGISLATURE



(3) Each plan shall provide at least one meal per day for each day that school is in regular session. The district board may provide additional service at other times in its discretion, if the number of eligible persons in the district or adjacent districts is of sufficient size, in the opinion of the board, so that unwarranted production expense is not incurred.

(4) Any district board that operates a food services plan for elderly persons under this section shall make facilities available for service to elderly persons at every technical college in the district that provides hot food service to its students. Upon application, the board may grant exceptions from compliance with this subsection for reasons of safety, convenience or insufficient interest in a given neighborhood.

(5) Meals may be served at schools where they are served to students or at any site more convenient to the majority of authorized elderly persons interested in the service. Food may be transported to authorized elderly persons who are unable to leave their homes or distributed to nonprofit organizations for such purposes. However, no state funds under this section may be used for food delivery to individual homes. The board may require consolidation of programs between districts and between schools if such a procedure will be convenient and economical.

(6) The district board may file a claim with the department of public instruction for reimbursement for reasonable expenses incurred, excluding capital equipment costs, but not to exceed 15% of the cost of the meal or 50 cents per meal, whichever is less. Any cost in excess of the lesser amount may be charged to participants. If the department of public instruction approves the claim, it shall certify that payment is due and the secretary of administration shall pay the claim from the appropriation under s. 20.255 (2) (cn).

(7) All meals served must meet the approval of the board, which shall establish minimum nutritional standards and reasonable expenditure limits consistent with the standards and limits established by the state superintendent of public instruction under s. 115.345 (6). The board shall give special consideration to the dietary problems of elderly persons in formulating a nutritional plan. However, no district board may be required to provide special foods for individual persons with allergies or medical disorders.

(8) Participants in a program under this section may be required to document their Wisconsin residency in a manner approved by the board. The board may issue identification cards to such persons if necessary. A district board may admit nonresidents who would otherwise qualify into its program, but no state funds under this section may be used to subsidize any portion of the meals served to such persons.

(9) The board shall adopt reasonable rules necessary to implement this section.

**History:** 1989 a. 269, 359; 1993 a. 399; 1995 a. 27 ss. 1814, 9145 (1); 1997 a. 27; 2003 a. 33.

**38.38 Services for handicapped students.** Annually the board shall award a grant to each district board, from the appropriation under s. 20.292 (1) (de), to assist in funding transitional services for handicapped students. Each district board shall receive an amount equal to one-sixteenth of the amount appropriated and shall contribute matching funds equal to 25% of the amount awarded.

**History:** 1991 a. 39; 1997 a. 27.

**38.40 Technical preparation, school-to-work, and work-based learning programs.** (1) **EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION.** The board shall plan, coordinate, administer, and implement the technical preparation, school-to-work, and work-based learning programs under sub. (1m) and such other employment and education programs as the governor may by executive order assign to the board. Notwithstanding any limitations placed on the use of state employment and education funds under this section or under an executive order

assigning an employment and education program to the board, the board may issue a general or special order waiving any of those limitations on finding that the waiver will promote the coordination of employment and education services.

(1m) **TECHNICAL PREPARATION, SCHOOL-TO-WORK AND WORK-BASED LEARNING PROGRAMS.** The board shall provide all of the following programs:

(a) A technical preparation program that includes the technical preparation programs under s. 118.34.

(b) A school-to-work program that includes the school-to-work program for children at risk under sub. (4m).

(c) A work-based learning program under which the board awards grants to tribal colleges that are recognized as land grant colleges under 7 USC 301 to fund programs that provide occupational training and work-based learning experiences to youths and adults.

(2) **INTERAGENCY ASSISTANCE.** The council on workforce investment established under 29 USC 2821 and the department of public instruction shall assist the board in providing the technical preparation, school-to-work, and work-based learning programs under sub. (1m).

(2m) **SKILL STANDARDS.** The board shall approve statewide skill standards for the school-to-work program under sub. (1m) (b).

