

# 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:

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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

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125 South Webster Street

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(608) 266-3706

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# 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 and Professional Development, CESA 11)
- Michael Fessenmaier (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, Grant Huber, Kevin Anderson, Janice Mertes, Emilie Amundson, Mike Thompson, and Rebecca Vail from the Department of Public Instruction (DPI); Dawn Nordine from CESA 9; and Victoria Cirks from the Midwest Comprehensive Center.

# Introduction and Purpose

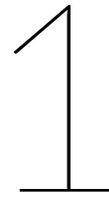
Throughout Wisconsin's history, the constitutional provisions and state laws governing the K-12 system were adopted with the goal of ensuring that all children have an equal opportunity to a quality education, while reinforcing the autonomy and authority of local school boards to deliver on that promise. 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 as issues districts may want to consider when seeking new or different approaches to instructional designs.

# Flexibility Available Under Current Law

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In isolation, the state laws outlined below seem to limit school district options and flexibility. However, following the statutory explanations are details regarding 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;
  - 3 credits of mathematics;\*
  - 3 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 required credits (except for the 0.5 credit in health) must be taken in grades 9-12.\*

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

*\*A school board may count a credit earned in 7th or 8th grade toward the requirements for high school graduation if: 1) The pupil demonstrates on a statewide or similar school board approved assessment that he or she is academically prepared for high school level coursework; 2) The credit is earned in a course taught by a teacher licensed to teach the subject in high school grades; and 3) The credit is earned in a course taught using a curriculum and assessments equivalent to those used in the high school grades.*

### Legal Citation

- ss. [118.33\(1\)\(a\)](#), [118.33\(1\)\(am\)](#), and [118.33\(1\)\(em\)](#), Wis. Stats.

## B. Wisconsin Seat Time Requirement

There are four components of the seat time requirement:

- instructional hours or minutes
- start date
- "each class period of each school day"
- compulsory attendance

### 1. Hours

Each school board shall annually schedule 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 the school'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. Scheduled hours may also include the hours of instructional programming offered through innovative instructional designs that apply to the entire school or grade level.

#### *Legal Citation*

- s. [121.02\(1\)\(f\)](#), Wis. Stats., and [Ch. 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. [118.15\(1\)\(a\)](#), 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: establishing alternative programs, 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.

## 1. 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.

Alternative education programs provide significant flexibility with the decision-making authority shared between the student/parent and the school district/board. In using this flexibility, 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 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;
- 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; and
- The pupil has satisfied the statutory civics test requirement (s. 118.33(1m)(a)1).

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\(7\)\(e\)](#), s. [118.33\(1m\)\(a\)1](#), 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 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 online 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, visit <http://dpi.wi.gov/alternative-education>

### *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 process for applying this statute must be initiated by parents or students, districts could facilitate a process for applying this flexibility systemically and even purposefully inform students and parents that they can make such a request.

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*

- s. [118.15\(1\)\(c\)](#) and s. [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 online 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.
- A student participates in a CTE program available in a nearby school district but not available in their resident district.
- 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.
- A local school board develops an agreement with a nearby district for a student or several students to participate in a program offered by the nearby district.

### *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.

## 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 students with disabilities.

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 afterschool 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 requirements for a regular diploma.
- Wisconsin institutions of higher education and other post-secondary training programs will need to be made aware of the requirement that the credits awarded under this flexibility will need to be accepted.

## 4. Determining what constitutes credit

This section outlines the “traditional” approach to determining what constitutes a credit. Subsequent sections outline various statutes and rules that provide other ways districts can determine and award credits.

By statute, "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. Through local control, if a school board deems that an activity or course is equivalent to completing a high school course that is offered, then credit can be given.

### *Legal Citation*

- s. [PI 18.02\(3\)](#), Wis. Admin. Code and s. [118.33\(1\)\(em\)](#)

### *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 yet in high school cannot count a credit toward the 15 specified required credits, except the 0.5 credit in health and as allowed under s. [118.33\(1\)\(em\)](#) Wis. Stats., which permits a school board to count a credit that a pupil earns in 7th or 8th grade if certain conditions are met.

