

**BOARD OF EDUCATION
COCHRANE-FOUNTAIN CITY SCHOOL DISTRICT
Policy Committee Meeting
School Cafeteria and Via Zoom
June 9, 2020
4:00 p.m.**

Committee Charge: The Policy Committee is charged with making recommendations for the adoption, deletion or revision of school board policies, and, in limited circumstances, administrative rules.

1. Call to Order-Kalene Engel called the meeting to order at 4:00 p.m.
2. Attendance: Committee Members Present: Kalene Engel, Areny Bork, Karen Knospe; Guests Present: Michele Butler, Larry Cyrus
3. Approval of Minutes from March 25, 2020 Policy Meeting: Motion by Karen to approve minutes; seconded by Areny. No discussion. Motion passed 3-0.
4. New Business: Review/discuss/recommend updates to the following:
 - a. 447.1 – Staff Use of Physical Force, Physical Restraint, and Seclusion-Michele explained the changes to the policy, made recommendations for optional language and other school-defined language and noted that the policy represented an extensive revision from prior policy and was, therefore, a high priority change. Kalene noted that there was an accompanying rule and exhibit, both of which were high priority and could be brought to the board as administrative rule. Committee members asked questions about restraining, including training for staff, which Michele answered. By consensus, the committee agreed to recommend the policy, with requested changes, to the full board for approval. Michele will also have the 447.11 Rule and Exhibit ready for review for the next school board meeting.
 - b. Title IX Policy information-Michele noted that WASB will be updating the Title IX policies soon, so we should be watching for them. She recommended that training, especially on harassment, be a part of staff training. She is aware that there are some training modules available on the DPI and believes that WASB will also be making some available. She will make sure that Steve Stoppelmoor is aware of the training opportunities and need for training.
 - c. Student-Parent Manual-Kalene asked that this item be placed on the agenda to get clarification from administration as to whether they

wanted the manual to be board approved. Michele noted that she has seen it both ways. Kalene noted that the manual must be consistent with board policy anyway. Michele will discuss the issue with Steve S. to get a definitive answer.

5. Old Business

- a. Review policies: 343.45 – Technical College: Start College Now Program and 343.46 – Early College Credit Program: Kalene, Larry, Michele, Steve S. and Dave Williams met last week to discuss online options. Based upon that meeting, no significant changes were needed on the above policies. Kalene did make some minor changes to correct a reference to an administrative rule and to clarify the name of the Start College Now Program. By consensus, the two revised policies were recommended for approval by the school board. Larry noted that an additional policy, 343.5 Online Learning, was being reviewed by Steve S. and Dave.
- b. Ongoing review of policies: Now that we have many policies in place, Michele suggested that the committee pick sections of the policies to have scheduled reviews. Kalene noted that she was in the process of compiling a list of policies that WASB recommended for review/revision and would be provided to the committee, once it was completed.

6. Adjourn: Motion to adjourn by Areny; seconded by Karen. Motion passed 3-0. Meeting adjourned 4:31 p.m.

Minutes by Kalene Engel

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Reasonable and Necessary Use of Physical Force; Corporal Punishment Prohibited

It is the responsibility of school district personnel to assure that students are provided with an appropriate learning environment. The Board recognizes that there may be times when a student will engage in dangerous or disruptive behavior that requires immediate attention. In such cases, school personnel shall avoid the use of (1) any unlawful behavioral intervention; or (2) any unreasonable and excessively restrictive intervention. To the extent it represents the district's preferred policy position, a district may choose to include the following sentence in this policy and/or in a policy adopted under topic 443 (student conduct and discipline): "Positive behavioral interventions and supports are the District's preferred means of preventing and addressing inappropriate student behavior that does not present a direct threat to safety or to any person's well-being but that does interfere with the student's learning, the learning of others, or school operations."

Students shall not be subjected to the use of corporal punishment at any time. Corporal punishment means intentionally inflicting or causing to be inflicted physical pain for the purpose of punishment or as a disciplinary action. It includes, for example, paddling, slapping or prolonged maintenance of physically painful positions.

Subject to the important limitations that are set forth in state law and referenced below that restrict the use of physical restraint and seclusion in school settings, a school official, employee or agent may use reasonable and necessary force under the following circumstances:

- to quell a disturbance or prevent an act that threatens physical injury to any person;
- to obtain possession of a weapon or other dangerous object within a student's control;
- for the purpose of self-defense or the defense of others;
- for the protection of property;
- to remove a disruptive student from a school premises or motor vehicle or from school-sponsored activities;
- to prevent a student from inflicting harm on himself/herself, and;
- to protect the safety of others.

A school official, employee, or agent may also use incidental, minor, or reasonable physical contact designed to maintain order and control. For example, briefly touching or holding a student's hand, arm, shoulder, or back to calm, comfort, or redirect a student in appropriate circumstances is not a type of physical restraint under state law and will not be a violation of this policy.

Physical Restraint and Seclusion of Students

District employees, certain contracted service providers, and other "covered individuals" (as defined under the state seclusion and restraint law) may use seclusion or physical restraint on a

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student at school or during a school-sponsored activity only if the conditions and limitations set forth in state law are met and only if the covered individual also follows any applicable District rules, procedures, and directives. For example, among several other conditions and limitations that apply to the use of the interventions: (1) covered individuals are required to make determinations that a student's behavior presents a clear, present, and imminent risk to the physical safety of the student or others and that restraint or seclusion is the least restrictive intervention feasible under the circumstances; (2) once implemented, these interventions may be used only for the duration that is reasonably necessary to resolve the identified risk to physical safety; and (3) neither physical restraint nor seclusion may be used as a punishment.

The administration shall designate one or more staff members in each school to receive state-mandated training in physical restraint and arrange for and document the delivery of the training. However, as permitted by state law, a covered individual who has not received such training may physically restrain a student when responding to an emergency situation, but only if (1) a trained individual is not immediately available due to the unforeseen nature of the emergency; and (2) the non-trained individual conducts the restraint in a manner that is consistent with other legal requirements.

