



## CHILDREN AT RISK OF NOT GRADUATING FROM HIGH SCHOOL

1999 Wisconsin Act 123, passed by the legislature and signed by Governor Tommy Thompson on May 8, 2000, renames and revises the state's Children at Risk Program to focus on "children at risk of not graduating from high school".

### BACKGROUND

The Children at Risk Program was created in 1985 to reduce the number of children who were failing to pass or dropping out of school. The school districts were required to identify dropouts, habitual truants, teen parents, or adjudicated delinquents in grades 5 through 12 who were substantially behind their age groups in basic skills or in high school credits attained. The districts were directed to develop plans annually to meet the needs of these pupils.

**State Aid.** Beginning with 1993 Wisconsin Act 16, districts that had 50 or more dropouts in the previous year *and* a dropout rate exceeding 5% of the total high school enrollment were required to apply for state aid. (Four districts were required to apply for 1998-99 aid: Beloit, Kenosha, Milwaukee, and Racine.) Districts with at least 40 dropouts, regardless of percentage, were permitted to apply. (Thirteen chose to apply for 1998-99 aid.)

Districts were offered an additional 10% in at-risk program aid, calculated on their average per pupil aid and multiplied by each pupil that met at least three of the prescribed statutory objectives: 1) the pupil's attendance rate was at least 70%; 2) the pupil remained in school; 3) the pupil, if a senior, received a high school diploma; 4) the pupil earned at least 4.5 academic credits (or a prorated amount if enrolled less than one year); and 5) the pupil demonstrated through standardized testing or other appropriate performance measures, at least one month's gain in reading and mathematics for each month of enrollment. If the state's annual appropriation of \$3.5 million was insufficient to cover the 10% payments, aid was prorated.

**Legislative Review.** The state's Legislative Audit Bureau (LAB) is required to review district compliance with the law biennially. In its 1997 audit, the bureau stated that the program was not fulfilling its intended purpose. It found only 16 of the state's 427 school districts had benefited from state aid since the inception of the program, and the funding averaged \$167 per pupil served in 1995-96. Milwaukee Public Schools (MPS) had received two-thirds of the \$8.6 million distributed in the three years prior to the audit. The LAB report questioned whether the program was serving a statewide purpose. It also questioned the results of the remedial actions taken by the districts with the state funds. MPS contracted with private schools for its at-risk students, and the graduation rate for its pupils was greater than for pupils served in district-administered programs.

The legislature decided to consider remedial legislation. The Legislative Council's Special Committee on the Children at Risk Program, created in June 1998, was directed to review the program's focus, scope, and coverage; its funding structure and state-level oversight; and the

possibility of greater utilization of private agency services as a means of achieving program objectives. The study committee recommended that the program be retained but substantially revised.

### MAJOR REVISIONS IN ACT 123

**Definition Changes.** Act 123 changes the definition of "children at risk" to specifically cover pupils in grades 5 through 12 who are at risk of not graduating from high school because they failed the state-required high school graduation examination; are dropouts; or they fall in at least two of the following categories: 1) one or more years behind their age group in the number of high school credits attained; 2) two or more years behind their age group in basic skill levels; 3) habitual truants; 4) teen parents; 5) adjudicated delinquents; or 6) eighth grade pupils who failed to be promoted to ninth grade or who failed or scored below the basic level on each subject area of the required eighth grade examination.

**Funding Changes.** The act retains the \$3.5 million annual funding level for the program but requires participating school districts to specify the amount given to each program, based on the ability of that program to meet specified statutory objectives. The act also requires a school board to give preference in allocating those funds to programs conducted by alternative schools; charter schools; schools within schools; and private, nonprofit, nonsectarian agencies located in the school district or within 5 miles of the district's boundaries. In the context of Act 123, "alternative school" is defined as a public school that has 30 to 250 pupils, a designated administrator or teacher with overall management responsibility, and offers a nontraditional curriculum. A "school within a school" must meet the same enrollment and administration requirements and be housed in a dedicated space in a public school.

Act 123 expands the performance objectives to include passage of the required high school graduation examination, and it modifies the required improvement in reading and mathematics skills to cover a period commensurate with the pupil's period of enrollment in the program, rather than requiring a month-for-month gain. The act deletes the biennial auditing requirement. LAB is required to complete its next audit by January 1, 2005, and it is directed to determine the extent to which the districts are meeting the prescribed statutory objectives of the program.

**Voluntary Participation.** The act removes the mandate that certain school districts must participate in the program. Participation is permissive for any school district that had 30 or more dropouts or a dropout rate that exceeded 5% of its total enrollment in the previous school year.

### FOR MORE INFORMATION

For copies of 1999 Wisconsin Act 123, contact the Legislative Reference Bureau at (608) 266-0342 or check the Internet at <http://www.legis.state.wi.us/billtext/acts/99acts.html>. For more information concerning the program for children at risk of not graduating from high school, contact the Department of Public Instruction, Division for Learning Support Equity and Advocacy, at (608) 267-9242.

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