(4m) **SCHOOL-TO-WORK FOR CHILDREN-AT-RISK.** (a) The board may approve an innovative school-to-work program provided by a nonprofit organization for children at risk, as defined in s. 118.153 (1) (a), in a county having a population of 500,000 or more to assist those children at risk in acquiring employability skills and occupational-specific competencies before leaving high school. If the board approves a program under this paragraph, the board may award a grant, from the appropriation under s. 20.292 (1) (ef), to the nonprofit organization providing the program and the nonprofit organization shall use the funds received under the grant to provide the program.

(b) The board shall establish requirements for the operation of the grant program under this subsection. Notwithstanding sub. (5), those requirements are not required to be promulgated as rules.

(4r) **PUBLICATIONS AND SEMINARS.** The board may provide publications and seminars relating to the employment and education programs administered by the board and may establish a schedule of fees for those publications and seminars. Fees established under this subsection for publications and seminars provided by the board may not exceed the actual cost incurred in providing those publications and seminars. The fees collected under this subsection shall be credited to the appropriation account under s. 20.292 (1) (ga).

(5) **RULES.** The board shall promulgate rules to implement this section.

**History:** 2003 a. 33 ss. 946d to 946m, 1868p, 1868r, 1876t; 2005 a. 25 ss. 714d to 719d, 1835m.

**38.41 Training program.** (1) The board may award a grant to a district board for skills training or other education related to the needs of business.

(2) The board may award a grant to a district board to provide skills training or other education to a business if the business is located in this state and the applicant submits to the board an affidavit stating that the business has no more than 100 employees or had no more than \$10,000,000 in gross annual income in its most recent fiscal year.

(3) (a) The board shall award grants under this section from the appropriation under s. 20.292 (1) (eh).

(c) The board may award no more than \$500,000 in any fiscal year under sub. (2).

(d) Beginning in the 2008–09 school year, the board shall award at least \$1,000,000 annually under sub. (1) for training in advanced manufacturing skills, and beginning in the 2010–11



school year, the board shall award at least \$2,000,000 annually under sub. (1) for such training.

(4) The board shall promulgate rules to implement and administer this section.

History: 2005 a. 25; 2007 a. 20; 2009 a. 2, 28, 265.

Cross-reference: See also ch. TCS 17, Wis. adm. code.

**38.50 Educational approval board. (1) DEFINITIONS.** In this section, unless the context clearly requires otherwise:

(a) Notwithstanding s. 38.01 (2), “board” means the educational approval board.

(b) “Course” means an organized unit of subject matter in which instruction is offered within a given period of time or that covers a specified amount of related subject matter.

(c) “Course of instruction” means a series of classroom or correspondence courses having a unified purpose which lead to a diploma or degree or to an occupational or vocational objective.

(d) “Person” means any individual, partnership, association, corporation, or limited liability company, or any combination of these.

(e) “School” means any private trade, correspondence, business, or technical school, but does not include any of the following:

1. In-state schools that are exempt from taxation under section 501 of the Internal Revenue Code and that either were incorporated in this state prior to January 1, 1992, or had their administrative headquarters and principal places of business in this state prior to 1970.

2. Schools that are supported mainly by taxes.

3. Schools of a parochial or denominational character offering courses having a sectarian objective.

4. Schools primarily offering instruction avocational or recreational in nature and not leading to a vocational objective.

5. Courses conducted by employers exclusively for their employees.

6. Schools, courses of instruction, and training programs that are approved or licensed and supervised by other state agencies and boards.

7. Schools approved by the department of public instruction for the training of teachers.

8. Schools accredited by accrediting agencies recognized by the board.

(f) “Solicitor” means a person employed by or representing a school located either within or outside this state that, in places other than the actual business premises of the school, personally attempts to secure the enrollment of a student in the school.

