

Fostering Innovation in Wisconsin Schools



Beyond Credits and Seat Time
and Toward Innovative Practices
that Lead to College and Career Readiness

Fostering Innovation in Wisconsin Schools:

Beyond Credits and Seat Time
and Toward Innovative Practices
that Lead to College and Career Readiness

A Product of the
Credit Flexibility Workgroup



Wisconsin Department of Public Instruction

Tony Evers, PhD, State Superintendent

Madison, Wisconsin

This publication is available from:

Wisconsin Department of Public Instruction

125 South Webster Street

Madison, WI 53707-7841

(800) 243-8782 (U.S. only)

(608) 266-2188

dpi.wi.gov

© November 2013 Wisconsin Department of Public Instruction

The Department of Public Instruction does not discriminate on the basis of sex, race, color, religion, creed, age, national origin, ancestry, pregnancy, marital status or parental status, sexual orientation or disability.

Table of Contents

Preface and Acknowledgements	v
Chapter 1: Introduction and Purpose	1
Chapter 2: Flexibility Available Under Current Law	3
A. Wisconsin Credit Requirement.	3
B. Wisconsin Seat Time Requirement	4
1. Days and hours.	4
2. Required start date	4
3. Each class period of each school day requirement	5
4. Compulsory attendance	5
C. Flexibility within the Credit and Seat Time Requirements that Permit Innovative Practices	6
1. Establishing alternative education programs	6
2. Students requesting program or curricular modifications	9
3. Establishing programs for those with exceptional educational interests, needs, or requirements	12
4. Determining what constitutes credit	14
5. Students receiving credit for demonstrating competencies	15
6. Student participation in activities rather than classes	17
7. Students taking online or blended courses	18
8. Establishing equivalent courses	19
9. Substituting an agriculture course for a science course	20
10. Substituting another required course for 0.5 credit of physical education	21
11. Offering different types of diplomas	22
12. Establishing programs for students with high levels of maturity	23
13. Determining school hours and days	24
14. Students identified as children at risk	25
15. Students pursuing a high school equivalency diploma	27
16. Students attending an institution of higher education or technical college	29
17. Permitting waiver of requirements	30
Chapter 3: Considerations Regarding Innovative Practices	31
A. Wisconsin Educational Standards (20 Standards)	31
B. Teacher Licensing.	33
C. State Assessments	34
D. School Report Card.	34
E. Funding for Summer School or Year-Round School	34
F. Transportation Issues.	35
G. Professional Development Days on the Calendar	35
H. WIAA/NCAA Eligibility.	35
I. College and University Entrance Requirements	35
Conclusion.	37



Preface and Acknowledgements

In today's era of increased expectations for what students need to know and be able to do to succeed after high school, students, parents, and educators in our state and around the country are working together to personalize learning and to expand the classroom beyond the four walls of the school building. While many states have enacted specific legislation related to high school credit and seat time flexibility, the flexibility for districts to pursue innovative approaches to high school graduation already exists throughout Wisconsin law.

In an effort to assist districts in understanding what is already allowed under current law and provide examples of innovative practices already happening across the state, State Superintendent Tony Evers established the Credit Flexibility Workgroup (Workgroup) in Spring 2013. During two in-person meetings and significant follow-up efforts, the Workgroup examined state statutes and rules to identify and understand the existing flexibility that support the individual student needs. This document is the result of the Workgroup's deliberations.

The Wisconsin Department of Public Instruction is appreciative of the time, effort, and insights shared by the members of this Workgroup:

- Lisa Albrecht (Principal, Central/Westosha High School)
- Connie Erickson (Director of Instructional Support & Professional Development, CESA #11)
- Michael Fesenmaier (Principal, Eisenhower Middle/High School)
- Corey Golla (Principal, Menomonee Falls High School)
- Jim Heiden (District Administrator, Cudahy School District)
- Mike Hinske (Principal, Big Foot High School)
- Jeff Holmes (District Administrator, Germantown School District)
- Mary Mooney (Mathematics Teaching Specialist, Milwaukee Public Schools)
- Dawn Nordine (Executive Director, Wisconsin Virtual School, CESA 9)
- Lisa Olson (District Administrator, Hartford Union High School District)
- Joe Sheehan (District Administrator, Sheboygan Area School District)
- Marty Van Hulle (Principal, Pewaukee High School)
- Carole Witt Starck (Retired Assistant Superintendent, Kettle Moraine School District)
- Lee Zarnott (Principal, Mayville High School)

Staff that supported the Credit Flexibility Workgroup include Gregg Curtis, Jennifer Kammerud, Eva Kubinski, Kevin Miller, Victoria Rydberg, Katie Schumacher, Don Smith, Mike Thompson, and Rebecca Vail from the Department of Public Instruction (DPI) and Victoria Cirks from the Midwest Comprehensive Center.



Introduction and Purpose

1

Throughout Wisconsin's history, the constitutional provisions and state laws governing the K-12 system were adopted with the goal of ensuring that all children have an equal opportunity to a quality education, while reinforcing the autonomy and authority of local school boards to deliver on that promise. As a result, while the state sets minimum expectations for high school graduation and requires annual assessments to measure student mastery of rigorous standards, significant flexibility exists within state law for school districts to innovate and pursue practices that best meet the needs of their unique student populations.

Over the past several years, Wisconsin has worked aggressively to raise the bar for student achievement even higher, and to transform education to prepare every child to be college and career ready. To be successful after high school graduation, today's students must know and be able to do far more than preceding generations. This era of increased expectations requires all stakeholders – students, parents, educators, and community members – to collaborate around the best ways to ensure student success after high school.

To help all students achieve success, many schools are exploring different, student-centered instructional designs. Examples of these innovative practices taking place around Wisconsin and the country include:

- Personalized learning where instructional practices are adapted to fit each student's needs;
- Competency-based education through which students earn credit by demonstrating proficiency;
- Learning beyond the classroom with credits earned and/or mastery demonstrated through apprenticeships, work-based and service-learning projects, experiential learning, apprenticeships, independent and team projects, online instruction, 24/7 learning, and other activities that modify traditional instructional methods; and
- Dual credit courses through which students access college level coursework with the possibility of earning both high school and college credits concurrently.