Administrative Notification and Post-Incident Procedures

At least one of the responsible adults who was present during an incident arising under this policy shall notify the principal of the incident. Such notification shall occur as soon as practicable following the incident and, at a minimum, on the same day as the incident. For purposes of this reporting expectation:

1. A responsible adult means any District official, employee, or agent, as well as all "covered individuals" under the state's seclusion and restraint law.
2. Reportable incidents include (a) the use of seclusion or physical restraint on a student by any "covered individual" or any law enforcement officer that occurs at school or in connection with a school-sponsored activity; and (b) any other significant physical encounter between a student and any District official, employee, or agent, including encounters in which an adult used reasonable and necessary physical force, but not including an encounter that involved only incidental, minor, or reasonable physical contact

Once an incident that involved seclusion, physical restraint, or some other significant physical encounter is reported to or otherwise identified by the administration, the school principal or the principal's administrative-level designee shall ensure that the District completes any post-incident requirements that apply to the situation under state law or District procedures (e.g., documentation, parent contacts, meetings, reporting, etc.).

Policy Dissemination

The Superintendent or his/her administrative-level designee is responsible for ensuring that the District implements reasonable methods for informing District employees, agents, and other "covered individuals," to the extent appropriate to their role, of this policy, related legal requirements and limitations, and any District procedures or rules developed under this policy.

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Legal References:

Wisconsin Statutes

Section 48.981	[mandatory reporting of child abuse or neglect]
Section 115.787(2)	[required components of an individualized education program (IEP)]
Section 115.787(3)(b)1	[IEP team duties; behavioral interventions and supports]
Section 118.13	[student nondiscrimination]
Section 118.164	[student removal from class]
Section 118.305	[use of seclusion and physical restraint]
Section 118.31	[corporal punishment prohibited; staff use of reasonable and necessary authorized; policy required]

Federal Laws

Individuals with Disabilities Education Act	[programs and services for students with disabilities]
34 C.F.R. Part 300	[federal IDEA regulations]

Cross References:

Adoption Date: 6/17/2020

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These procedures address incidents of seclusion or physical restraint of students by District employees and other covered individuals, as well as by law enforcement officers when the incident occurs at school or in connection with a school-sponsored activity.

A. DEFINITIONS

These procedures adopt the definitions of "covered individual," "seclusion" and "physical restraint" that are established within section 118.305 of the state statutes, including all applicable exclusions and exceptions.

Paraphrasing the applicable statutory provisions:

1. "Covered individual" includes any individual who is:
 - a. An employee of the District, not including the members of the School Board;
 - b. Under contract with the Board as an independent contractor to provide services for the benefit of the schools;
 - c. Employed by a person/entity under contract with the Board to provide to provide services for the benefit of the schools (excluding law enforcement officers); or
 - d. Engaged in student teaching under the supervision of a District employee or independent contractor who is providing services for the benefit of the schools.
2. "Physical restraint" means a restriction that immobilizes or reduces the ability of a student to freely move his/her torso, arms, legs, or head. Briefly touching or holding a student's hand, arm, shoulder, or back to calm, comfort, or redirect the student is not considered a physical restraint. In addition, the following are not considered to be a type of prohibited mechanical restraint:
 - a. The use of supportive equipment to properly align a student's body, assist a student to maintain balance, or assist a student's mobility, under the direction and oversight of appropriate medical or therapeutic staff.
 - b. The use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.
3. "Seclusion" means the involuntary confinement of a student, apart from other students, in a room or area from which the student is physically prevented from leaving. State law clarifies that the following interventions are not considered "seclusion" provided that the student is not confined to a room/area from which he or she is physically prevented from leaving:
 - a. Directing a student who is disruptive to temporarily separate himself or herself from the general activity in the classroom to allow the student to regain behavioral control and the covered individual to maintain or regain classroom order.

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- b. Directing a student to temporarily remain in the classroom to complete tasks while other students participate in activities outside the classroom.

B. GENERAL CONDITIONS FOR THE USE OF SECLUSION

A covered individual may use seclusion on a student at school, including during any school-sponsored activities, only if all of the following apply:

1. The covered individual must make a determination that the student's behavior presents a clear, present, and imminent risk to the physical safety of the student or others and that seclusion is the least restrictive intervention feasible.
2. The room or area in which the student is secluded must, at the time seclusion is initiated, be free of objects or fixtures that may injure the student.
3. No door connecting the room or area in which the student is secluded to other rooms or areas is capable of being locked or has a lock on it.
4. A covered individual must maintain constant supervision of the student, either by remaining in the room or area with the student or by observing the student through a window that allows the covered individual to see the student at all times.
5. The student must have adequate access to bathroom facilities, drinking water, necessary medication, and regularly scheduled meals.
6. The duration of the seclusion must be only as long as necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others.

C. GENERAL CONDITIONS FOR THE USE OF PHYSICAL RESTRAINT

A covered individual may use physical restraint on a student at school or at a school-sponsored activity only if all of the following apply:

1. The covered individual determines that the student's behavior presents a clear, present, and imminent risk to the physical safety of the student or others and that physical restraint is the least restrictive intervention feasible.
2. The covered individual either (a) has received state-mandated training related to physical restraint; or (b) makes a determination that the situation presents an emergency and no trained individual is immediately available.
3. There are no known medical contraindications to the use of the physical restraint.
4. The degree of force used and the duration of the physical restraint do not exceed the degree and duration that are reasonable and necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others.
5. The covered individual may not use a mechanical restraint or chemical restraint.

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6. The covered individual may not use any of the following maneuvers or techniques:
 - a. Those that do not give adequate attention and care to protecting the student's head.
 - b. Those that cause chest compression by placing pressure or weight on the student's chest, lungs, sternum, diaphragm, back, or abdomen.
 - c. Those that place pressure or weight on the student's neck or throat, on an artery, or on the back of the student's head or neck, or that otherwise obstruct the student's circulation or breathing.
 - d. Those that place the student in a prone position.
7. Restraint may never be used as a form of corporal punishment, as defined by state law to mean the intentional infliction of physical pain as a means of discipline.

