

Report From Agency

FINAL REPORT CLEARINGHOUSE RULE 08-007 CHAPTER PI 31 GRANTS FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATEHAMTICS PROGRAMS

Analysis by the Department of Public Instruction

Statutory authority: s. 227.11 (2) (a), Stats.

Statute interpreted: s. 115.28 (46), Stats.

Explanation of agency authority:

Section 227.11 (2) (a), Stats., gives an agency rule-making authority to interpret the provisions of any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute.

Section 115.28 (46), Stats., is a new grant program created under 2007 Wisconsin Act 20, that provides \$61,500 annually to school districts for science, technology, engineering, and mathematics programs.

Because this is a grant program, rules need to be in place so applicants know what criteria are being used in the awarding of funds.

The department will promulgate these rules as emergency rules effective January 30, 2008, in order to establish application criteria and procedures in time for the program to operate in the second semester of the school year.

Related statute or rule: None.

Plain language analysis:

2007 Wisconsin Act 20, the biennial budget bill, created a new competitive grant program under s. 115.28 (46), Stats., appropriating \$61,500 annually for school districts to: 1) develop innovative instructional programs in science, technology, engineering and mathematics; 2) support pupils who are typically under-represented in these subjects; and 3) increase the academic achievement of pupils in those subjects.

A new rule chapter must be created to implement this grant program.

Emergency rules were promulgated effective January 30, 2008, in order to establish application criteria and procedures in time for the program to operate in the second semester of the school year.

Summary of, and comparison with, existing or proposed federal regulations: N/A.

Comparison with rules in adjacent states:

Illinois – does not currently have a rule relating to grant programs for STEM. It does have a rule that awards grants to school districts to provide classroom computers and student lap tops.

Minnesota, Iowa and Michigan do not have rules relating to grant programs for STEM.

Summary of factual data and analytical methodologies:

Wisconsin faces the challenge of developing an economy that is more knowledge based than is presently the case. Encouraging a significantly higher number of students to consider careers in science, technology, engineering and math (STEM) could be an important step in remedying this situation. Equally important, given STEM-related advances and the influence of those advances on the economy, there is a great need for all Wisconsin students to have a solid foundation in these areas of study. Finally and perhaps most critically, there are troublesome participation gaps in STEM that have the potential to widen the achievement gap if they are not successfully addressed.

Section 115.28 (46), Stats., allows grants to be awarded to school districts to, in part, increase the participation of underserved students and the academic achievement of pupils in STEM. In order to overcome some of the issues resulting in achievement and participation gaps in STEM courses and career pursuits, and to better prepare Wisconsin students for meaningful careers in STEM-related fields, the rules expand the definition of “academic achievement” to include the achievement of pupils in STEM courses, career or technical applications.

Because 2007 Wisconsin Act 20 creating this grant program became effective October 27, 2007, the rule established an application deadline of February 15 to expedite the awarding of funds in 2007-08. In subsequent years, applications will be due May 1 to coincide with application timelines established for other grants awarded by the department.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report: N/A.

Anticipated costs incurred by private sector: N/A.

Effect on small business:

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

Agency contact person: (including email and telephone)

Sharon Wendt, Director, Career and Technical Education, (608) 267-9251, sharon.wendt@dpi.state.wi.us.

Place where comments are to be submitted and deadline for submission:

The department published a hearing notice in the *Administrative Register* which included this information.

Public hearings to consider the emergency and proposed permanent rule were conducted by the department on March 18 and 21, 2008, in Madison. Persons were asked to register in favor, generally in favor (except for . . .), against, generally against (except for . . .), or for information only.

Madison Hearing, March 18, 2008

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Blanche Emerick	UW-Madison School of Education			X

Madison Hearing, March 21, 2008

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
None				

The following persons submitted written testimony:

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
None				

Summary of public comments, the agency's response to those comments, and changes made as a result of those comments: The department received no public comment on these rules.

Changes made as a result of oral or written testimony: None.

Changes to the analysis or the fiscal estimate: None.

Responses to Clearinghouse Report:

5. Clarity, Grammar, Punctuation and Plainness:

a. To clarify that “pupils who are typically under-represented in STEM” refers to pupils under-represented in courses, careers, or technical applications, the definition under s. PI 31.02 (3), has been modified to read:

“Pupils who are typically under-represented in STEM” means pupils who are female, pupils who are English language learners, pupils with disabilities, pupils who are eligible for free or reduced-price lunch under 42 U.S.C. 1758 (b), or minority group pupils who are typically under-represented in STEM courses, careers, or technical applications.

b. To clarify that programs can focus on any or all of the under-represented groups, “or” has been added to the definition under s. PI 31.02 (3). (See above).

c. Under s. PI 31.02 (3), the terms “pupils of color” and “economically disadvantaged” have been changed to “minority group pupils” and “pupils who are eligible for free or reduced-price lunch under 42 U.S.C. 1758 (b).”

d. Under s. PI 31.03 (2) (a), the last sentence has been modified to read: “At least one activity *under this paragraph* shall directly involve pupils.” (Emphasis added). The intent is to ensure that the money will be used to provide direct pupil activities and will not be used only for teachers’ salaries. Including this provision under s. PI 31.03 (2) clarifies that this is a component that must be met in order to receive funds.

e. “Collaboration” means to work together, especially in a joint intellectual effort. There must be a description of such an effort, but no formal written agreement needs to be in place. Collaboration is required because other entities may better provide appropriate role models and additional opportunities to engage pupils in STEM activities. Under s. PI 31.03 (2) (c) 5., a Cooperative Educational Service Agency has been added as potential entity for collaboration.

f. The reference to the 2008 initial grant has been deleted as it was referenced in the emergency rule but is not necessary to include in the permanent rule for future grants. However, for clarification, s. PI 31.03 (1) has been modified to read: “Annually by May 1, prior to the school year of implementation, school districts may apply . . .” and s. PI 31.04 (3) has been modified to read: “No later than March 20 of the school year in which the STEM program is implemented, the department shall . . . award funds as determined under this section.”

FINAL REGULATORY FLEXIBILITY ANALYSES

Summary of Final Regulatory Flexibility Analysis:

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114(1)(a), Stats.

Summary of Comments:

No comments were reported.