These practices take advantage of the latest technological advances, student interests, and educational research on learning. Throughout the state, these innovations and more are taking hold.

In many cases, this innovation means students are not attending traditional classes that meet a set amount of time every day for an 18 week school semester, nor are they always getting their instruction within the school building. These approaches don't always fit the traditional model of student seat time and credit accumulation, but student outcomes – the knowledge, skills, and habits students are developing and their ability to apply them in new and different contexts – is often significantly higher.

Two elements of current Wisconsin law are often cited as barriers by school districts that are seeking to change their instructional designs: seat time and high school graduation credit requirements. These requirements have generally been interpreted as absolute in terms of how much time students must spend in classes and the number of credits students must obtain to graduate from high school. However, the Workgroup identified what many districts already know: significant flexibility already exists under current law for school districts to provide a wide range of opportunities to their students, such as those described above.

The following chapters provide guidance to school districts about this flexibility, as well issues districts may want to consider when seeking new or different approaches to instructional designs.

Flexibility Available Under Current Law

2

This chapter outlines current state law regarding mandatory high school graduation credit requirements as well as “seat time” requirements, including days, hours, start dates, class periods, and compulsory education. The section then details several significant areas of flexibility that school boards and districts have under current state law to implement alternative and innovative approaches to public education.

A. Wisconsin Credit Requirement

A school board may not grant a high school diploma to any pupil unless the pupil has earned:

- In the high school grades (grades 9 through 12):
 - 4 credits of English, including writing composition;
 - 3 credits of social studies, including state and local government;
 - 2 credits of mathematics;*
 - 2 credits of science;* and
 - 1.5 credits of physical education; and
- In grades 7 to 12:
 - At least 0.5 credit of health education

The 13 required credits (except for the 0.5 credit in health) must be taken in grades 9-12. Thus, if a student takes Algebra in 8th grade, he or she could not count that Algebra class as meeting one of the two math credits required for graduation. However, the student could still receive elective credit for that math course. 2013 Senate Bill 284 and its companion bill 2013 Assembly Bill 370 proposes to alter these requirements by allowing 7th and 8th graders to earn high school credit under certain conditions.

Additionally, the state superintendent shall encourage school boards to require an additional 8.5 credits selected from any combination of vocational education, foreign languages, fine arts, and other courses.

**2013 Senate Bill 51 and its companion bill 2013 Assembly Bill 489 proposes to increase the required number of credits required for graduation to 3 credits of mathematics and 3 credits of science with significant local flexibility to consider both computer science and career and technical education coursework as appropriate.*

Legal Citation

- ss. 118.33(1)(a) and (am), Wis. Stats.

B. Wisconsin Seat Time Requirement

There are four components of the seat time requirement:

- Days and hours
- Start date
- “Each class period of each school day”
- Compulsory attendance

1. Days and hours

Each school board must annually provide at least 1,137 hours of direct pupil instruction in grades 7 to 12. The school hours are computed as the period from the start to the close of each pupil’s daily instructional schedule. Scheduled hours include recess and time for pupils to transfer between classes but do not include the lunch period. No more than 30 minutes per day may be counted for recess.

Legal Citation

- s. 121.02(1)(f), Wis. Stats., and s. PI 8.01(2)(f), Wis. Admin. Code

2. Required start date

Public schools may not commence the school term until September 1 unless the school board makes a request to the department to allow it to commence the school term before then and the department determines there are extraordinary reasons for granting the request. This required start date does not prohibit a school board from holding athletic contests or practices, scheduling in-service days or work days, or holding school year-round.

Legal Citation

- s. 118.045, Wis. Stats., and Ch. PI 27, Wis. Admin. Code

3. Each class period of each school day requirement

A school board may not grant a high school diploma to any pupil unless, during the high school grades, the pupil has been enrolled in a class or has participated in an activity approved by the school board during each class period of each school day.

Legal Citation

- s. 118.33(1)(b), Wis. Stats.

4. Compulsory attendance

Unless the child is excused or has graduated from high school, any person having under control a child who is between the ages of 6 and 18 years must cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the public, private, or tribal school in which the child should be enrolled is in session until the end of the school term, quarter, or semester of the school year in which the child becomes 18 years of age.

Legal Citation

- s. 118.15(1)(a), Wis. Stats.

C. Flexibility within the Credit and Seat Time Requirements that Permit Innovative Practices

There are several ways local school boards have flexibility within the credit and seat time requirements. These flexibility variations include determining what constitutes credit, establishing equivalent or equivalency courses, offering different types of diplomas, and other options. Some of these options seem similar or redundant, but are based on different statutes and rules so therefore may have critical differences that need to be considered.

Each of these flexibility variations is explored below with:

- a brief explanation;
- the relevant legal citation;
- examples to help illustrate how this might look in practice;
- the person(s) or entity(ies) with the legal decision-making authority to implement the flexibility; and
- limitations that still exist despite the identified flexibility.

I. Establishing alternative education programs

School boards may establish alternative education programs that allow students to be granted a high school diploma without having attended school each class period of each school day. While traditionally used to provide flexibility for students identified as at risk for not graduating or facing other challenges, the flexibility of alternative education programs may be appropriate for many students who seem to be performing adequately in school but who are not able to reach or even approach their potential in a traditional education program.

While alternative education programs provide significant flexibility – and the decision making authority rests jointly between the student/parent and the school district/board – districts should consider the potential limitations of this approach. While the district can provide an alternative means for students to earn a diploma, the district must also determine how to reflect each student’s instruction, activities, and performance on a high school transcript and consider the resultant implications including, among other things, applying to colleges, requesting financial aid, applying for scholarships, and involvement in athletics both in high school and college. The school board may need to adopt a corresponding policy to address this transcript concern.