D. POST-INCIDENT PROCEDURES

The following apply to each incident of the use of seclusion or physical restraint on a student by a covered individual or law enforcement officer that occurs at school or in connection with a school-sponsored activity:

1. **Administrative notification of incidents.** At least one of the covered individuals who was present during such an incident shall notify the principal of the incident. Such notification shall occur as soon as practicable following the incident and, at a minimum, on the same day as the incident. The individual who notifies the administrator(s) is expected to sufficiently communicate that the incident needs to be evaluated under the post-incident response procedures for seclusion and physical restraint. However, if the school principal was personally present for the incident and clearly would be aware of the use of seclusion or physical restraint, then no separate notification is required, and the principal shall directly initiate the post-incident response procedures. In addition:
 - a. Any covered individual who was actively involved in applying a physical restraint or in secluding a student has the highest level of responsibility for ensuring that the incident is promptly reported. Accordingly, if such an individual is not the person who makes a direct report, he or she should, at a minimum, promptly verify that an appropriate administrator has been notified of the material aspects of the incident.
 - b. If a law enforcement officer applied the physical restraint or used seclusion, a covered individual who is present during the incident should not assume that the law enforcement officer will report the incident to an appropriate administrator. Accordingly, the covered individual is expected to personally report the incident or directly arrange for another covered individual to make the report.
 - c. If a covered individual who was not present during such an incident is made aware of an incident in a manner that suggests that the incident may not have been

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reported, the individual is expected to contact an appropriate administrator to discuss the information that they have and obtain additional guidance. Failure to take such steps will not be excused if the District determines that the failure was unreasonable or in bad faith. In addition, any covered individual who has concerns regarding how any incident(s) of restraint or seclusion are being handled at the school level is encouraged to contact [insert appropriate position(s) – e.g., "the school principal or the Director of Student Services"].

2. **Written incident reports and parent notification.** Whenever a covered individual or a law enforcement officer uses seclusion or physical restraint on a student, the school principal or his/her designee shall do all of the following:
 - a. As soon as practicable, but **no later than one business day after the incident**, notify the student's parent of the incident and of the availability, or pending availability, of the written report described in the next paragraph. For purposes of these procedures, "parent" includes a natural or adoptive parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.
 - b. **Within two business days after the incident** and after consulting with the covered individuals and any law enforcement officers present during the incident, prepare a written incident report containing all of the following information:
 - The student's name.
 - The date, time, and duration of the use of seclusion or physical restraint.
 - A description of the incident, including a description of the actions of the student before, during, and after the incident.
 - The names and titles of the covered individuals and any law enforcement officers present during the incident.
 - c. **Within three business days of the incident**, provide a copy of the written incident report to the student's parent by 1st class mail, or by electronic transmission, or by hand delivering the report to a parent.
 - d. If the student is an adult and the student's parent is not otherwise entitled to access or receive copies of the student's behavioral records, the District shall ask the adult student to provide written consent for the District to provide the parent notification and parent copy of the incident report, as described in these procedures. If the District does not obtain such consent, such notification and report shall be provided only to the adult student.
3. **Post-incident debriefing meetings.** Whenever a covered individual or a law enforcement officer uses seclusion or physical restraint on a student, the school principal or his/her designee shall meet with the covered individuals who participated in the incident to discuss all of the following:

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- a. The events preceding, during, and following the use of the seclusion or physical restraint.
- b. How to prevent the need for seclusion or physical restraint, including the factors that may have contributed to the escalation of behaviors; alternatives to physical restraint, such as de-escalation techniques and possible interventions; and other strategies that the school principal or designee determines are appropriate.

Such post-incident debriefing meetings shall normally occur within 2 to 10 school days of the incident.

If the student who was involved in the incident is a child with a disability, such post-incident debriefing meetings shall not amend the student's individualized education plan (IEP) in an unauthorized manner or otherwise exercise the authority of the student's IEP team. However, the information discussed or brought to light during a post-incident debriefing should be assessed to determine whether any follow-up with the IEP team or via other special education procedures (such as an evaluation or functional behavioral assessment of the student) may be appropriate. This includes providing any relevant information to an IEP team that is convened as required in the next subsection.

4. **Mandatory convening of IEP team.** The second time that seclusion or physical restraint is used on a child with a disability within the same school year, state law requires the child's IEP team to convene as soon as practicable after the incident but no later than 10 school days after the incident. The IEP team shall review the child's IEP and revise it as the team determines necessary to ensure all of the following:
 - a. That the IEP includes appropriate positive behavioral interventions and supports and other strategies to address the behavior of concern.
 - b. That the interventions, supports, and other strategies included in the individualized education program related to a behavior that resulted in the use of seclusion or physical restraint on the child are based on a functional behavioral assessment of that behavior.

The state mandate to convene an IEP team after the second incident in no way discourages or limits the possibility of convening the student's IEP team at other times.

E. TRAINING OF COVERED INDIVIDUALS

1. **State-required training relating to physical restraint.** The District shall provide training to designated covered individuals in each school building who are considered most likely to be required to intervene in situations where there may be a need to physically restrain a student.
 - a. Upon satisfactory completion of the training, the individual will be deemed District-certified in physical restraint, which means that the individual is authorized to administer physical restraint in compliance with state law and District policy, and

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that, when reasonably available, the individual is expected to take the lead in evaluating and taking appropriate action in a situation where there may be a need to physically restrain a student. Further, a covered individual who has not received state-required training related to physical restraint may use physical restraint on a student only in an emergency situation and only if a District-certified individual is not available due to the unforeseen nature of the emergency.