## 5. Districts awarding credits for students demonstrating proficiency

Act 55, the Wisconsin 2015-17 state budget bill, created a new section of statutes allowing Wisconsin school districts to determine and award credits based on student demonstrations of proficiency. The new section, s. 118.33(1)(es), Wis. Stats., states that “A school board may adopt a resolution to allow pupils in the high school grades to earn high school credits in a subject area by demonstrating a level of proficiency in that subject area or by creating a learning portfolio related to that subject area.”

The statute goes on to add that “If a school board adopts a resolution under this paragraph, the school board shall develop and implement written policies and procedures for awarding credits under this paragraph. The school board shall include in its policies and procedures the manner in which a pupil may qualify for high school credit under this paragraph. A pupil may earn not more than one-half of the total number of credits required for a high school diploma under this paragraph.”

Rather than instructional inputs such as seat time and assignments completed, this new section of the statute allows districts to recognize and award credits based on students demonstrating proficiency regardless of where or how that proficiency was developed. In fact, the statute includes a provision that states: “For a pupil who earns credit under this paragraph, a school board may waive the requirement under par. (b) that requires a pupil, during the high school grades, to be enrolled in a class or participate in an activity approved by the school board during each class period of each school day.”

In developing the policies and procedures for implementing awarding of credits based on proficiency, districts should consider including the following:

- the means the district will use to determine the competencies that would be expected of students to earn credit in a given course
- 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

If districts wish to be able to allow students to earn more than half their graduation requirement credits under this statute, they could request a waiver of that provision as explained below in Section 17.

### *Legal Citation*

- s. [118.33\(1\)\(es\)](#) Wis. Stats.

### *Examples of how this flexibility might look in practice*

- A school board passes a proficiency-based credit resolution and the corresponding policies and procedures for awarding credits; students then earn:
- a high school English credit after review of a portfolio of work the student completed in a summer college course
- a high school science credit for achieving a sufficient score on the comprehensive final exam of the corresponding district science course
- several high school credits for achieving a sufficient level of performance on the pre-established rubric of a comprehensive student-designed and student-executed project

### **Wisconsin Act 55**

118.33(1)(es) 4. A nonprofit, for-profit, or public educational institution that provides an educational program for which it awards a bachelor's or higher degree, or provides a program that is acceptable for full credit toward such a degree or a program of training to prepare students for gainful employment in a recognized occupation, and admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate, **shall treat a high school diploma awarded based, in part, on credits earned under this paragraph in the same manner as it treats a high school diploma awarded based on credits earned by enrolling in class.** (Emphasis added.)

### *Decision-making authority for this flexibility*

- The school board determines whether to adopt a resolution, policies, and procedures for granting credits through demonstration of proficiency.

### *Limitations to be considered*

- 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.
- 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.

## 6. Student participation in activities rather than classes

Wisconsin administrative rule PI 18.05(1)(d) specifically allows school boards to count student employment during school hours as an allowable activity in lieu of classes 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. The paragraph does note, however, that open campus and work release may not be approved under this flexibility. This paragraph does not preclude flexibilities noted in other sections of this document that may also be allowable activities in lieu of classes.

### *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 school-supervised paid employment through which a student learns, practices, and demonstrates skills related to courses taken in school.
- A school board could approve a program through which students with exceptional educational interests, needs, or requirements will receive high school credit for employment that is an approved accommodation.

### *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*

- Under this provision, the employment must be part of or related to the pupil's instructional program or be approved as an accommodation for a student with exceptional educational interests, needs, or requirements.

## 7. Students taking online or blended courses

Students who are physically in school while taking online courses automatically comply 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 Section 1, districts may establish alternative activities through which students can earn credits. Online and blended courses can be included in such alternative activities.

As noted in Section 2, parents may request program or curricular modifications. Districts can facilitate such requests to allow students to complete all or part of their online coursework outside of school and regular classes.