A school board may, therefore, grant a high school diploma to a pupil who has not satisfied the graduation credit requirement if all of the following apply:

- The pupil was enrolled in an alternative education program; and
- The school board determines that the pupil has demonstrated a level of proficiency in English, social studies, mathematics, science, physical education, and health education equivalent to that which he or she would have attained if he or she had satisfied the graduation credit requirements.

An alternative education program, as defined in §115.28(7)(e), Wis. Stats., is “an instructional program, approved by the school board, that utilizes successful alternative or adaptive school structures and teaching techniques and that is incorporated into existing, traditional classrooms or regularly scheduled curricular programs or that is offered in place of regularly scheduled curricular programs.” Private schools, tribal schools, or home-based private educational programs are not considered alternative education programs under this provision.

Legal Citations

- s. 118.33(1)(d), s. 115.28(7)(e), Wis. Stats.

Examples of how this flexibility might look in practice

- A program that provides early intervention for at-risk learners.
- A behavioral program designed for students who need a structured setting to focus on more appropriate school behaviors to facilitate their learning and the learning of others.
- A career academy with most or all core academic instruction delivered in an integrated and applied manner.
- A project-based learning program that allows a gifted student to demonstrate a range of competencies in various content areas that fulfill the graduation requirement through an in-depth, personalized project.
- A program that allows credit deficient students to develop and demonstrate competencies through a combination of on-line and direct instruction.
- A program that allows self-directed students to develop and demonstrate competencies through a variety of activities such as but not limited to massive open online courses (MOOCs), service learning, work-based learning, independent projects, and dual credit classes.

For more information: http://alternativeed.dpi.wi.gov/sites/default/files/imce/alternativeed/pdf/alted_qa.pdf.

Decision-making authority for this flexibility

- The local school board determines whether to establish one or more alternative education programs and the specifics of that program or programs.
- The local school board determines whether a student has demonstrated the necessary level of proficiency in English, social studies, mathematics, science, physical education, and health, equivalent to that which he or she would have attained if he or she had satisfied the graduation credit requirements.
- The local school board determines how the student experiences will be documented on the high school transcript.
- The local school board must determine a student referral and selection process that assures that students are voluntarily placed in a program that meets their individual needs, not transferred without student and parent involvement.
- A local school board could work with various postsecondary institutions and other organizations to determine how to reflect student learning, activities, and performance on the high school transcript so that it will not limit student options upon graduation.

Limitations to be considered

- Student transcripts and the ways they document instruction and learning are often more critical than the actual high school diploma. Districts need to consider how they will document student learning, activities, and performance on the high school transcript.
- Districts need to determine how they will consistently and reliably ensure students have attained the requisite levels of proficiency in each of the required content areas.

2. Students requesting program or curricular modifications

School boards may make a variety of program and instructional modifications for students if requested to do so by the student's parents or the student him or herself with parental consent. While the district is not obligated to provide these modifications, and the process for applying this statute is typically initiated by parents or students, districts could facilitate a process for applying this flexibility systemically.

Any child's parent or guardian, or the child if the parent or guardian is notified, may request the school board, in writing, to provide the child with program or curriculum modifications. Traditionally, such modifications included things such as:

- Modifications within the child's current academic program.
- A school work training or work study program.
- Enrollment in any alternative public school or program located in the school district in which the child resides.
- Enrollment in any nonsectarian private school or program, or tribal school, located in the school district in which the child resides.
- Homebound study, including nonsectarian correspondence courses or other courses of study approved by the school board or nonsectarian tutoring provided by the school in which the child is enrolled.
- Enrollment in any public educational program located outside the school district in which the child resides.

As districts strive to find innovative ways to truly personalize each student's learning, this provision can provide significant flexibility. Districts can work directly with students and parents to design a personalized learning plan that will meet the unique needs, interests, goals, etc. of a student. The parents (or student with parent notification) can then make a formal request to have the district approve and adopt that learning plan. By collaborating with the student and parents, the district can ensure the personalized learning plan includes adequate assurances of rigor and accountability including methods to be used for determining levels of competencies gained through the plan.

As with alternative programs discussed in Section 1 above, the district must also determine how to reflect each student's instruction, activities, and performance on a high school transcript and consider the resultant implications including, among other things, applying to colleges, requesting financial aid, applying for scholarships, and involvement in athletics both in high school and college. If the curricular modifications do not clearly correlate to content area courses and credits, districts, students, and parents will need to address this within the personalized learning plan, and the school board may need to adopt a corresponding policy.

Legal Citations

- ss. 118.15(1)(c) and 118.15(1)(d), Wis. Stats.

Examples of how this flexibility might look in practice

- Student and parent request a modified school day where the student attends beginning second period and stays later in the day.
- A student develops and demonstrates proficiency in a range of competencies in various content areas through an in-depth, personalized project.
- A credit deficient student develops and demonstrates competencies through a combination of on-line and direct instruction.
- A self-directed student develops and demonstrates competencies through a variety of activities such as but not limited to MOOCs, service learning, work-based learning, independent projects, and dual credit classes.
- Student is enrolled in a work study program through a partnership between the school and an employer where the student attends school in the morning and completes work based learning in the afternoon.

Decision-making authority for this flexibility

- The local school board determines and establishes policies and/or procedures on whether to permit a child to pursue a program or curricular modification instead of regularly attending school after the parent or the child with parental notification makes the request.
- A local school board should establish policies and/or procedures for reviewing, assessing, and approving, student or parent requests for program or curricular modifications.
- The local school board determines how the student experiences will be documented on the high school transcript.
- The local school board must determine how a student and parent will be fully informed and acknowledge the potential implications of the program modifications.
- A local school board could work with various postsecondary institutions and other organizations to determine how to reflect student learning, activities, and performance on the high school transcript so that it will not limit student options upon graduation.

