

Chapter PI 25

CHILDREN AT RISK PLAN AND PROGRAM

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Note: This chapter was created as an emergency rule effective March 12, 1986.
Note: Chapter PI 25 as it existed on October 31, 1994 was repealed and a new chapter PI 25 was created effective November 1, 1994.

PI 25.01 Applicability and purpose. (1) Under s. 118.153 (2) (a), Stats., every school board shall identify the children at risk who are enrolled in the school district and annually by August 15 develop a plan describing how the school board will meet their needs. Under s. 118.153 (3) (a), Stats., every board that applies for aid under this section shall make available programs to serve children at risk. This chapter defines children at risk, establishes criteria for school boards to consider when developing children at risk plans and sets forth the requirements for receipt of additional state aid in those school districts eligible under s. 118.153 (4) (b), Stats.

(2) The requirements under ss. PI 25.03, 25.04, 25.05 and 25.07 apply to all school districts in the state; s. PI 25.06 contains additional requirements which apply only to school districts operating under ch. 119, Stats.

History: Cr. Register, October, 1994, No. 466, eff. 11-1-94.

PI 25.02 Definitions. In this chapter:

(1) "Adjudicated delinquent" means delinquent as defined under s. 938.02 (3m), Stats.

(2) "Alternative education program" means a board approved instructional program offered in addition to or in place of a regularly scheduled curricular program.

(3) "Basic skills," for purposes of determining whether a pupil is a child at risk, means achievement in reading or mathematics or both.

(4) "Board" means the school board in charge of the public schools in the district.

(5) "Ceased to attend" means that a pupil has been absent without acceptable excuse under ss. 118.15 (1) (b) to (d) or (3), and 118.16 (4), Stats., for 20 consecutive school days and has not formally withdrawn from school.

(6) "Children at risk" means pupils in grades 5 to 12 who are one or more years behind their age group in the number of high school credits attained or 2 or more years behind their age group in basic skill level and are one or more of the following:

- (a) Dropouts
- (b) Habitual truants as defined in s. 118.16 (1) (a), Stats.
- (c) School-age parents.
- (d) Adjudicated delinquents.

(7) "Contract" means a written agreement between a board and a private, nonprofit, nonsectarian agency for the purpose of providing services to children at risk.

(8) "Department" means the Wisconsin department of public instruction.

(9) "Dropout," for purposes of determining whether a pupil is a child at risk, means a pupil who:

- (a) Has ceased to attend school; and
- (b) Does not attend a public, private, or technical college system district school or home-based private educational program under s. 118.15 (4), Stats., on a full-time basis; and

(c) Has not graduated from high school, and does not have an acceptable excuse under ss. 118.15 (1) (b) to (d) or (3), and 118.16 (4), Stats.

(10) "Parent" means mother, father, or legal guardian.

(11) "Private program" means a program operated by a nonsectarian, nonprofit private school or agency.

(12) "Private school" has the meaning described in s. 118.165, Stats.

(13) "Program" means an organized and structured activity or set of activities which constitute one or more components of a comprehensive curriculum plan for the school year including the pupil services normally provided by a school.

(14) "Pupil attendance rate" means the rate obtained by dividing the aggregate number of full-time equivalent days of actual pupil attendance, by the aggregate number of full-time equivalent days on which the individual pupil was enrolled.

(15) "School-age parents" has the meaning given in s. 115.91, Stats.

(16) "Standardized achievement test" means a published, nationally normed test which provides a valid and reliable measure of a pupil's present achievement level in comparison with age or grade level cohorts.

(17) "State superintendent" means the state superintendent of public instruction.

History: Cr. Register, October, 1994, No. 466, eff. 11-1-94; correction in (9) (b) made under s. 13.93 (2m) (b) 6., Stats., Register, March, 1996, No. 483; **correction in (1) made under s. 13.93 (2m) (b) 7., Stats.**

PI 25.03 Identification of children at risk and children at risk plan. (1) Under s. 118.153 (2) (a), Stats., each board shall, annually by August 15, identify the children at risk enrolled in the school district. In determining whether a pupil is behind his or her age group in the number of high school credits attained or is 2 or more years behind his or her age group in basic skill levels, a board shall use all of the following criteria:

(a) A pupil shall be determined to be behind in his or her age group in the number of high school credits attained if a pupil in grades 5 through 12 falls 3 or more credits behind in progress toward graduation.