As noted in Section 5, districts may establish policies and procedures for students to earn credits by demonstrating proficiencies. Through this process, district could award credits to students who developed proficiencies through online or blended courses.

### *Legal Citations*

- ss. [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. District awards credit for the class.
- 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.
- Student completes a MOOC independently with work being done at school, at home, and/or at a library. District awards credit for the class after verifying student proficiency attainment in accordance with corresponding local policies and procedures.

### *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.
- A local school board establishes policies and procedures for students to earn credits for demonstrating proficiencies that may be developed through an online course.

### *Limitations to be considered*

- Teachers of district-approved online or blended courses need to be properly licensed.
- The school board has to have a policy allowing a corresponding alternative program if this flexibility is used.
- The school must know where the student is expected to be.

## 8. Awarding credits through equivalency

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.

Other statutory language specifically addresses equivalency of Agriculture, Computer Science, and Career and Technical Education courses (see Sections 9a and 9b).

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://dpi.wi.gov/fcs/equivalency>)
- Technology and engineering courses for science credit (<http://dpi.wi.gov/te/equivalency/science>)
- Technology and engineering courses for math credit (<http://dpi.wi.gov/te/equivalency/math>)
- Business and information technology courses for English credit (<http://dpi.wi.gov/bit/equivalency>)

For additional information see <http://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 might choose to not accept the equivalent courses as meeting their institutional admission requirements.

## 9. Substituting a computer science or CTE course for a math course

State statute s. 118.33(1)(a)1.c. directs that a school board shall award a pupil a math credit for successfully completing in the high school grades each course in computer science that the DPI has determined qualifies as math according to criteria established by the department. Further, the statute allows districts to award math credit for Career and Technical Education courses that the district has determined satisfies a mathematics requirement.

### *Legal Citation*

- s. [118.33\(1\)\(a\)1.c.](#) Wis. Stats.

### *Examples of how this flexibility might look in practice*

- Computer Science courses for math credit (<http://dpi.wi.gov/sites/default/files/imce/tepd/Computer-Science-Guidance.pdf>)
- Technology and engineering courses for math credit (<http://dpi.wi.gov/te/equivalency/math>)

For additional information see <http://dpi.wi.gov/cte/equivalency>.

### *Decision-making authority for this flexibility*

- The local school board determines if a CTE course satisfies a mathematics requirement.

### *Limitations to be considered*

- Districts may only award math credit for a given course under this flexibility if they are not awarding science or other credit for the same course.
- This flexibility only applies for math credit.
- While students may be able to fulfill state and district graduation credits through this equivalency option, colleges and universities might choose to not accept the equivalent courses as meeting their institutional admission requirements.

## 9b. Substituting an agriculture or CTE course for a science course

State statute s. 118.33(1)(a)1.d. directs that a 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. Further, the statute allows districts to award science credit for Career and Technical Education courses that the district has determined satisfies a science requirement.

### *Legal Citation*

- s. [118.33\(1\)\(a\)1.d.](#) Wis. Stats.

### *Examples of how this flexibility might look in practice*

- Family and consumer science courses for science credit (<http://dpi.wi.gov/fcs/equivalency>)
- Technology and engineering courses for science credit (<http://dpi.wi.gov/te/equivalency/science>)
- Agriculture courses for science credit (<http://dpi.wi.gov/ag/equivalency>)

For additional information see <http://dpi.wi.gov/cte/equivalency>.

### *Decision-making authority for this flexibility*

- The local school board determines if a CTE course satisfies a science and agriculture requirement.

### *Limitations to be considered*

- Districts may only award science credit for a given course under this flexibility if they are not awarding math or other credit for the same course.
- This flexibility only applies for science credit.
- While students may be able to fulfill state and district graduation credits through this equivalency option, colleges and universities might choose to not accept the equivalent courses as meeting their institutional admission requirements.

## 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 and is allowed to take a half-credit creative writing course in lieu of physical education and graduate with only one credit of physical education.
- A student competes in Junior Olympics skiing at the national level and is allowed to take a half-credit health education course in lieu of physical education and graduate with only one credit of physical education.