- b. Training related to physical restraint shall address the mandatory content areas specified in state law.
- c. After a covered individual receives initial training, if the individual will continue to be District-certified in physical restraint, the District shall ensure that the individual participates in appropriate follow-up or refresher training at least every three years, except that:
 - Retraining will occur at earlier intervals to the extent the District relies on a third party to provide the training content and/or the delivery of the training and such third party specifies an earlier retraining interval.
 - The District may require more frequent follow-up or refresher training if the District determines that there are material changes to legal requirements, best practices, or local expectations or procedures that create a need for earlier supplemental training.
- d. Per state law, the District shall maintain a record of the training related to physical restraint that is received by covered individuals, including the period during which the training is considered valid by the entity that trained the covered individual.

F. ANNUAL DISTRICT-LEVEL SUMMARY REPORTS

1. The District Administrator shall work with the Board to ensure that, by no later than December 1, the District annually submits to the State Superintendent a report of all of the school-level data related to incidents of physical restraint and seclusion from the previous school year.

Adoption Date: 6/17/2020

Incident Report: Seclusion or Physical Restraint of a Student

Complete a separate report for each incident. Upon completion, this report will constitute a student behavioral record that will be provided to the affected student's parent(s). Restrict personally-identifiable student information within this report to one student whenever possible (i.e., the student who is identified in the report as being restrained or secluded). This report is to be completed within 2 business days of the incident. Provide the parent with a copy of the report within 3 business days of the incident.

SCHOOL:		NAME OF SCHOOL PRINCIPAL:	
INCIDENT DETAILS			
Name of affected student:	Grade level:	Is this student currently identified as a student with a disability? <input type="checkbox"/> Yes or <input type="checkbox"/> No	
Type of reportable incident: <input type="checkbox"/> Seclusion or <input type="checkbox"/> Physical Restraint		Date of Incident:	
Time of day that incident occurred:		Location of incident:	
How long did the period of seclusion last, or for how long was the physical restraint applied to the student?			
General description of the incident:			
Describe the behavior/conduct of the student:			
<i>Before the incident:</i>			
<i>During the incident:</i>			
<i>After the incident:</i>			
Identify the person(s) who conducted the seclusion or applied the physical restraint:		Identify any other school or law enforcement personnel known to be present during the incident:	
<i>Name</i> _____	<i>Position/Title</i>	<i>Name</i> _____	<i>Position/Title</i>
INITIAL PARENT NOTIFICATION OF INCIDENT			
Name of parent who was notified:		Date of notification:	
Method of notification: <input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> In Person <input type="checkbox"/> Other _____		Name of school official who provided notification:	
IDENTIFY THE SCHOOL OFFICIAL WHO COMPLETED THIS REPORT			
Name:	Position:	Date:	

Technical College Course Program (“Start College Now”)

Policy 343.45

Program Availability: High school students in the 11th grade or 12th grade who meet the eligibility requirements defined in applicable statutes, regulations, and District policies may be permitted to enroll in one or more courses at a technical college through the Start College Now Program. and who submit timely and complete applications and notices, may be permitted to enroll in one or more program-eligible courses at an institution of higher education through the Start College Now Program.

Program Administration

: A Credit Review Committee comprised of the school guidance counselor, school principal, school board member and subject matter teacher (in the subject area in which the credits are requested) shall be responsible for (1) ensuring that the District appropriately processes requests/applications related to the Start College Now Program; and (2) except for refusal of permission to take a course that is based on an undue financial burden, determining whether the District will approve individual applications and pay for specific courses based on the criteria established in state law, any applicable state regulations, and applicable District policies and procedures.

The authority of the Credit Review Committee includes, but is not limited to, the authority to make or approve the following determinations on behalf of the District:

1. Whether a student meets the minimum eligibility criteria established in state law;
2. Whether a proposed course is comparable to a course already offered in the District;
3. Whether the proposed course and any resulting credit meets any of the District’s high school graduation requirements; and
4. Whether the student will be eligible to receive high school credit for the successful completion of a proposed course, and, if so, the amount of high school credit.

Undue Financial Burden: While the District may refuse to allow a student with a disability to attend a technical college through the Start College Now Program if the costs related to any special services required for the student would impose an undue financial burden on the District, the determination of an undue financial burden shall be made by the District Administrator.

District Eligibility for Participation: In addition to other applicable eligibility requirements, a student who wishes to enroll in a course through a technical college under this policy must:

1. Submit all required notices, parent permissions (if under 18) and technical college applications on a timely basis;
2. Not be a child at risk of not graduating from high school, as defined by state law;

3. Have completed the 10th grade (all requirements met, including a minimum of required high school credits completed toward graduation by the end of the high school semester in which the student gives notice of his/her intent to take a technical college course);
4. Have no record of disciplinary or attendance problems. A technical college district board may deny a high school student admission to the technical college, or registration in a specific course, for any of the reasons provided in state law, including the technical college's determination that the student has an unacceptable record of disciplinary problems. To the extent consistent with student record's laws and with the District's student records policies and procedures, the District will certify disciplinary information that is necessary for completing and processing a student's application to enroll in and take a course at a technical college under the Start College Now Program;
5. Be in good academic standing, as follows:
 - If a junior, must have a cumulative GPA of 3.0 at the time of determination or
 - If a senior, must have a cumulative GPA of at least 2.5 at the time of determination.
6. The District may refuse to allow a student with a disability to attend a technical college through the Start College Now Program if the costs related to any special services required for the student would impose an undue financial burden on the district.
7. Students in home-based private educational programs, residents of the District who are private school students, and nonresident students who are participating in the part-time open enrollment program are not eligible to participate in the Start College Now Program through the District, even if they are taking or have taken individual courses in the District high school.