Limitations to be considered

- This flexibility applies to individual students rather than being part of a larger program.
- Student transcripts and the ways they document instruction and learning are often more critical than the actual high school diploma. Districts need to consider how they will document student learning, activities, and performance on the high school transcript.
- Districts need to determine how they will consistently and reliably ensure students have attained the requisite levels of proficiency in the required content areas.
- Districts need to make sure that participation in the modifications is voluntary on the part of the student and that the parents are informed of the implications.

2. Students requesting
program or curricular
modifications
(cont'd)

3. Establishing programs for those with exceptional educational interests, needs, or requirements

While most educators are aware of provisions that allow special education students to be granted flexibility relative to various requirements, the statute and rules actually allow flexibility for significantly more students than just those identified as special education.

Education programs for meeting high school graduation requirements may be established to accommodate pupils with exceptional educational interests, needs, or requirements. This group of eligible students includes students with disabilities, gifted and talented students as determined by the school board, English language learners, transfer students, students provided with program and curricular modification, and other students with unusual circumstances as established by local school board policy.

Programs established to accommodate pupils with exceptional educational interests, needs, or requirements shall:

- state the specific nature of the exceptional educational interest, need, or requirement;
- state how the proposed program will respond to the exceptional educational interest, need, or requirement; and
- state how the program will address each of the high school graduation requirements.

Placement in a program for students with disabilities automatically meets these three requirements.

Programs to accommodate students with exceptional educational interests, needs, or requirements other than those programs for students with disabilities must be approved by the state superintendent. Completion of these approved programs may result in the issuance of a diploma.

Legal Citations

- ss. PI 18.02(8) and PI 18.04, Wis. Admin. Code

Examples of how this flexibility might look in practice

- A student with a significant cognitive disability who is 18 years old participates in an off-site 18-21 year old program that includes daily living skills, academic instruction, and supervised work in the community. At the end of the student's 21st year and if the student has met the goals specified in the IEP, the student is awarded a regular diploma.
- A school adopts a program for a group of honors students that allows them to earn credits through a multi-disciplinary group project.
- A school establishes a credit granting transitional or after school program for refugee students.
- A school establishes a bicultural/bilingual program for English language learners.

Decision-making authority for this flexibility

- The local school board submits a program for students with exceptional educational interests, needs, or requirements (besides those programs for students with disabilities) to DPI for approval.
- An IEP team develops a transition plan for each student aged 14 and above with an identified disability that requires special education supports and services and results in a specific course of study and an Individualized Education Transition Plan.

Limitations to be considered

- Most of these programs must be approved by DPI.
- Not all school districts have policies allowing a student's IEP team to determine if the student has met the requirement for a regular diploma.

3. Establishing programs for those with exceptional educational interests, needs, or requirements (cont'd)

4. Determining what constitutes credit

"Credit" means the credit given for successful completion of a school term of study in one course in the high school grades that meets daily for a normal class period or the equivalent established by the board. Therefore, students can earn credit for completing a high school course that meets daily for a normal class period or students can earn a credit for an equivalent course or activity. If a school board deems that an activity or course is equivalent to completing a high school course that is offered daily, a credit can be given.

Legal Citation

- s. PI 18.02(3), Wis. Admin. Code

Examples of how this flexibility might look in practice

- A college course could be approved as equivalent by the local school board even if it does not meet every day.
- A school board can grant credit for courses that are on a block schedule.
- A school board can grant credit for an employment activity or other academic-related activity that is equivalent to a daily high school course.
- A school board could grant credit for interdisciplinary student-directed project-based learning.

Decision-making authority for this flexibility

- The school board determines whether a course or activity is equivalent.

Limitations to be considered

- The course or activity must be equivalent to completing a school term of study in one course in the high school grades that meets daily for a normal class period.
- Students not in high school cannot count a credit toward the 13 specified required credits (except the 0.5 credit in health) except as allowed by 2013 SB 284 if signed into law.

5. Students receiving credit for demonstrating competencies

The previous section addresses how credits are determined. These flexibilities have limits but allow some variations on offering credits based on competencies. The credit definition in the administrative code implies that students are receiving instruction in some form. So while the aforementioned variations are possible, allowing students to “test out” of a course is not directly permissible within these flexibilities.

However, as noted in sections one through three, districts can use alternative education programs, curricular modifications, or programs for students with exceptional educational interests, needs, or requirements to develop means of providing diplomas and possibly credits for demonstrating competencies. Districts that do not want to use the aforementioned flexibilities to recognize students who have acquired knowledge, skills, and habits that are comparable to those expected of students who have passed a certain course may instead request a waiver from DPI to the credit requirements.

Prior to submitting the waiver request, a public hearing must be held. The submitted waiver request should then include, minimally, the following:

- The means the district will use to determine the competencies for each respective course that would be equivalent to “completion of a school term of study in one course in the high school grades that meets daily for a normal class period” (the rules definition of a credit). In other words, what would be the competencies expected of those students who would otherwise attend a course that meets daily for a normal class period?
- The methods the district will use to assess a student’s ability level for each competency.
- The means of ensuring the assessment criteria are rigorous and that the assessment methods are valid and reliable.
- Any limitations the district will put on student access to this opportunity.
- All DPI required elements of a waiver request.

See Section 17 of this chapter for more information on requesting waivers.

Legal Citations

- s. PI 18.05(1)(d), Wis. Stats., and PI 8.01(2)(f), Wis. Admin. Code;
s. 121.02(1)(f), s. 118.33(1)(b), s. 118.15(1)(a), and s. 118.38 Wis. Stats.

Examples of how this flexibility might look in practice

- A school board could request a DPI waiver allowing it to establish a policy allowing students to petition the school board for a competency assessment for a given course. Criteria could be established that outline the steps the student would have to take to demonstrate the competencies including assigning a staff member to oversee and validate the tasks or activities.
- A school board could request a waiver allowing it to develop competency assessment criteria for select courses and allowing students to demonstrate these competencies in order to receive credit.

Decision-making authority for this flexibility

- The school board determines whether to request a waiver from DPI.
- DPI determines whether to grant a waiver allowing districts to establish competency based credit policies and procedures.