### *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 other 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*

- ss. [118.33\(1\)\(a\)](#) and [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 several CTE courses receives a diploma with a CTE concentration.
- A student completing a district's established technical education program under s. 118.33(1)(g) receives a technical education high school diploma.

### *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.
- The local school board determines whether to establish a technical education program and award technical education high school diplomas.

### *Limitations to be considered*

- Students must still earn the 15 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 each day.

## 13. Determining school hours and calendar

School districts and individual schools are no longer required to hold school a minimum number of days each year. Rather, they must schedule a minimum number of hours of direct pupil instruction for each respective grade level. With certain limitations, school districts can determine when to schedule these direct pupil instruction hours. The scheduled hours can include recess and student transfer time between classes, but cannot include the lunch period. Scheduled hours may also include hours on Saturdays but do not include hours during an interim session. There are no restrictions on the time of day classes can be held.

Schools may not commence a school term until September 1st. Districts may conduct athletic practices and contests and may conduct in-service and staff work days prior to September 1. In addition, districts are allowed to hold year-round school. It is possible to request a waiver to the school term start requirement, but the criteria for a waiver are very limited. These include accommodating major construction projects; school closure due to forces of nature, code violations, or environmental orders; excessive costs related to transporting private school students; and accommodating International Baccalaureate programs.

### *Legal Citations*

- ss. [115.01\(10\)](#), [121.02\(1\)\(f\)](#), and [118.045](#), Wis. Stats.; s. [PI 27.03](#) Wis. Admin. Code

### *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.
- Students can access academic activities that are only available on weekends.

### *Decision-making authority for this flexibility*

- The school board can determine how the school hours requirement is fulfilled.

### *Limitations to be considered*

- A school term cannot begin prior to September 1 without a waiver.
- Schools must meet the minimum hours of direct pupil instruction for each respective grade.

## 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 he or she is a dropout or is two or more of the following:

- one or more years behind his or her age group in the number of high school credits attained
- two or more years behind his or her age group in basic skill levels
- a habitual truant (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)
- a parent
- an adjudicated delinquent
- an eighth grade pupil whose score in each subject area on the eighth grade examination was below the basic level, an eighth grade pupil who failed the examination, and an eighth grade pupil who failed to be promoted to the ninth 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):

- 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.
- 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.
- 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://dpi.wi.gov/sites/default/files/imce/alternative-education/pdf/contracting\\_techcolleges.pdf](http://dpi.wi.gov/sites/default/files/imce/alternative-education/pdf/contracting_techcolleges.pdf).

For more information about the Challenge Academy, please see: <http://dpi.wi.gov/sfs/children/challenge-academy>.

### *Legal Citations*

- s. [118.15\(1\)\(c\)2](#), [118.15\(1\)\(cm\)](#), [118.33\(1\)\(a\)](#), and [118.33\(1\)\(d\)](#) 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 between the high school and the program.
- Unless the school district converts the HSED into a district diploma under s. 118.33(1)(d), Wis. Stats., 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, for courses students have completed while attending a college or university and for which the students received college credits. High school juniors and seniors attending a Wisconsin college or university under the Youth Options program must be awarded high school credit for passing a course taken under the program, and that credit may satisfy a graduation requirement. School districts may award high school credit for courses students attend at a Wisconsin college or university under the Course Options program and the credit may satisfy a graduation requirement.

Students who are a child at risk under s. 118.153(1)(a) Wis. Stats. and who attend a technical college part-time or in lieu of high school under s. 118.15(1)(b) Wis. Stats. may only be awarded credits that satisfy a graduation requirement if the respective courses have been approved for that purpose by the state superintendent. The same is true for students who began a program leading to a high school equivalency diploma while placed at a juvenile detention facility (as designated in s. 118.15(1)(cm)) and have chosen to continue that program.

For more information on Youth Options see <http://dpi.wi.gov/youthoptions>.

For more information on Course Options see <http://dpi.wi.gov/courseoptions>.