Student's Responsibilities for Applications and Notices:

Students interested in enrolling in a technical college under this policy must do all of the following to start the application process:

1. **Complete Academic Career Plan:** Meet with the high school guidance counselor to review eligibility and course plan and complete an academic career plan;
2. **Application to technical college:** Submit a timely and complete application directly to the applicable technical college, pursuant to any procedures and deadlines established by the technical college;
3. **Notice to District:** Submit a timely and complete written notice to the school guidance counselor that identifies the student's intent to take one or more courses under the Start College Now Program. A separate notification form must be completed and processed for each semester that a student applies to participate in the Start College Now Program. The student shall use the Wisconsin Technical College System (WTCS)-approved form when providing this notice. Completion of the Start College Now Application (Exhibit 1) constitutes notice to the district under this paragraph.
 - a. **Deadline for Notice:** The deadline for submitting such notice is March 1 for any fall semester course and October 1st for any spring semester course.

- b. **Parental Permission:** If the student who intends to take a technical college course is a minor, the student's parent or guardian must provide signed permission for the student to participate in the program on the student's initial notification form.
 - c. **Cooperation:** Students are required to cooperate with the District in providing any information that may be necessary to determine their eligibility for the program and process individual course requests.
4. **Student's Continuing Obligations:** As soon as such information is available, the student shall further notify the school counselor if and when the student:
- a. Has been admitted to the technical college to which the student applied;
 - b. Has successfully enrolled in and registered to attend individual classes, and
 - c. Has changed any of the course information on the initial notification.

District Responsibility Upon Receiving Notification of Intent to Participate: Upon receiving a student's written notification of intent to participate in the Start College Now Program, the school guidance counselor shall process the student's written request, including a preliminary determination of the following:

1. Whether the student meets the minimum eligibility criteria for participation in the program;
2. Whether the student will be eligible to receive high school credit for the successful completion of the proposed course and, if so, how much high school credit;
3. Whether the proposed course is comparable to a course already offered in the District; and
4. Whether the proposed course and any resulting credit meets any of the District's high school graduation requirements.

Determination of Course Comparability, Eligibility for High School Credit and Satisfaction of High School Graduation Requirements: For purposes of determining whether a course that a student wishes to take through the Start College Now Program is comparable to a course offered by the District, and pending the development of any new state regulations applicable to the Start College Now Program that address the granting of high school credit for a course taken at a technical college under this policy, the satisfaction of high school graduation requirements and/or the determination of whether a course offered by the technical college is comparable to a course offered in the District, or the adoption of other specific local standards for making such determinations within the Start College Now Program, the district shall apply the mandatory and discretionary standards found in PI 40.06 of the Wisconsin Administrative Code, as such standards have been defined for the state's Early College Credit Program.

1. **Course Comparability:** Comparable course, under PI 40.06 means all of the following:
 - a. The high school course is offered during the period of time after the pupil notifies the school board of his or her intent to participate in the Start College Now Program and prior to the pupil's graduation;

- b. The high school course content, as determined by curriculum guides, course expectations, course goals, and scope and sequence of the course, is 80% equivalent to the content of the postsecondary course as determined by the postsecondary course syllabus, if available, and course description.

“Offered” courses, for purposes of determining comparable courses, includes any on-line high school courses that are made available to District students.

2. Eligibility for High School Credit:

- a. The District may deny high school credit for a technical college course if any of the following apply:
 - i. The District offers a comparable course;
 - ii. The course repeats the course content for which a student has already received a passing grade and high school credit;
 - iii. The course repeats the content of a postsecondary course that the student has already taken and failed.
- b. If credit is not denied for any of the reasons identified above, the District will grant high school credit for an technical college course if the course meets any of the District’s high school graduation requirements, as identified in the Board-approved high school graduation credit policies, and if any of the following conditions apply:
 - i. The course is complementary to, consistent with, or expands on a course of study or sequence of courses offered by the District.
 - ii. The course expands an opportunity for the student to move to another level of an academic or vocational course of study.
 - iii. The course curriculum meets or exceeds the same standards for rigor and content as other courses approved by but not offered by the District for credit toward graduation.
 - iv. The postsecondary course supports rather than prevents a student from completing high school graduation requirements.
- c. For a student to receive high school credit for a course taken at a technical college under this policy, the student must complete the course and receive a passing grade, as determined by the technical college.
- d. To the extent required by state regulation, or to the extent the District does not adopt a different rule for any course-credit conversions that are not addressed by state regulations, a student shall be granted $\frac{1}{4}$ high school credit per 1 semester of conversion-eligible postsecondary credit for a course taken under the Start College Now Program.

3. Satisfaction of High School Graduation Requirements: The determination of whether a course satisfies a high school graduation requirement shall be made with reference to the District policies that sets forth such requirements and by applying the standards and

guidelines that the District applies to its own course offerings and to courses that are submitted for similar assessment by students who are transferring into the district.

4. **Uniformity in Processing:** The District Administrator is responsible for monitoring determinations under this section on a District-wide basis to ensure that similarly-situated courses are being processed with a reasonable degree of uniformity.

Action/Notification by the District:

1. **Credit Review Committee Determination:** After making a preliminary determination of program eligibility, course comparability, eligibility for high school credit, and satisfaction of high school graduation requirements, the school guidance counselor shall convene a meeting of the meeting of the Credit Review Committee, at which he/she shall present preliminary determinations regarding the applications. The Credit Review Committee shall make a final determination on the applications and sign any necessary paperwork to authorization participation in the program.
2. **Notification to Student:** The guidance counselor shall notify the students parent(s) or guardian(s), or the student if age 18 or older, of the District's determinations in writing regarding awarding of high school credit (including the amount of the credit), course comparability, satisfaction of high school graduation requirements, and the right to appeal a negative determination made by the District to the State Superintendent of Public Instruction.
 - a. Provided that none of the course information provided on the student's initial notice of intent has changed, such notice shall normally be issued by May 15th for initial notices that were received by March 1st for fall courses, by November 15th for initial notices that were received by October 1st for spring courses.
 - b. If the District determines that it is impractical to provide notice of the District's course-related determinations in the regular time-frame identified immediately above, such notice shall, at a minimum, be issued at least 30 days before the beginning of the college semester in which the student will be enrolled for the course.