(b) A pupil shall be determined to be 2 or more years behind his or her age group in basic skill levels based on a board approved plan of formal and informal assessment, consistent with the district's objectives in mathematics and reading identified in the curriculum plan under s. PI 8.01 (2) (k).

(2) Each board shall, annually by August 15, identify children at risk enrolled in the school district and develop a written plan describing how the school board will meet their needs. A board, when developing a plan under this section, may consider the following:

(a) How pupils will be identified and enrolled in programs or provided services to meet their needs.

(b) How pupils may be identified in early childhood and kindergarten through grade 4 and what programs may be offered to prevent pupils from becoming at risk.

(c) How parents will be informed and involved in the programs or services made available under par. (a).

(d) What accommodations can be made to support pupils' achievement and success in school through any of the following:

1. Curriculum modifications.
2. Adaptive instructional strategies.
3. Alternative education programs.
4. Pupil support services.
5. School to work programs.
6. Community services.
7. Coordinating services provided by the district, community, agencies, and other organizations.
8. Eliminating systemic barriers that may cause pupils' success at school to become at risk.

Note: The number of dropouts and the percentage in grades 9–12 is collected as part of the School Performance Report. A copy of the report format may be obtained at no charge from the Department of Public Instruction, Division for Educational Accountability, Policy, and Management Support, P.O. Box 7841, Madison, WI 53707.

Note: Form PI 2376, Children At Risk Program Plan, may be used and obtained at no charge from the Department of Public Instruction, Division for Educational Accountability, Policy, and Management Support, P.O. Box 7841, Madison, WI 53707.

History: Cr. Register, October, 1994, No. 466, eff. 11–1–94.

PI 25.04 General requirements for school boards.

(1) Each board that has identified children at risk under s. PI 25.03 shall provide for all of the following:

(a) Designate a staff person who will be responsible for developing the children at risk plan required under s. 118.153 (2) (a), Stats.

(b) Provide that all work–based learning experiences and other similar programs and activities taking place outside the school for which pupils receive academic credit under the children at risk plan, including those programs or curriculum modifications authorized under s. 118.15 (1) (d), Stats., and instruction and pupil support services contracted for under s. 118.153 (3) (c) 1. and 2., Stats., are supervised by departmentally licensed teachers or other licensed school personnel.

(c) Ensure that in grades 9 through 12 curriculum modifications and alternative education programs provided for children at risk under the plan are designed to allow pupils to meet the high school graduation requirements under s. 118.33, Stats., and ch. PI 18.

(d) Notify each pupil and his or her parent in writing whenever the pupil has been identified as a child at risk. The notice shall include all of the following:

1. The name and telephone number of a person the parent or pupil can contact regarding the school district's children at risk plan or program.
2. A description of the children at risk plan.

(e) Ensure that the special education and related services needs of a child with exceptional educational needs, as defined in s. 115.76 (3), Stats., are first addressed in the child's individualized education program developed pursuant to s. 115.80 (4), Stats., whenever that child is also eligible to be served in a children at risk program.

(2) In addition to the requirements under sub. (1), each board operating programs for children at risk under s. 118.153 (3) (a) 1., Stats., shall meet all of the following requirements:

(a) The notice under sub. (1) (d) shall include all of the following:

1. A statement that the pupil is eligible to be enrolled under the board's plan to serve children at risk.
2. A description of the children at risk programs available and how the pupil may participate in a specific program if more than one program is offered as part of the school board's plan.

3. A statement to inform the parent that she or he may select one or more programs in which the pupil will be enrolled, if the pupil meets the prerequisites for the specific program requested.

(b) Describe the procedure for requesting that the pupil be enrolled in the specific children at risk program selected by the parent.

(c) Enroll the pupil in the program for children at risk upon request of the pupil or the pupil's parent. If the board makes available more than one program for children at risk, the board shall enroll the pupil in the board program selected by the pupil or the pupil's parent if the pupil meets the prerequisites for that program. The request shall be in writing, by signature on a district–provided form, or be given verbally to the person responsible for enrolling the child in the program. This person shall record the date and time of a verbal request and whether this request was made in person or by phone.

History: Cr. Register, October, 1994, No. 466, eff. 11–1–94.

PI 25.05 Provisions applicable to private contracting. (1) The board of a school district may contract with private, nonprofit, nonsectarian agencies to provide programs for children at risk for not more than 30% of the children at risk enrolled in grades 5 through 12, if the board determines that the agencies can adequately serve such children. A board contracting under this section shall take all of the following actions:

(a) Determine and list in writing appropriate private, nonprofit, nonsectarian agencies located in the school district or within 5 miles of the boundaries of the school district.

