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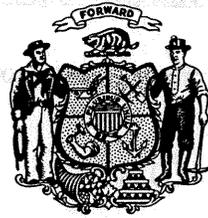
LCRC
FORM 2

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 00-004

AN ORDER to repeal PI 40.055 (3) (a) 1. and 2.; to renumber and amend PI 40.055 (3) (a) (intro.); and to create PI 40.056, relating to the youth options program.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

01-10-00 RECEIVED BY LEGISLATIVE COUNCIL.
01-28-00 REPORT SENT TO AGENCY.

RNS:JLK:jal;rv

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO

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CLEARINGHOUSE RULE 00-004

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

In SECTION 3, the section number PI 40.056 should be in bold print. [See s. 1.05 (2) (b), Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

In s. PI 40.056 (1), "program under this section" should be changed to "program under this chapter."

5. Clarity, Grammar, Punctuation and Use of Plain Language

SECTION 2 should end with a period, rather than a colon.

**PROPOSED ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
AMENDING RULES**

The state superintendent of public instruction hereby proposes to repeal PI 40.055 (3) (a) 1. and 2., to renumber and amend PI 40.055 (3) (a) (intro.), and to create PI 40.056, relating to the youth options program.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 118.55 (9) and 227.11 (2) (a), Stats.

Statute interpreted: s. 118.55, Stats.

1999 Wisconsin Act 9 amended the youth options program under s. 118.55, Stats. Chapter PI 40 will be modified to conform to the changes made under the Act by including the following provisions.

- A school board will pay an amount equal to tuition, course fees and books for courses taken for high school credit at a technical college, regardless of the number of credits eligible for high school credit. Currently, the rule requires two different payment methods depending on whether a student takes more or fewer than 7 credits at a technical college.
- When a pupil gains 12th grade status, as determined by the school board of the school district in which the pupil is enrolled, the pupil may participate in the youth options program for no more than two consecutive semesters.
- If a school board is required to pay tuition to a postsecondary institution on behalf of a pupil enrolled under the program, the tuition charged cannot exceed the amount that would be charged a resident of the state.

Because the proposed rules have been modified to conform to current statutory language, the department will not hold public hearings regarding these rules as provided under s. 227.16 (2) (b), Stats.

SECTION 1. PI 40.055 (3) (a) (intro.) is renumbered PI 40.055 (3) (a) and as renumbered is amended to read:

PI 40.055 (3) (a) Except as specified under par. (b) and sub. (1) (b), the school board of the school district in which a pupil is enrolled and attending a technical college for any postsecondary course that is taken and approved by the school board for high school credit shall pay the technical college district board, in 2 installments payable upon initial enrollment and at the end of the semester, the following amount: for those courses taken for high school credit, an amount equal to the cost of tuition, course fees and books for the pupil at the technical college.

SECTION 2. PI 40.055 (3) (a) 1. and 2. are repealed:

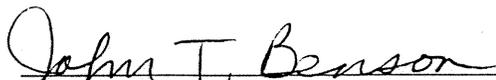
SECTION 3. PI 40.056 is created to read:

PI 40.056 **Limitations on participation and payment.** (1) When a pupil gains 12th grade status, as determined by the school board of the school district in which the pupil is enrolled, the pupil may participate in the program under this section for no more than 2 consecutive semesters.

(2) If a school board is required to pay tuition on behalf of a pupil under s. PI 40.05 (3) (a) 1. or 3. a., or 40.055 (3) (a), the tuition charged may not exceed the amount that would be charged a pupil who is a resident of this state.

The proposed rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

Dated this 30th day of December, 1999



John T. Benson
State Superintendent