### *Legal Citations*

- ss. [118.15\(1\)\(b\)](#), [118.15\(1\)\(cm\)](#), [118.153\(1\)\(a\)](#), [118.33\(3m\)](#), [118.52](#), [118.55](#), Wis. Stats.

### *Examples of how this flexibility might look in practice*

- A student receives high school credit for receiving a passing grade on a course under the youth options program at UW-Whitewater.
- A student receives high school credit for receiving a passing grade on a course under the Course Options program at Northern Technical College.
- A student who is a child at risk and who attended a technical college in lieu of high school returns to regular high school and is awarded high school credit for those technical college courses that had received state superintendent approval.

### *Decision-making authority for this flexibility*

- The local school board must grant high school credit to students passing courses taken under the Youth Options program (with limited exceptions).
- The local school board may choose to grant high school credit to students passing courses taken under the Course Options program.
- The local school board may choose whether or not high school credits earned will satisfy a graduation requirement.
- DPI approves credit for students taking courses under the children at risk program.

### *Limitations to be considered*

- Access to eligible colleges and universities may limit the availability of this flexibility for some students, schools, and districts.

## 17. Waivers of Statutory Requirements

In addition to the numerous flexibilities explained in the previous sections, it is possible that requirements can be waived by the Department of Public Instruction. State statutes provide a means of requesting that the DPI waive any school board or school district requirement contained in state statutes 115 to 121 or in any administrative rules promulgated by DPI under the authority of those statutes with the exception of statutes or rules related to the following:

- the health or safety of pupils
- pupil discrimination under s. [118.13](#), Wis. Stats.
- the pupil assessment program under s. [118.30](#), Wis. Stats. and the standardized reading test required under s. [121.02\(1\)\(r\)](#), Wis. Stats.
- pupil records under s. [118.125](#), Wis. Stats.
- the collection of data by the department
- the uniform financial fund accounting system under ss. [115.28\(13\)](#), and [115.30\(1\)](#), Wis. Stats. and audits of school district accounts under s. [120.14](#), Wis. Stats.
- licensure or certification under s. [115.28\(7\)](#) or [\(7m\)](#), Wis. Stats. other than the licensure of the school district administrator or business manager
- the commencement of the school term under s. [118.045](#), Wis. Stats.
- the requirements established for achievement guarantee contracts under s. [118.43](#), Wis. Stats. and for achievement gap reduction contracts under s. [118.44](#), Wis. Stats.

Following are requirements and considerations when submitting a waiver request:

- Prior to submitting the waiver request, a public hearing must be held.
- The school board shall specify its reason for requesting the waiver.
- The DPI will consider whether the waiver would impede progress toward achieving a local improvement plan developed under the Goals 2000: Educate America Act (Public Law 103-227).
- The DPI will consider whether the requirement impedes progress toward achieving school board adopted educational goals for the district.

Waivers are effective for four years and shall be renewed for four year periods if the school board has evaluated the educational and financial effects of the waiver. However, the DPI can deny a waiver renewal if it determines the district is not making adequate progress toward improving student academic performance.

Here is a link to the DPI webpage related to waivers

<http://dpi.wi.gov/cal/waivers>.

#### *Legal Citations*

- s. [118.38](#), Wis. Stats. and [PI 8.01\(4\)](#), Wis. Admin. Code

#### *Examples of how this flexibility might look in practice*

- A school board that has adopted a resolution, policies, and procedures for awarding credits based on demonstration of proficiencies requests a DPI waiver allowing it to award students more than one-half of their graduation requirement credits through demonstration of proficiency.
- A school board that wants to adopt standards-based grading requests a DPI waiver allowing it to grant high school diplomas to students who have not met the credit requirements under s. 118.33 but instead have met benchmark standards that are comparable to or exceed what would occur in earning the 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.
- DPI determines whether to renew a waiver.

#### *Limitations to be considered*

- The school district must conduct a public hearing on the waiver request before applying to DPI for approval.
- The school district must evaluate the educational and financial effects of the waiver in order to request and receive a renewal of the waiver.

