

Wisconsin Department of Public Instruction

**STATEMENT OF SCOPE
FOR ADMINISTRATIVE RULES**

GENERAL INFORMATION

Rule No.: PI 27

Relating to: Flexibilities for school districts

Rule Type: Emergency

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).

An emergency rule is necessary in order to provide additional flexibilities for affected school districts before the start of the 2018-19 school year.

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

The objective of the proposed rule is to amend PI 27 to provide additional flexibilities for school districts in cities of the first class that are identified under s. 115.385 (1) (b) 4. or 5., Stats., in the prior school year.

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

PI 27 was promulgated to establish procedures for school boards to use in requesting that a school term commence prior to September 1, and also establishes criteria used for the Department in determining whether an extraordinary reason exists for granting such a request. Currently, there are no criteria around flexibilities for school districts in cities of the first class that are identified under s. 115.385 (1) (b) 4. or 5., Stats., to add additional learning time to improve academic performance. Therefore, a rule change is needed. Without a rule, the Department will continue to administer the rules relating to the commencement of the school term as they currently exist in ch. PI 27.

4. The statutory authority for the proposed rule.

The Department is given authority under s. 118.045, Stats., to promulgate rules to implement the statutes relating to the commencement of the school term.

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.

School districts located in cities of the first class that are identified under s. 115.385 (1) (b) 4. or 5., Stats., may be impacted by this rule.

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

Contact information

Carl Byran
Policy and Budget Team
(608) 267-9127
Adminrules@Dpi.Wi.Gov