Appeal Rights: If a student who intends to take a course through the Start College Now Program disagrees with a District decision regarding comparability of courses, satisfaction of high school graduation requirements, or the number of high school credits to be awarded for a course (if any), the student may appeal the District's decision to the State Superintendent of Public Instruction within 30 days after the decision.

Responsibility for Costs; Limitations on District Payments

To the extent required by state law, the District shall pay for certain costs associated with students' enrollment in a technical college under this policy. Limitations on the District's responsibility for payment include the following:

1. **Comparable Course – No District Payment:** If a student takes a course at a technical college that is comparable to a course offered in the District, the District will make no

payment for the course. Instead, the student taking the comparable course is responsible for paying the tuition and fees for the course.

2. **Credit Limitation:** The District shall pay for no more than the equivalent of a combined total of 18 (eighteen) postsecondary semester credits per student for any courses that are taken through the Start College Now Program (section 38.12(14) of the state statutes) or the Early College Credit Program. Courses that the District paid for under the former Youth Options Program count toward this credit limit. However, the limitation on total paid credits does not prohibit a student from (1) taking other courses through a postsecondary institution where the District has authorized the coursework under a separate program or separate source of authority; or (2) taking other District-approved high school courses, outside of the specific state programs, that may result in eligibility for postsecondary credit(s).
3. **Successful Completion Required:** The District shall only pay for courses that are successfully completed. If a student receives a failing grade in a course or fails to complete the course, the student's parent or guardian or the student, if an adult, is responsible for reimbursing the District for the costs paid by the District. If this reimbursement is not made upon request, the student is ineligible for any further participation in the Start College Now Program and the Early College Credit Program.
4. **Withdrawal from Course:** In order for a student to avoid a payment obligation (where applicable) for a course taken through the Start College Now Program, it is the sole responsibility of the student and his/her parent or guardian to ensure that the student withdraws from the course prior to the applicable technical college's deadline for doing so such that the technical college will not charge the District any tuition for the course.
5. **Program Limitations:** A student who is participating in the Start College Now Program in any semester may not simultaneously participate in the Early College Credit Program. A student participating in the Start College Now Program may attend only one technical college in any semester.
6. **Costs Covered:** The District shall pay only such tuition, fees and course material costs as are required by law. If the District is required to pay the technical college for the cost of a book or similar resource that is not a one-time use item, the student shall be required to return the resource(s) to the District upon completion of the course
7. **Transportation:** Unless otherwise required by law, the District is not responsible for providing transportation to postsecondary courses taken under this policy or for paying for transportation-related costs.

Legal References:

Wisconsin Statutes

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|------------------------------------|---|
| <u>Section 38.12(14)</u> | [attendance at technical college under the technical college course program, also known as the "Start College Now" Program] |
| <u>Section 115.385(4)</u> | [parent notification of educational options] |
| <u>Section 118.15(1)(b)</u> | [attendance at a technical college in lieu of high school or on a part-time |

	basis by a child 16 years of age or over and a child at risk]
<u>Section 118.15(1)(d)</u>	[discretionary program and curriculum modifications]
<u>Section 118.153(1)(a)</u>	[definition of a child at risk of not graduating from high school]
<u>Section 118.33</u>	[high school graduation requirements]
<u>Section 118.55</u>	[early college credit program]
<u>Section 118.57</u>	[public notification of educational options]

Wisconsin Administrative Code

Chapter PI 40 [regulations governing the early college credit program, which are not directly applicable to the “Start College Now” program]

Cross References: SP2; 8/5/19

Exhibit 1 Start College Now Application

Adoption Date: 4/17/19; Revised 6/17/20

Early College Credit Program

Policy 343.46

Program Availability: High school students who meet the eligibility requirements defined in applicable statutes, regulations, and District policies, and who submit timely and complete applications and notices, may be permitted to enroll in one or more program-eligible courses at an institution of higher education through the Early College Credit Program.

Program Administration: A Credit Review Committee comprised of the school guidance counselor, school principal, school board member and subject matter teacher (in the subject area in which the credits are requested) shall be responsible for (1) ensuring that the District appropriately processes requests/applications related to the Early College Credit Program; and (2) determining whether the District will approve individual applications and pay for specific courses based on the criteria established in state law, any applicable state regulations, and applicable District policies and procedures.

The authority of the Credit Review Committee includes, but is not limited to, the authority to make or approve the following determinations on behalf of the District:

1. Whether a student meets the minimum eligibility criteria established in state law;
2. Whether a proposed course is comparable to a course already offered in the District;
3. Whether the proposed course and any resulting credit meets any of the District's high school graduation requirements; and
4. Whether the student will be eligible to receive high school credit for the successful completion of a proposed course, and, if so, the amount of high school credit.

District Eligibility for Participation: To be eligible for ECCP, a student must

1. Have no record of disciplinary or attendance problems.
2. Be in good academic standing, as follows:
 - a. The student must have a cumulative GPA of 3.0 in the content area of the course he/she has requested. For example, if a request is made to take Biology 101, the student must have earned a 3.0 GPA in all previous Cochrane-Fountain City High School science courses;
 - b. The student must meet the admission/eligibility requirements for the institution of higher education (IHE), i.e. University of Wisconsin-La Crosse.

