

Wisconsin Department of Public Instruction

**STATEMENT OF SCOPE
FOR ADMINISTRATIVE RULES**

GENERAL INFORMATION

Rule No.: PI 34

Relating to: Updates to License Revocation, Reinstatement and Denial

Rule Type: Permanent

NARRATIVE

Pursuant to *Coyne v. Walker*, the Department of Public Instruction is not required to obtain the Governor's approval for the statement of scope for this rule. *Coyne v. Walker*, 368 Wis.2d 444.

1. Finding/nature of the emergency (Emergency Rule only).

N/A

2. A description of the objective of the proposed rule.

The Department's proposed rule will update Subchapter XII of chapter PI 34 to update the process the Department uses to investigate and deny or revoke teaching licenses.

3. A description of the existing policies and new policies included in the proposed rule and an analysis of policy alternatives.

PI 34 contains the current administrative rules governing the licensure of school personnel. Section PI 34.35, Wis. Admin. Code, provides the procedures for revocation, reinstatement and denial of school personnel licensure. The Department's proposed rule will modify PI 34 to make the process more efficient, transparent, and equitable. Without a rule change, the Department will continue using the existing process.

4. The statutory authority for the proposed rule.

115.28 General duties. The state superintendent shall:

(7) Licensing of teachers.

(a) License all teachers for the public schools of the state; make rules establishing standards of attainment and procedures for the examination and licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.191, 118.192, 118.193, 118.194, and 118.195; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, beginning on July 1, 2012, and annually thereafter, each teacher preparatory program located in this state shall submit to the department a list of individuals who have completed the program and who have been recommended by the program for licensure under this subsection, together with each individual's date of program completion, from each term or semester of the program's most recently completed academic year; file in the state superintendent's office all papers relating to state teachers' licenses; and register each such license.

115.31 License or permit revocation; reports; investigation.

(2) Except as provided under sub. (2g), after written notice of the charges and of an opportunity for defense, any license granted by the state superintendent may be revoked by the state superintendent for incompetency or immoral conduct on the part of the licensee.

(8) The state superintendent shall promulgate rules to implement and administer this section.

5. An estimate of the amount of time agency employees will spend developing the proposed rule and of other resources needed to develop the rule.

The amount of time needed for rule development by Department staff and the amount of other resources necessary are indeterminate.

6. A description of all of the entities that will be affected by the proposed rule.

This rule change could impact individuals with a teaching license or those seeking a teaching license under s. 115.28 (7) (a), Stats.

7. A summary and preliminary comparison of any existing or proposed federal regulation that addresses or is intended to address the activities to be regulated by the proposed rule.

N/A

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses).

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

Contact Information

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