Limitations to be considered

- The school district must conduct a public hearing on the waiver request before applying to DPI for approval.
- Students must be able to demonstrate a level of knowledge and skills comparable to what they would have been expected to achieve had they participated in a traditional class.

6. Student participation in activities rather than classes

School boards may approve activities in which students participate in lieu of attending school each class period of each school day. While open campus and work release may not be approved under this flexibility, a student's employment during school hours may be approved if the employment is part of or related to the student's instructional program or if the employment is approved as an accommodation for a student with exceptional educational interests, needs, or requirements.

Legal Citations

- s. 118.33(1)(b), Wis. Stats., and PI 18.05(1)(d), Wis. Admin. Code

Examples of how this flexibility might look in practice

- A school board could approve a program through which students receive high school credit for completing an independent study that includes a service learning project at a local food pantry.
- A school board could approve a program through which students receive high school credit for a blended learning class that includes activities outside of the classroom.

Decision-making authority for this flexibility

- The school board determines the requirements and restrictions for programs in which students can participate instead of taking a regularly offered class or classes.

Limitations to be considered

- A student must be enrolled in a class or participate in an activity each class period of each school day, though up to one class period may be excused.

7. Students taking online or blended courses

If students are physically in school while taking online courses, there is no problem with the compulsory attendance law. If students do some or all of their program from home or another non-school location, some of the aforementioned flexibilities within Wisconsin statutes can apply.

As noted in the previous section, parents may request curricular modifications within the district. Districts can facilitate such requests to allow students to complete all or part of their online coursework outside of school and regular classes.

Districts may also establish alternative activities through which students can earn credits (also noted in a previous section). Online and blended courses can be included in such alternative activities.

Legal Citations

- ss. 118.33(1), 118.15(1)(c), 118.15(1)(d), Wis. Stats.; PI 18.05, Wis. Admin. Code

Examples of how this flexibility might look in practice

- A student takes an online class and completes all coursework independently with work being done at school, at home, and/or at a library.
- Students take a “blended” class that meets once each week for guided discussions with the instructor while completing most coursework independently with work being done at school, at home, and/or at a library.

Decision-making authority for this flexibility

- The local school board determines whether to permit a student to complete online coursework at a location other than school and the related criteria.
- A local school board establishes policies and procedures allowing online and/or blended programs to be included as alternative activities for students.

Limitations to be considered

- Teachers need to be properly licensed.
- The school board has to have a policy allowing this alternative.
- The school must specify where the student is expected to be.

8. Establishing equivalent courses

School districts can apply to DPI to award credits in required content areas by substituting courses that have been determined to meet the critical competencies of the respective courses. The state superintendent shall approve a board's high school graduation policy that is equivalent to Wisconsin's high school graduation requirements. "Equivalent graduation policy" means a school board policy that meets the credit requirements specified for each subject area, but which permits selected equivalent courses as long as such courses contain the time allotment and substantially the same objectives to develop the knowledge, concepts, and skills of the course for which the equivalency is proposed.

Several course equivalencies have already been developed that districts may adopt. Some of these are listed in the "Examples" section below.

Legal Citations

- ss. PI 18.02(5) and 18.05(5), Wis. Admin. Code

Examples of how this flexibility might look in practice

- Family and consumer science courses for science credit (<http://fce.dpi.wi.gov/sites/default/files/imce/fce/pdf/approvedfcesciencecourses12.pdf>)
- Technology and engineering courses for science credit (<http://te.dpi.wi.gov/sites/default/files/imce/te/pdf/equivalencyschools.pdf>)
- Technology and engineering courses for math credit (<http://te.dpi.wi.gov/sites/default/files/imce/te/pdf/mathequivalencyschools.pdf>)
- Business and information technology courses for English credit (http://bit.dpi.wi.gov/bit_equivalency)

For additional information see http://cte.dpi.wi.gov/cte_equivalency.

Decision-making authority for this flexibility

- The school board can develop a proposed equivalent or equivalency graduation policy and submit it to DPI for approval.

Limitations to be considered

- While students may be able to fulfill state and district graduation credits through this equivalency option, colleges and universities may not accept the equivalent courses as meeting their institutional admission requirements.

9. Substituting an agriculture course for a science course

This is very similar to the previous flexibility, but derives from a different statute. The school board shall award a pupil a science credit for successfully completing in the high school grades each course in agriculture that the DPI has determined qualifies as science according to criteria established by the department.

Legal Citation

- s. 118.33(1)(a)1., Wis. Stats.

Examples of how this flexibility might look in practice

- Animal science course for science credit.
- Biotechnology course for science credit.
- See more examples (http://ag.dpi.wi.gov/sites/default/files/imce/ag/pdf/all_approved_agsci_courses.pdf).

Decision-making authority for this flexibility

- The local school board submits an agriculture course to DPI for approval.

Limitations to be considered

- This flexibility only applies for science credit.

10. Substituting another required course for 0.5 Credit of physical education

A school board may allow a pupil who participates in sports or in another organized physical activity as determined by the school board, to complete an additional 0.5 credit in English, social studies, mathematics, science, or health education in lieu of a 0.5 credit of the 1.5 credits required in physical education.

Legal Citation

- s. 118.33(1)(e), Wis. Stats.

Examples of how this flexibility might look in practice

- A student plays on a school or club soccer team.
- A student competes in Junior Olympics skiing at the national level.

Decision-making authority for this flexibility

- The local school board determines whether to allow students to waive the 0.5 physical education credit and any related criteria.
- A school board establishes criteria that an activity must meet to qualify as an alternative to the 0.5 credit physical education requirement.

Limitations to be considered

- This flexibility waives 0.5 credit of the 1.5 credits required in physical education.
- Students using this flexibility have to take an additional 0.5 credit in one of the required subject areas.