(b) Ensure that all instruction and pupil support services offered in contracted programs for children at risk are provided by one of the following:

1. Departmentally licensed professional staff members described in s. 121.02 (1) (a), Stats.
2. Persons licensed by other recognized professional or trade associations who provide specialized instruction or related education services they will provide.
3. Persons who are supervised by departmentally licensed professional staff.

(c) Pay each contracting agency, for each full–time equivalent child at risk served under the contract, an amount equal to at least 80% of the school district's average per pupil cost.

(d) Establish procedures with each contracting agency for the agency to provide all of the following information:

1. Describe staff qualifications.
2. Describe curriculum modifications and alternative education programs to be provided.
3. Describe how pupil performance will be evaluated, including grading criteria, procedures for granting academic credit, and testing for progress in reading and mathematics skills areas.
4. Record and report pupil attendance and retention rates.

(e) Develop a procedure for communication and cooperation with the contracting agencies in meeting the needs of children at risk served under this section.

(2) Pupils served under this section who receive high school diplomas may not be counted in meeting the conditions under s. PI 25.07 (1) (c) unless the pupil met high school graduation requirements under s. 118.33, Stats., or completed a program under s. 118.33 (2) (m), Stats.

History: Cr. Register, October, 1994, No. 466, eff. 11–1–94.

PI 25.06 Special provisions applicable to a first class city school system. The school board of the school district operating under ch. 119, Stats., shall ensure all of the following:

(1) If there is no space for a pupil in a specific children at risk program provided under the board's plan, the board shall place the pupil's name on a waiting list for that program and offer the pupil

a comparable alternative education program for children at risk until space in the requested program becomes available.

(2) That there are at least 40 pupils and no more than 200 pupils in each program and that a separate administrator or teacher is in charge of each program.

(3) That additional funds received under s. 118.153 (4) (b), Stats., shall be used to expand successful programs for children at risk or to establish new programs if expansion of a successful program would violate the provision under s. 118.153 (3) (b), Stats.

History: Cr. Register, October, 1994, No. 466, eff. 11-1-94.

PI 25.07 State financial aid and annual reports.

(1) STATE FINANCIAL AID. (a) If, in the previous school year, a school district had 50 or more dropouts and a dropout rate exceeding 5% of its total high school enrollment, the board shall apply to the state superintendent for aid under this section.

(b) If, in the previous school year, a school district had 40 or more dropouts, the board may apply to the state superintendent for aid under this section.

(c) School districts shall receive additional state aid under s. 118.153 (4) (b), Stats., if the state superintendent determines from the report required under sub. (2) that any three of the following conditions have been met by each pupil enrolled in the children at risk program:

1. The pupil's attendance rate was at least 70%.
2. The pupil remained in school through the end of the school year.
3. The pupil, if a high school senior, received a high school diploma.
4. The pupil earned at least 4.5 academic credits or a prorated number of credits if the pupil was enrolled in the program for less than the entire school year.

5. The pupil demonstrated, on standardized tests or other appropriate measures, at least one month's gain in reading and mathematics for each month of enrollment.

(2) ANNUAL REPORTS. (a) Under s. 118.153 (4), Stats., a board that applied for aid under this section in the previous school year shall submit an annual report by August 31 to the state superintendent. The annual report on the program for children at risk shall include all of the following information concerning pupils served in the program:

1. The number of pupils, by grade level, who were identified as children at risk, who requested enrollment in the program for children at risk, and who were enrolled in the program for children at risk.
2. The number of pupils who met the attendance rates under s. 118.153 (4) (c) 1., Stats.
3. The number of pupils who remained in school.
4. The number of pupils who graduated as high school seniors.
5. The number of pupils who earned at least 4.5 academic credits or a prorated number of credits if the pupils were enrolled in the program for less than the entire school year.
6. The number of pupils who demonstrated at least one month's gain in reading and mathematics for each month of enrollment.
7. The total number of pupils who achieved at least 3 objectives under sub. (1) (c).

(b) The district shall maintain records which will substantiate the information reported in the annual report as may be required under this section.

Note: Form PI 2375. Annual Report for Children At Risk Program, may be obtained at no charge from the Department of Public Instruction, Division for Educational Accountability, Policy, and Management Support, P.O. Box 7841, Madison, WI 53707.

History: Cr. Register, October, 1994, No. 466, eff. 11-1-94.