## 18. Alternative Compliance

In addition to the flexibilities and waivers explained in the previous sections, it is possible for districts to request alternative compliance to any of the school district standards included in PI 8.01(2). A school district requesting approval of alternative compliance during the spring semester must submit a written request to the state superintendent by September 1. A school district requesting approval of alternative compliance during the fall semester must submit a written request to the state superintendent by March 1. The request shall include all of the following information, as appropriate:

- the school district standard addressed by the alternative compliance plan
- the means by which the alternative compliance plan addresses the objectives of the school district standard including all of the following information:
  - the program objectives and anticipated outcomes of the alternative compliance plan
  - the rationale and research or other information supporting the alternative compliance plan
  - the staffing patterns which may be affected by the alternative compliance plan
  - the number of students by grade level to be affected by the alternative compliance plan
  - any needed staff development to support the alternative compliance plan
  - timelines for implementation of the alternative compliance plan
  - a description of how the alternative compliance will be evaluated, including a description of how progress toward meeting program objectives and anticipated outcomes will be monitored and measured at regular intervals and at the conclusion of the year for which the plan is approved

The state superintendent may approve a school district board's plan for alternative compliance with a school district standard, if he or she determines the alternative compliance plan will meet the objectives of the school district standard, maintains educational equity and will result in any of the following:

- improved efficiency in school administration of instruction
- innovation in school district management or instruction, including but not limited to, progress towards outcome-based instruction and assessment; enhancement of educational opportunities; enhancement of education professions; and flexibility in staffing, programming and scheduling
- other educational improvements

The plan may be subject to conditions specified by the state superintendent. The state superintendent shall provide for the review of requests for alternative compliance and shall notify the school board of his or her decision within 60 days from the date the request is received. The decision shall be in writing and shall include the reasons for the decision. The state superintendent may either hold a public hearing or request that the school district board hold a public hearing on the alternative compliance being proposed.

An initial alternative compliance plan may be approved for a 2 year period. An alternative compliance plan may be renewed every 3 years after the initial plan approval only if an evaluation of the alternative compliance plan is provided by the school district board and is approved by the state superintendent. The evaluation shall include all measures included in the initial request and is subject to the same timelines as an initial request.

### *Legal Citations*

- s. [121.02](#), Wis. Stats. and [PI 8.01\(3\)](#), Wis. Admin. Code

### *Examples of how this flexibility might look in practice*

- A school board wanting to transition the district entirely to standards or outcome-based instruction and learning requests an alternative compliance to Standard f (Hours of instruction) so that instead they will track and demonstrate continuous student learning not relying on seat-time.
- A school board wanting to offer student learning opportunities at varying times and on varying days meant to meet student and family needs requests an alternative compliance to Standard f (Hours of instruction) so that instead they will assess learning based on demonstrated attainment of learning standards.
- A school board wanting to offer student learning opportunities not relying on a traditional school requests alternative compliance to Standard h (Library media services) so that instead they will provide access to library and media resources from a variety of sources such as local public libraries, college libraries, etc.
- A school board wanting to transition the district entirely to standards or outcome-based personalized learning requests an alternative compliance to Standard k (Curriculum plan) so that instead they will catalog the standards and outcomes students must demonstrate in order to show learning progression resulting in a high school diploma.

### *Decision-making authority for this flexibility*

- The school board determines whether to request alternative compliance from DPI.
- The state superintendent determines whether to hold a public hearing or request the district hold a public hearing prior to granting alternative compliance.
- The state superintendent determines whether to grant alternative compliance and whether to require certain provisions in granting alternative compliance.
- The school board determines whether to request a renewal of alternative compliance from DPI.
- DPI determines whether to renew alternative compliance.

### *Limitations to be considered*

- The school district must provide the means by which the alternative compliance plan will address the objectives of the standards to which the plan would apply including all elements outlined in PI 8.01(3)(a)2.
- The school district must evaluate and report progress towards program objectives and anticipated outcomes in order to request and receive a renewal of the alternative compliance.