11. Offering different types of diplomas

While s. 118.33(1)(a), Wis. Stats., establishes criteria for districts to issue diplomas, there are no restrictions on how districts might differentiate diplomas based on local criteria. In other words, students who meet district established criteria can be given variations of the traditional diploma. This option allows districts to recognize student academic performance, completion of certain courses or certifications, or some other type of achievement. Some specialized diplomas or endorsements have been established through state statutes while others can be locally established.

Legal Citations

- s. 118.33(1)(a); s. 118.33(1)(g), Wis. Stats.

Examples of how this flexibility might look in practice

- A student receiving top scores on three AP exams receives a diploma with honors.
- A student graduating with a 3.7 GPA receives a diploma with honors denoted by Summa Cum Laude.
- A student taking five CTE courses receives a diploma with a CTE concentration.

Decision-making authority for this flexibility

- The local school board determines whether to award a regular high school diploma, variations of diplomas, and/or certain endorsements on diplomas.

Limitations to be considered

- Students must still earn the 13 credits in the required content areas in order to be awarded a diploma.
- Some programs (i.e., GEDO #2) require that the student earns the same diploma as all other graduates, but the transcript may be different.

12. Establishing programs for students with high levels of maturity

School districts may establish a program that allows a pupil enrolled in the high school grades who has demonstrated a high level of maturity and personal responsibility to leave the school premises for up to one class period each day if the pupil does not have a class scheduled during that class period.

Legal Citation

- s. 118.33(1)(b), Wis. Stats.

Examples of how this flexibility might look in practice

- A program that allows seniors with a high level of maturity and a certain GPA to leave school for one class period.

Decision-making authority for this flexibility

- The school board determines whether to establish a program for students with a high level of maturity.

Limitations to be considered

- This option only applies for up to one class period a day.

13. Determining school hours and days

With certain limitations, school districts can determine when to hold school. Statutes do restrict districts to counting no more than five Saturdays as “school days.” However, there are no restrictions on the time of day classes can be held.

Legal Citation

- s. 115.01(10)(a), Wis. Stats.

Examples of how this flexibility might look in practice

- Classes can begin later in the morning.
- Instruction can be provided into the evening for students who participate in a work-based learning activity in the mornings.
- On a limited basis, students can access academic activities that are only available on weekends.

Decision-making authority for this flexibility

- The school board can determine school hours and can hold school on up to five Saturdays during a school year.

Limitations to be considered

- School can only be held on up to five Saturdays during a school year.

14. Students identified as children at risk

Each school district is required, under s. 118.153(2), Wis. Stats., to develop a plan for identifying and serving students who are at-risk of not graduating from high school. Such plans can use a variety of approaches that provide flexibilities relative to statutes and rules when applied to individual students.

A child at risk is a pupil in grades 5 to 12 who is at risk of not graduating from high school because they are dropouts or are two or more of the following:

- One or more years behind their age group in the number of high school credits attained.
- Two or more years behind their age group in basic skill levels.
- Habitual truants (a pupil who is absent from school without an acceptable excuse for part or all of 5 or more days on which school is held during a school semester).
- Parents.
- Adjudicated delinquents.
- Eighth grade pupils whose score in each subject area on the 8th grade examination was below the basic level, 8th grade pupils who failed the examination, and 8th grade pupils who failed to be promoted to the 9th grade.

“Dropout” means a child who ceased to attend school, does not attend a public, private, or tribal school, technical college, or home-based private educational program on a full-time basis, has not graduated from high school, and does not have an acceptable excuse.

As noted above, each school district is required, under s. 118.153(2), Wis. Stats., to develop a plan describing how the school board will identify and serve students who meet the definition of being at-risk of not graduating from high school. As part of that plan, the school district may consider an array of services to meet the individual needs of the student identified as being at-risk. That array of services might include any of the following:

- Curriculum modifications
- Adaptive instructional strategies
- Alternative education programs
- Pupil support services
- School to work programs
- Community services

- Coordinating services provided by the district, community agencies, and other organizations
- Eliminating systematic barriers that may cause pupil's success at school to become at-risk

Students who meet the definition of being at-risk also have the right to take classes towards high school graduation (not an HSED) at an area technical college under s. 118.15(1)(b), Wis. Stats.

Legal Citations

- ss. 118.15(1)(b), 118.153(1)(a), 118.153(1)(b), and 118.153(2), Wis. Stats.

Examples of how this flexibility might look in practice

- An at-risk student is determined by the building consultation team to be in need of curriculum modifications (credit recovery program) and pupil support services (work with a school social worker on anger management).
- An at-risk student who is 16 requests to attend the area technical college to take math, science, and social studies classes.

Decision-making authority for this flexibility

- The local school board is required to develop a plan for students who meet the definition of being at-risk.
- If a student who is 16 years or older and is a child at risk requests to take classes towards high school graduation under s. 118.15(1)(b), Wis. Stats., the school district is required to enter into a contract under s. 118.15 (1)(b), Wis. Stats., with the area technical college.
- The local school board should establish policies and procedures that allow flexibility in applying the various options available so they can meet the unique needs of each student identified as a child at risk.

Limitations to be considered

- This flexibility only applies to students who meet the statutory definition of being a child at risk.

15. Students pursuing a high school equivalency diploma

While not truly providing flexibility for school districts, three options exist for high school age students to access the High School Equivalency Diploma (HSED):

1. A student who is 17 years or older may request in writing, with parental approval, to be excused by the school board from regular school attendance to attend the technical college to prepare for the HSED. The school district may choose (but is not required) to enter into a contract with the technical college with an hourly rate for educational services. The school district is responsible for the costs of the hourly rate and transportation.
2. A student who is 17 years of age and older who has completed at least one GED test while incarcerated in a juvenile correctional facility, juvenile detention center, juvenile portion of the county jail, or a Type 2 residential facility, may request in writing to be able to finish the HSED program at the area technical college. The school district is required to enter into this contract, but is not required to pay the hourly rate.
3. A student who is 16.9 years of age or older may attend the Challenge Academy operated by the Wisconsin National Guard; the student must volunteer to attend and meet the requirements of the Challenge Academy. A student attending the Challenge Academy works towards an HSED.

