

WISCONSIN LEGISLATIVE COUNCIL STAFF

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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 99-073

AN ORDER to repeal PI 19.03 (8) and 19.05 (2); to renumber PI 19.03 (9) and 19.05 (1); to amend PI 19.03 (3) and (6) (b); and to create PI 19.03 (6) (f) 6. to 8. and 19.06, relating to education for school age parents.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

04-13-99 RECEIVED BY LEGISLATIVE COUNCIL.
05-07-99 REPORT SENT TO AGENCY.

RS:RW:jal;kjf

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 99-073

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 s. PI 19.03 (6) (f) 7., it appears that in order to accurately reflect the relevant statutory language [s. 115.92 (1), Stats.], the section should read, with the introductory clause:

PI 19.03 (6) (f) Instruction in the following areas:

7. The impact of adoption on birth parents and children who have been adopted.

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

The state superintendent of public instruction hereby proposes to repeal PI 19.03(8) and PI 19.05(2); to renumber PI 19.03(9) and PI 19.05(1); to amend PI 19.03(3) and (6)(b); and to create PI 19.03(6)(f)6. to 8., and PI 19.06, relating to education for school age parents.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 115.92 (3) and 227.11 (2) (a), Stats.

Statute interpreted: ss. 115.92 and 115.355, Stats.

1997 Wisconsin Act 104 modified provisions in the school age parent program by requiring:

1. The department of public instruction to annually and upon request disseminate to appropriate public school staff information about materials and services available through the state adoption center under s. 48.551, Stats., which may serve as resources for instruction on adoption for pupils in grades kindergarten through 12.
2. School districts with established programs that serve school age parents to provide instruction on adoption and adoption services. The instruction provided must include:
 - Information on options available and the procedures followed in independent and agency adoptions, including current practices regarding a birth parent's involvement in the selection of an adoptive home and the sharing of information between birth parents and adoptive parents.
 - Information on the impact of adoption on birth parents and children who have been adopted.
 - An explanation that the adoption process may be initiated even after a child has been born and has left the hospital.

1997 Wisconsin Act 240 eliminated language requiring a school district that establishes a school age parent program to report a participating pupil's school district of residence and the period of time the pupil was instructed or otherwise served during the school year.

Finally, s. 46.99, Stats., regarding available child care funds no longer exists. Therefore, s. PI 19.05 (2) is deleted since it pertains to and references s. 46.99, Stats.

The proposed amendments in this rule are technical changes made to conform the rule to statutory language. Therefore, pursuant to s. 227.16 (2) (b), Stats., the department will not hold public hearings regarding these rules.

SECTION 1. PI 19.03 (3) and (6) (b) are amended to read:

PI 19.03 (3) Annually the board, CESA, or fiscal agent for an agreement under s. 66.30, Stats., shall submit a program plan to the department for approval. The plan shall indicate the number of pupils expected to be served, personnel who will be serving the program and anticipated costs of the program. Annually following completion of the approved program, the board, CESA, or fiscal agent for an agreement under 66.30, Stats., shall submit a report to the

department indicating actual costs, and the number of school age parents instructed or otherwise provided service, ~~their resident school district, and the period of time each was instructed or otherwise provided service.~~

(6) (b) Provision of social services to facilitate accessibility to needed resources ~~including information on adoption resources.~~

SECTION 2. PI 19.03 (6) (f) 6. to 8. are created to read:

PI 19.03 (6) (f) 6. Information on the options available and the procedures followed in independent and agency adoptions, including current practices regarding a birth parent's involvement in the selection of an adoptive home and the sharing of information between birth parents and adoptive parents.

7. Information on the impact of adoption on birth parents and children who have been adopted.

8. An explanation that the adoption process may be initiated even after a child has been born and has left the hospital.

SECTION 3. PI 19.03 (8) is repealed.

SECTION 4. PI 19.03 (9) is renumbered PI 19.03 (8)

SECTION 5. PI 19.05 (2) is repealed.

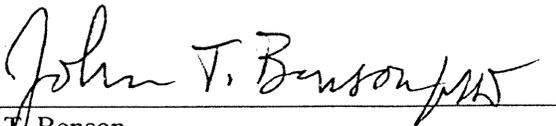
SECTION 6. PI 19.05 (1) is renumbered PI 19.05 (intro.)

SECTION 7. PI 19.06 is created to read:

PI 19.06 Department responsibilities. Under s. 115.355, Stats., the department shall annually and upon request disseminate to appropriate public school staff information about materials and services available through the state adoption center under s. 48.551, Stats., which may serve as resources for instruction on adoption for pupils in grades kindergarten through 12.

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 12th day of April, 1999



John T. Benson
State Superintendent