# 3

## Considerations Regarding Innovative Practices

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 180 school days annually and 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;

- n. Develop a plan for children at risk;
- o. Annually comply with the requirements of the school and school district performance report;
- p. Comply with high school graduation standards;
- q. Evaluate, in writing, the performance of all certified school personnel at the end of their first year and at least every 3rd year thereafter;
- r. Annually administer a standardized reading test developed by the department to all pupils enrolled in the school district in grade 3;
- s. Administer the examinations as required in 4th, 8th, 9th, 10th, and 11th grades; and
- t. 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, but it must still administer the required state examinations. However, most of the standards are written in a general enough form to provide school districts with multiple ways of implementing the requirements.

## B. Teacher Licensing

### *Legal Citations*

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

One of the 20 State Standards provides that each school board must ensure that every teacher, supervisor, administrator, and professional staff member holds a DPI issued certificate, license, or permit to teach specific to a given position 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.

On the federal side, there were significant changes contained in the reauthorization of the Elementary and Secondary Education Act (ESEA) by Congress in December 2015. That new federal legislation is also referred to as the Every Student Succeeds Act (ESSA). Among those changes was the elimination of the “highly qualified teacher” provisions, providing states more flexibility to determine who should be teaching in their classrooms. For more information and the latest updates related to ESSA please refer to DPI’s website at [www.dpi.wi.gov/esea](http://www.dpi.wi.gov/esea).

Teacher licensing requirements may create challenges to innovation and flexibility (i.e., a math class must be taught by a licensed math teacher), but these challenges may be addressed in a variety of ways. Many challenges can be addressed through the previously covered flexibilities. In addition, changes in state teacher licensing requirements are providing additional flexibilities. There are additional ways for individuals to earn a DPI-issued teacher license. To learn more about these options, visit the DPI Pathways to Licensure webpage (<http://dpi.wi.gov/tepdpl/pathways>).

## 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. Find the latest information on state assessments, check the DPI Assessment webpage (<http://dpi.wi.gov/assessment>).

## D. School Report Card

The School Report Card measures specific criteria. School districts 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 who 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.

Learn more about school report cards at the DPI School and District Report Card webpage (<http://dpi.wi.gov/accountability/report-cards>).

## E. Funding for Summer School or Year-Round School

Recent changes to the administrative rules for summer school may encourage districts to expand their summer school offerings or consider year-round school. While summer school funding remains dependent on the number of minutes a student is in summer school, districts should still focus on maximizing student achievement rather than instructional time.

To learn about current rules and guidelines for summer school, visit the DPI Summer School webpage (<http://dpi.wi.gov/sfs/children/summer-school>).

## **F. Transportation Issues**

Districts need to consider how transportation might affect access to 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 who can provide their own transportation raising equity access concerns. To learn more about transportation, visit the DPI Pupil Transportation Homepage (<http://dpi.wi.gov/sms/transportation>).

## **G. Professional Development and Training**

Innovative practices may require additional training for existing instructional staff and other stakeholders who may be part of the planned initiative. Be sure to plan for professional development and other training opportunities to ensure the greatest odds of successful implementation.

## **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 are allowed under the flexibilities of Wisconsin laws may not meet entrance requirements at some colleges and universities. In some cases, Wisconsin statutes require Wisconsin institutions to accept diplomas and credits earned through statutory programs, such as credits earned through demonstration of proficiency under s. 118.33(1)(es), Wis. Stats. Districts should explore the guidelines and requirements of those institutions at which their graduates might enroll to ensure they are not penalized for participating in innovative instructional programs. At the same time, districts should realize that most colleges and universities want capable students with unique experiences, including those who learned through innovative programs. Consequently, students attending innovative programs may have more options and opportunities after high school graduation than those in traditional programs, even if they don't have traditional transcripts and records of credits earned.



# 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.

Both older and recent statutory and rule changes are providing expanded opportunities to really explore the allowable flexibility. Questions must continue to be asked regarding which innovative practices are permissible so districts can be fully informed of available flexibilities under state law as well as those 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](mailto:rebecca.vail@dpi.wi.gov) or (608) 266-2364.