For more information on contracting with technical colleges, please see: http://alternatieveed.dpi.wi.gov/files/alternatieveed/pdf/contracting_techcolleges.pdf

For more information about the Challenge Academy, please see: http://sfs.dpi.wi.gov/sfs_youthchall

Legal Citations

- s. 118.15(1)(c)2. and (1)(cm), Wis. Stats.

Examples of how this flexibility might look in practice

- A student pursuing a high school equivalency diploma attends the technical college and does not have to be in a class or approved activity for each class period of every school day.

Decision-making authority for this flexibility

- The local school board may choose, but is not required, to enter into a contract leading to an HSED, except if the student began while in a correctional setting (in which case the district is obligated to enter into the contract but is not required to pay the hourly rate).
- The local school board maintains enrollment for Challenge Academy students.
- A local school board establishes policies and procedures for students who qualify and choose to pursue a high school equivalency diploma.

Limitations to be considered

- Students must qualify for this program (i.e., reading level, credits).
- The school district is required to pay for or provide the necessary supports and services for students with disabilities.
- The school district is required to provide transportation to and from the high school to the program.
- Unless the school district converts the HSED into a district diploma under s. 118.33(1)(d), Wis. Stats., then the student is counted as a completer and not a graduate.
- A student who earns an HSED has a right to return to high school to take classes towards high school graduation until the student reaches maximum age or graduates with a diploma under s. 118.33(1)(a) or (d), Wis. Stats.

16. Students attending an institution of higher education or technical college

School districts can award high school credits, including credits that satisfy graduation requirements, to students for courses students have completed and for which the students received college credits. This can include courses students take through the Youth Options program or while attending a technical college part-time or in lieu of high school under the children at risk program. However, students attending a technical college to pursue a high school equivalency diploma do not fulfill any of the high school graduation credit requirements unless the state superintendent has approved the course for that purpose.

Legal Citation

- s. 118.33(3m), Wis. Stats.

Examples of how this flexibility might look in practice

- A student receives high school credit for attending a course under the youth options program at UW-Whitewater.
- A student in the children at risk program is enrolled in a course at a technical college that only meets 15 hours per week but does not have to be in a class during the rest of the week.

Decision-making authority for this flexibility

- The local school board can grant credit to students taking courses under the youth options program.
- DPI approves credit for students taking courses under the children at risk program.

Limitations to be considered

- This flexibility is limited to allowing a student to take a course at an institution of higher education or technical college in lieu of taking a high school course.
- Depends upon the proximity of the institution to the school district; for some rural districts, the nearest institution may be too far away for it to be practical to have the student attend.

17. Permitting waiver of requirements

School districts may apply for DPI waivers related to graduation requirements or “seat time” requirements as well as numerous other statutory requirements. Districts who believe certain statutory or administrative rule requirements are restricting the district’s ability to implement innovative programs or local improvement plans must first conduct a public hearing, but can then submit a waiver request to DPI.

When reviewing waiver requests, DPI will consider, among other factors, whether or not the requirement(s) requesting to be waived impede progress toward achieving a local improvement plan and whether or not they impede progress toward educational goals established by the district.

Here is a link to the DPI webpage related to waivers: http://cal.dpi.wi.gov/cal_waiver

Legal Citations

- s. 118.38, Wis. Stats., and PI 8.01(4), Wis. Admin. Code

Examples of how this flexibility might look in practice

- Students completing a foreign exchange program with an accompanying project do not have to complete one of the three social studies credits.

Decision-making authority for this flexibility

- The school board determines whether to request a waiver from DPI.
- DPI determines whether to grant a waiver allowing districts to establish competency based credit policies and procedures.
- A local school board develops plans for innovative programs or initiatives that will improve student performance and/or outcomes or achieve established local educational goals as the basis for a waiver request.

Limitations to be considered

- The school district must conduct a public hearing on the waiver request before applying to DPI for approval.

Considerations Regarding Innovative Practices

3

The following laws and issues deserve special mention because school districts must still follow these laws and be aware of these areas when determining whether an innovative practice is desirable for their particular school districts.

A. Wisconsin Educational Standards (20 Standards)

Legal Citation

- s. 121.02(1), Wis. Stats., and Ch. PI 8, Wis. Admin. Code

In order to receive state funding, each school board must meet the standards prescribed by the state. The school board must:

- Ensure that every teacher, supervisor, administrator, and professional staff member holds a certificate, license or permit to teach issued by the department before entering on duties for such position;
- Annually, establish with school board employees a professional staff development plan designed to meet the needs of individuals or curriculum areas in each school;
- Provide interventions or remedial reading services for a pupil in grades kindergarten to 4 under certain conditions;
- Operate a 5-year-old kindergarten program, except in union high school districts;
- Provide guidance and counseling services;
- Schedule at least 1,137 hours of direct pupil instruction in grades 7 to 12;
- Provide for emergency nursing services;
- Provide adequate instructional materials, texts, and library services which reflect the cultural diversity and pluralistic nature of American society;
- Provide safe and healthful facilities;

- Ensure that instruction in elementary and high schools in health, physical education, art, and music is provided by qualified teachers;
- Maintain a written, sequential curriculum plan in at least 3 of the following subject areas: reading, language arts, mathematics, social studies, science, health, computer literacy, environmental education, vocational education, physical education, art, and music;
- In grades 9 to 12, provide access to an educational program that enables pupils each year to study English, social studies, mathematics, science, vocational education, foreign language, physical education, art, and music;
- Provide access to an education for employment program approved by the state superintendent;
- Develop a plan for children at risk;
- Annually comply with the requirements of the school and school district performance report;
- Comply with high school graduation standards;
- Evaluate, in writing, the performance of all certified school personnel at the end of their first year and at least every 3rd year thereafter;
- Annually administer a standardized reading test developed by the department to all pupils enrolled in the school district in grade 3;
- Administer the examinations as required in 4th, 8th, 9th, 10th, and 11th grades; and
- Provide access to an appropriate program for pupils identified as gifted or talented.