Student's Responsibilities for Applications and Notices:

Students interested in enrolling in an institution of higher education (IHE) for the purpose of taking one or more nonsectarian courses under the Early College Credit Program must do all of the following to start the application process:

1. **Complete Academic Career Plan:** Meet with the high school counselor to review eligibility and course plan and complete an academic career plan.
2. **Application to IHE:** Submit a timely and complete application directly to the applicable IHE in the semester prior to the semester or session in which the course is scheduled to begin. The student must adhere to all application deadlines and other related requirements established by the IHE;
3. **Notice to District:** Submit a timely and complete written notice to the school guidance counselor that identifies the student's intent to take one or more courses under the Early College Credit Program. A separate notification form must be completed and processed for each IHE semester/session in which a student intends to take a course. Completion of the University of Wisconsin System Early College Credit Program and High School Special Agreement Form (Exhibit 1) or Wisconsin's Private, Nonprofit Colleges and Universities Early College Credit Program and High School Special Agreement Form (Exhibit 2) constitutes notice to the district under this paragraph.
 - a. **Deadline for Notice:** The deadlines for submitting such notice is March 1 for any fall semester course, October 1 for any spring semester course, and February 1 for any summer semester/session course.
 - b. **Required Information:** In addition to any other information required on the form, the initial notice must identify the name of the IHE the student plans to attend, the titles of the course(s) in which the student intends to enroll, the number of postsecondary credits of each course, and whether the student will be taking the course(s) for high school credit, postsecondary credit, or both. Students are required to cooperate with the District in providing any information that may be necessary to determine their eligibility for the program
4. **Student's Continuing Obligations:** As soon as such information is available, the student shall further notify the school counselor if and when the student:
 - a. Has been admitted to the IHE to which the student applied;
 - b. Has successfully enrolled in and registered to attend individual classes, and
 - c. Has changed any of the course information on the initial notification.

District Responsibility Upon Receiving Notification of Intent to Participate: Upon receiving a student's written notification of intent to participate in the Early College Credit Program, the school guidance counselor shall process the student's written request, including a preliminary determination of the following:

1. Whether the student meets the minimum eligibility criteria for participation in the Early College Credit Program;
2. Whether the student will be eligible to receive high school credit for the successful completion of the proposed course and, if so, how much high school credit;
3. Whether the proposed course is comparable to a course already offered in the District;
and

4. Whether the proposed course and any resulting credit meets any of the District's high school graduation requirements.

Determination of Course Comparability, Eligibility for High School Credit and Satisfaction of High School Graduation Requirements: For purposes of determining whether a course that a student wishes to take through the Early College Credit Program is comparable to a course offered by the District, and pending the development of any new state regulations applicable to the Early College Credit Program that address the granting of high school credit for a course taken at an IHE under this policy, the satisfaction of high school graduation requirements and/or the determination of whether a course offered by the IHE is comparable to a course offered in the District, or the adoption of other specific local standards for making such determinations within the Early College Credit Program, the district shall apply the mandatory and discretionary standards found in PI 40.06 of the Wisconsin Administrative Code.

1. **Course Comparability:** Comparable course, under PI 40.06 means all of the following:
 - a. The high school course is offered during the period of time after the pupil notifies the school board of his or her intent to participate in the Start College Now Program and prior to the pupil's graduation;
 - b. The high school course content, as determined by curriculum guides, course expectations, course goals, and scope and sequence of the course, is 80% equivalent to the content of the postsecondary course as determined by the postsecondary course syllabus, if available, and course description.

"Offered" courses, for purposes of determining comparable courses, includes any on-line high school courses that are made available to District students.

2. **Eligibility for High School Credit:**
 - a. The District may deny high school credit for an IHE course if any of the following apply:
 - i. The District offers a comparable course;
 - ii. The course repeats the course content for which a student has already received a passing grade and high school credit;
 - iii. The course repeats the content of a postsecondary course that the student has already taken and failed.
 - b. If credit is not denied for any of the reasons identified above, the District will grant high school credit for an IHE course if the course meets any of the District's high school graduation requirements, as identified in the Board-approved high school graduation credit policies, and if any of the following conditions apply:
 - i. The course is complementary to, consistent with, or expands on a course of study or sequence of courses offered by the District.

- ii. The course expands an opportunity for the student to move to another level of an academic or vocational course of study.
 - iii. The course curriculum meets or exceeds the same standards for rigor and content as other courses approved by but not offered by the District for credit toward graduation.
 - iv. The postsecondary course supports rather than prevents a student from completing high school graduation requirements.
- c. For a student to receive high school credit for a course taken at an IHE under this policy, the student must complete the course and receive a passing grade, as determined by the IHE.
 - d. To the extent required by state regulation, or to the extent the District does not adopt a different rule for any course-credit conversions that are not addressed by state regulations, a student shall be granted $\frac{1}{4}$ high school credit per 1 semester of conversion-eligible postsecondary credit for a course taken under the Early College Credit Program.
3. **Satisfaction of High School Graduation Requirements:** The determination of whether a course satisfies a high school graduation requirement shall be made with reference to the District's policy that sets forth such requirements and by applying the standards and guidelines that the District applies to its own course offerings and to courses that are submitted for similar assessment by students who are transferring into the district.
 4. **Uniformity in Processing:** The District Administrator is responsible for monitoring determinations under this section on a District-wide basis to ensure that similarly-situated courses are being processed with a reasonable degree of uniformity.

Action/Notification by the District:

1. **Credit Review Committee Determination:** After making a preliminary determination of program eligibility, course comparability, eligibility for high school credit, and satisfaction of high school graduation requirements, the school guidance counselor shall convene a meeting of the meeting of the Credit Review Committee, at which he/she shall present preliminary determinations regarding the applications. The Credit Review Committee shall make a final determination on the applications and sign any necessary paperwork to authorization participation in the program.
2. **Notification to Student:** The guidance counselor shall notify the students parent(s) or guardian(s), or the student if age 18 or older in writing, of the District's determinations regarding approval/credit status of postsecondary coursework, course comparability, and satisfaction of high school graduation requirements as well as the right to appeal a negative determination made by the District to the State Superintendent of Public Instruction.
 - a. Provided that none of the course information provided on the student's initial notice of intent has changed, such notice shall normally be issued by May 15th for initial notices that were received by March 1st for fall courses, by November 15th

for initial notices that were received by October 1st for spring courses and by April 15th for initial notices that were received by February 1st for summer courses.

- b. If the District determines that it is impractical to provide notice of the District's course-related determinations in the regular time-frame identified immediately above, such notice shall, at a minimum, be issued at least 30 days before the beginning of the college semester in which the student will be enrolled for the course.