(g) “Teaching location” means the area and facilities designated for use by a school required to be approved by the board under this section.

(2) **RESPONSIBILITIES.** The board shall protect the general public by inspecting and approving private trade, correspondence, business, and technical schools doing business within this state, whether located within or outside this state, changes of ownership or control of the schools, teaching locations used by the schools, and courses of instruction offered by the schools and regulate the soliciting of students for correspondence or classroom courses and courses of instruction offered by the schools.

(3) **RULE-MAKING POWER.** The board shall promulgate rules and establish standards necessary to administer this section.

(5) **EMPLOYEES, QUARTERS.** The board shall employ a person to perform the duties of an executive secretary and any other persons under the classified service that may be necessary to carry out the board’s responsibilities. The person performing the duties of the executive secretary shall be in charge of the administrative functions of the board. The board shall, to the maximum extent practicable, keep its office with the technical college system board.

(7) **APPROVAL OF SCHOOLS GENERALLY.** To protect students, prevent fraud and misrepresentation in the sale and advertising of courses and courses of instruction, and encourage schools to maintain courses and courses of instruction consistent in quality, content, and length with generally accepted educational standards, the board shall do all of the following:

(a) Investigate the adequacy of courses and courses of instruction offered by schools to residents of this state and establish minimum standards for those courses of instruction.

(b) Investigate the adequacy of schools’ facilities, equipment, instructional materials, and instructional programs and establish minimum standards for those facilities, equipment, materials, and programs.

(c) Establish rules, standards, and criteria to prevent fraud and misrepresentation in the sale and advertising of courses and courses of instruction.

(d) Promulgate rules restricting the negotiability of promissory instruments received by schools in payment of tuition and other charges.

(e) Establish minimum standards for refund of the unused portion of tuition, fees, and other charges if a student does not enter a course or course of instruction or withdraws or is discontinued from the course.

(f) Require schools offering courses and courses of instruction to residents of this state to furnish information concerning their facilities, curricula, instructors, enrollment policies, tuition and other charges and fees, refund policies, and policies concerning negotiability of promissory instruments received in payment of tuition and other charges.

(g) Approve courses of instruction, schools, changes of ownership or control of schools, and teaching locations meeting the requirements and standards established by the board and complying with rules promulgated by the board; publish a list of the schools and courses of instruction approved and a list of the schools that are authorized to use the term “college,” “university,” “state,” or “Wisconsin” in their names; and make those lists of the schools available on the board’s Internet site.

(h) Issue permits to solicitors when all board requirements have been met.

(i) Require schools to furnish a surety bond in an amount as provided by rule of the board.

(8) **SOLICITING OF STUDENTS.** (a) *In general.* No solicitor representing any school offering any course or course of instruction shall sell any course or course of instruction or solicit students for a course or course of instruction in this state for a consideration or remuneration, except upon the actual business premises of the school, unless the solicitor first secures a solicitor’s permit from the board. If the solicitor represents more than one school, a separate permit shall be obtained for each school the solicitor represents.

(b) *Solicitor’s permit.* The application for a solicitor’s permit shall be made on a form furnished by the board and shall be accompanied by a fee and a surety bond acceptable to the board in the sum of \$2,000. The board shall, by rule, specify the amount of the fee for a solicitor’s permit. The bond may be continuous and shall be conditioned to provide indemnification to any student suffering loss as the result of any fraud or misrepresentation used in procuring his or her enrollment or as a result of the failure of the school to perform faithfully the agreement the solicitor made with the student, and may be supplied by the solicitor or by the school itself either as a blanket bond covering each of its solicitors in the amount of \$2,000 or the surety bond under sub. (7) (i). Upon approval of a permit, the board shall issue an identification card to the solicitor giving his or her name and address, the name and address of the employing school, and certifying that the person whose name appears on the card is authorized to solicit students for the school. A permit shall be valid for one year from the date issued. Liability under this paragraph of the surety on the bond for