The standards need to be considered because, unless a waiver is granted, the standards are uniform requirements that each district has to implement regardless of which innovative practices it decides to pursue. For example, a school district could be working on developing end of course assessments for each of its classes; however, it must still administer the required state examinations. At the same time, even though the standards are important to address, most are written in a general enough form to provide school districts with multiple ways of implementing the requirements.

B. Teacher Licensing

Legal Citation

- s. 121.02(1)(a), Wis. Stats., and Ch. PI 34, Wis. Admin. Code

One of the 20 Standards provides that each school board must ensure that every teacher, supervisor, administrator, and professional staff member holds a certificate, license, or permit to teach specific to a given position issued by DPI before entering on duties for such position. To get a license, educators must meet certain requirements in order to teach certain subjects at certain developmental levels.

Additionally, the DPI is required by the federal Elementary and Secondary Education Act (ESEA) to monitor teachers of core academic subjects to ensure that they meet the requirements to be considered highly qualified teachers. Teachers of core academic subjects are those who teach English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts (general music, choral music, instrumental music, dance, theatre, and art), history, and geography, as well as elementary education and special education teachers.

A teacher is considered highly qualified to teach a core academic subject(s) when that teacher either:

- Holds the Initial Educator, Professional Educator, or Master Educator license for that subject(s); OR
- Meets all three of the following criteria while holding an emergency license or permit in the subject(s):
 1. Holds a major or minor in the subject(s) he or she teaches or has passed the appropriate Wisconsin content knowledge exam for the required license;
 2. Is enrolled in an approved program leading to the required license that the educator can complete in no more than three school years; AND
 3. Is receiving high quality professional development and intense supervision and mentoring from the district while teaching.

The teacher licensing and highly qualified teacher requirements may create challenges to innovation and flexibility (i.e., a math class must be taught by a licensed math teacher). However, there is some flexibility for equivalency courses that are approved for the required graduation credit. For example, an agriculture course that has been approved for science credit can be taught by an agriculture teacher.

C. State Assessments

One of the considerations a school district must take into account when investigating and pursuing innovative practices in their schools is the requirement that they administer state and federal assessments in grades 3-11. The assessments measure student levels of attainment uniformly statewide and do not take into account innovative approaches a district may be using.

Of course, implementing innovative practices should be done in a manner that improves student academic abilities. However, when implementing innovative practices, districts should ensure students will receive the necessary content knowledge and develop the necessary skills to be prepared for the respective grade level state assessments.

D. School Report Card

The School Report Card measures specific criteria. A school district that chooses to pursue an innovative model must ensure that they consider how the changes to their calendar, curriculum, or other areas will impact their schools' performance on those criteria.

For example, a school district that switches to a model allowing each student to learn at their own pace and graduate “when ready” may have students finishing in three years while others finish in five or six years. The existing report card model can penalize a school for each student that takes longer than four years to graduate. However, districts should also consider that the benefits of increasing student engagement and attendance by personalizing instruction—even if it takes a student more than four years to complete graduation requirements (such as those in the six year cohort), still counts in the district's favor on the report card in the areas of attendance and student dropouts.

E. Funding for Summer School or Year-Round School

There is a barrier to year-round schooling because of the way additional funding is awarded to school districts that provide summer school classes. Summer school funding is dependent on the number of minutes a student is in summer school, which forces a school to focus on maximizing instructional time instead of student achievement.

In addition, the funding model for summer school requires that the funding be paid only for instruction offered during the summer. A school district that moves to a year-round calendar with breaks outside of the traditional summer break would not receive funding for offering equivalent instruction in October or January.

F. Transportation Issues

Districts need to consider how transportation might affect access to certain innovative programs. For example, if a school district chooses to pursue an alternate program that offers on site instruction in the evenings or on weekends, it may be required to provide transportation to all pupils in the district that wished to participate and met the criteria defined in statute. Districts would need to explore how this access would be done equitably if the district was not planning to provide transportation. Otherwise, the program might unintentionally be limited to students that can provide their own transportation raising equity access concerns.

G. Professional Development Days on the Calendar

Innovative practices may require additional training for existing instructional staff if they do not have applicable experience. The current Wisconsin Education Standards (20 Standards) school districts must follow provide a potential barrier to school districts wishing to provide appropriate professional development for their staff. However, with the passage of 2013 Act 257 which eliminated the 180 school day requirement, districts now have more flexibility in scheduling the hours of a normal school day. This flexibility could be one means of addressing this challenge.

H. WIAA/NCAA Eligibility

While innovative practices may meet the seat time and credit requirements under state law, students who take advantage of these innovative practices are not guaranteed eligibility under WIAA or NCAA guidelines. Districts should explore the guidelines and requirements of these organizations to ensure students who are participating in high school sports or expect to participate in collegiate athletics are not penalized for participating in innovative instructional programs.

I. College and University Entrance Requirements

As with athletics, innovative practices that meet seat time and credit requirements under state law, may not meet entrance requirements at some colleges and universities. Districts should explore the guidelines and requirements of those institutions in which their graduates might enroll to ensure they are not penalized for participating in innovative instructional programs. Alternatively, consider working with these institutions to find ways they could accept and would even covet your students in recognition of their innovative experiences.



Conclusion

While this guidance on credit flexibility is an important first step, there is more that needs to be done. This document is intended to be a living document that is refined through feedback from districts. To best achieve the desired outcome of encouraging flexibility for and innovation by school districts within state law, feedback to the Department of Public Instruction from school districts on additional best practices and novel ideas is essential. Ambiguities in statutes and rules that are not addressed in this document must be identified to allow for further clarification. Questions must continue to be asked regarding which innovative practices are permissible so districts can be fully informed of flexibilities under state law as well as limitations still present.

If you have questions regarding this document, please contact Rebecca Vail, Director, Content and Learning Team, at rebecca.vail@dpi.wi.gov or 608-266-2364.