Appeal Rights: If a student who intends to take a course through the Early College Credit Program disagrees with a District decision regarding comparability of courses, satisfaction of high school graduation requirements, or the number of high school credits to be awarded for a course (if any), the student may appeal the District's decision to the State Superintendent of Public Instruction within 30 days after the decision.

Responsibility for Costs; Limitations on District Payments

To the extent required by state law and as applicable to each course that a student takes under the Early College Credit Program, the District shall pay the appropriate tuition amount to the IHE and such other costs (if any) as may be specified by law. The student or the student's parent or guardian shall pay the amounts (if any) specified as the student's responsibility for each course under state law and District policy. The following also apply:

1. **Comparable Course – No District Payment:** If a student takes a course at an IHE that is comparable to a course offered in the District, the District will make no payment for the course. Instead, the student taking the comparable course is responsible for paying the tuition and fees for the course.
2. **Post-Secondary Credit Only – 25% District Payment:** If a student takes a course at an IHE for postsecondary credit only, and the course is not comparable to a course offered in the District, the student or the student's parent or guardian shall pay to the District 25% of the tuition amount that the District is required to pay to the IHE, unless such 25% payment is determined to pose an undue financial burden on the student's family under standards and procedures set by the Department of Public Instruction. If applicable to a course and not waived pursuant to state law, the following provisions further govern the timing and method for making such 25% payments to the District:
 - a. The student or his/her parent or guardian may make payment for such courses via a personal check or a bank (cashiers) check, made payable to the Cochrane-Fountain City School District. Payments attempted in other forms, including in U.S. currency, are not acceptable and will be refused or returned to the payor. If a check is returned as non-payable due to insufficient funds, a stop-payment order, or any other reason, any related fee(s) charged to the District by a financial institution will be added to the amount due.
 - b. Unless the District's Business Office has agreed in writing to a different plan of scheduled payments, payment is due in full within 30 days of the date on which the District provides the student (or student's parent or guardian) with an invoice

of the specific amount due. If a family wishes to arrange a payment plan, the family shall submit a request to the District's Business Office before the start date of the course(s).

- i. The District's Business Office may agree to a payment plan provided that
 - (a) the student has no other outstanding obligations to the District that are in arrears, and
 - (b) payments under the plan are spread out over no more than four (4) installments, with an initial payment due at the time the payment plan is arranged and with the final payment to be made no later than the earlier of 30 days after the course is complete or at least 10 days prior to the student's high school graduation. Initial installments under such a payment plan may be based on an estimated amount owed if a definite figure cannot be provided by the IHE at that time.
 - c. If the District receives any payment from the student or the student's parent or guardian as a share of tuition, and it is later determined that the District is not responsible for paying tuition for the course, or if the amount received as payment exceeds the amount of the student's actual payment obligation, the District will refund the appropriate amount to the student or his/her parent or guardian.
 - d. Any past-due payments for a share of course tuition that are owed by a student may result in the denial of certain school-related privileges in the same manner that applies to other past-due school fees and charges.
3. Credit Limitation: The District shall pay for no more than the equivalent of a combined total of 18 (eighteen) postsecondary semester credits per student for any courses that are taken through the technical college course program (section 38.12(14) of the state statutes) or the Early College Credit Program. Courses that the District paid for under the former Youth Options Program count toward this credit limit. However, the limitation on total paid credits does not prohibit a student from (1) taking other courses through a postsecondary institution where the District has authorized the coursework under a separate program or separate source of authority; or (2) taking other District-approved high school courses, outside of the specific state programs, that may result in eligibility for postsecondary credit(s).
 4. Successful Completion Required: The District shall only pay for courses that are successfully completed. If a student receives a failing grade in a course or fails to complete the course, the student's parent or guardian or the student, if an adult, is responsible for reimbursing the District for the costs paid by the District. If this reimbursement is not made upon request, the student is ineligible for any further participation in the technical college course program and the Early College Credit Program.
 5. Withdrawal from Course: In order for a student to avoid a payment obligation (where applicable) for a course taken through the Early College Credit Program, it is the sole

responsibility of the student and his/her parent or guardian to ensure that the student withdraws from the course prior to the applicable IHE's deadline for doing so such that the IHE will not charge the District any tuition for the course.

6. **Program/IHE Limitations:** A student who is participating in the Early College Credit Program in any semester may not simultaneously participate in the technical college course program (Start College Now Program). A student participating in the Early College Credit Program may attend only one IHE in a semester.
7. **Costs Covered:** The District shall pay only such tuition, fees and course material costs as are required by law. If the District is required to pay the IHE for the cost of a book or similar resource that is not a one-time use item, the student shall be required to return the resource(s) to the District upon completion of the course
8. **Transportation:** Unless otherwise required by law, the District is not responsible for providing transportation to postsecondary courses taken under this policy or for paying for transportation-related costs.

Legal References:

Wisconsin Statutes

<u>Section 38.12(14)</u>	[attendance at technical college under the technical college course program, also known as "Start College Now" Program]
<u>Section 115.385(4)</u>	[required parent notification of educational options, including Early College Credit Program]
<u>Section 118.15(1)(d)</u>	[discretionary program and curriculum modifications]
<u>Section 118.33</u>	[high school graduation requirements]
<u>Section 118.55</u>	[the Early College Credit Program]
<u>Section 118.57</u>	[required public notification of educational options, including Early College Credit Program]
<u>Section 120.12(17)</u>	[non-Early College Credit Program courses taken for high school credit at a UW System Institution]

Wisconsin Administrative Code

<u>Chapter PI 40</u>	[regulations governing the early college credit program]
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Cross References: SP 1; 8/5/19

- Exhibit 1 University of Wisconsin System Early College Credit Program and High School Special Agreement Form
- Exhibit 2 Wisconsin's Private, Nonprofit Colleges and Universities Early College Credit Program and High School Special Agreement Form

Adoption Date: 4/17/19; revised 6/17/20