

1971 Assembly Bill 252

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CHAPTER 44, Laws of 1971

AN ACT to create 20.235 (3) and 39.36 of the statutes, relating to state contracts for the education of dentists and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. LEGISLATIVE INTENT. The legislature finds and recognizes that the only accredited school for the education of professional dental personnel in Wisconsin has encountered a fiscal crisis which threatens substantially to curtail the availability of professional dental education in this state and that a critical need exists for maintenance and improvement of Wisconsin's resources of professional dental personnel, to meet the essential health needs of the state's expanding population. The legislature further finds and recognizes that a direct, affirmative and probable relationship exists between the availability, within the state, of accredited dental education to students who are residents of the state, and the maintenance and improvement of the numbers and quality of professional dental personnel who will locate their professional offices and practices within the state. Therefore, it is essential to the public interest, advantage and welfare that such dental education be encouraged, maintained, improved and made available at fair and reasonable personal cost to residents of this state. The primary purpose of this act is to provide and assure the availability of such dental education in this state by appropriations for procurement of dental educational services and facilities to be rendered and made available to dental students of this state.

SECTION 2. At the appropriate place in the schedule in section 20.005 of the statutes, insert the following amounts for the purposes indicated:

<u>20.235</u>	<u>HIGHER EDUCATIONAL AIDS BOARD</u>	1971-72	1972-73
(3)	DENTAL EDUCATION		
(a)	Contracts for dental education	GPR A	\$3,500 \$3,500

SECTION 3. 20.235 (3) of the statutes is created to read:

20.235 (3) DENTAL EDUCATION. (a) Contracts for dental education. The amounts in the schedule to carry out its operations under s. 39.36.

SECTION 4. 39.36 of the statutes is created to read:

39.36 CONTRACTS FOR DENTAL EDUCATION. (1) On or before July 1 of each year the higher education aids board shall initiate, investigate, formulate and certify to the department of administration for procurement a contract for dental educational services, in accordance with this section. Thereafter, the higher education aids board shall conduct a biennial analysis of the program and include an advisory report on its findings and recommendations in its reports under s. 15.04 (4). The coordinating council for higher education shall conduct a biennial academic program analysis of contract programs authorized by this section. The legislative audit bureau shall biennially post-audit expenditures under this section so as to assure the propriety of expenditures and compliance with legislative intent.

(2) (a) Such contracts shall conform to all of the requirements and procedures specified in ss. 16.76 to 16.77. Section 16.75 (1) to (5) are waived with respect to such contracts.

(b) Such contracts shall be between the state of Wisconsin and a private nonprofit higher educational institution of this state which operates a school of dentistry approved and accredited by the council on dental education of the American dental association, and by the state board of dental examiners under s. 447.03 provided the curriculum of such school of dentistry does not include courses of religious instruction or instruction of religious values.

(c) The contracting institution shall agree that it shall maintain an admissions policy under which applicants for admission to its dental school who are residents of Wisconsin are accorded preference over other applicants having substantially equal academic qualifications and credentials. In addition, the contracting institution shall agree that the nondiscrimination provisions of s. 16.765 which prohibit discrimination apply and are expanded to include discrimination on account of sex and shall be extended to applicants for admission.

(d) The contracting institution shall agree that it shall administer and operate its courses and programs in dentistry conformably to academic and professional standards, rules and requirements; and shall seek progressively to enrich and improve its courses of dental education, research and public service by full and efficient use of budgetary and other resources available to it.

(e) The state shall agree, subject to availability of appropriations for such purpose, that it shall pay to the contracting institution, on account of its furnishing of such dental educational, research and public service courses and programs, the sum of \$3,500 for each resident of Wisconsin who is regularly enrolled as a full-time undergraduate student in dentistry therein. This amount shall be used exclusively in support of the operating costs of the contracting institution.

(f) The state shall remit contractual payments to the contracting institution in quarterly or semiannual instalments upon submission and audit of instalment bills or statements.

(g) A student's qualification as a "resident" of this state shall be determined under s. 36.16, so far as applicable. No amount

shall be computed upon the enrollment of any student who is not a full-time dental student. The number of Wisconsin full-time resident students will be determined 2 weeks following late registration each semester.

SECTION 5. DECLARATORY JUDGMENT. Upon enactment hereof, the attorney general shall promptly commence an action seeking a declaratory judgment that the department of administration is required to and has the right to make contract payments to such contracting institution from the appropriation created by this act. The attorney general shall petition for leave to commence the action as an original action before the Wisconsin supreme court. If the petition is denied, he shall commence the action in the circuit court for Dane county.
