

WISCONSIN STATE  
LEGISLATURE  
COMMITTEE HEARING  
RECORDS

1997-98

(session year)

Senate

(Assembly, Senate or Joint)

Committee on  
Education  
(SC-Ed)

File Naming Example:

Record of Comm. Proceedings ... RCP

➤ 05hr\_AC-Ed\_RCP\_pt01a

➤ 05hr\_AC-Ed\_RCP\_pt01b

➤ 05hr\_AC-Ed\_RCP\_pt02

NOTICES ...

➤ Committee Hearings ... CH (Public Hearing Announcements)

➤ \*\*

➤ Executive Sessions ... ES

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Record of Comm. Proceedings ... RCP

➤ \*\*

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INFORMATION COLLECTED BY COMMITTEE  
CLERK FOR AND AGAINST PROPOSAL

➤ Appointments ... Appt

➤ \*\*

Name:

➤ Clearinghouse Rules ... CRule

**97hr\_CRule\_96-059\_SC-  
Ed\_pt01**

➤ Hearing Records ... HR (bills and resolutions)

➤ \*\*

➤ Miscellaneous ... Misc

**CALVIN J. POTTER**  
State Senator



## Wisconsin State Senate

### MEMO

**TO:** Senate Education Committee Members

**FROM:** Cal Potter, Chair

**RE:** Clearinghouse Rules 96-059, 96-060, and 96-061

**DATE:** June 27, 1996

We have received three Clearinghouse Rules from the Department of Public Instruction, which are attached for your review. If you would like to request a hearing on any of the proposed rules, please contact me or Paul Rusk in my office no later than Thursday, July 11.

Thank you.

**NOTICE OF RULES IN FINAL DRAFT FORM**

NOTICE IS HEREBY GIVEN To the presiding officers of each house of the legislature that the proposed rules are in final draft form according to the procedure set forth in s. 227.19, Stats.

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

The state superintendent of public instruction hereby proposes to amend PI 19.02(6), PI 19.03(3), (4)(intro.), (6)(intro.), and (9)(intro.), PI 19.04(2)(intro.), (3)(intro.) and (6) and PI 19.05(1)(a), and to create PI 19.04(4)(d), relating to education for school age parents.

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**ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION**

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

Statute interpreted: s. 115.92, Stats.

The proposed rules make several modifications to the education for school age parents program. The proposed rule:

- Clarifies that nurses serving in the program must be registered.
- Clarifies that pupil services personnel, in addition to teachers, may participate in the program and may provide instruction within their respective areas of expertise.
- Eliminates the requirement that program evaluations must be submitted to the department. Accountability of program effectiveness will be maintained through newly established and streamlined evaluation and report formats. This new format will eliminate the need for school districts to submit narrative evaluations on an annual basis.
- Clarifies that placement options for participating pupils is determined by the district. Current rules imply that a participating pupil determines which option he or she will be placed and that school districts must maintain all program options for the pupil to select from.
- Clarifies that program placement options are to be discussed in a meeting with the pupil, family, and appropriate school staff.
- Allows pupil services personnel who provide instructional services under the program to be eligible for categorical aid reimbursement.

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**SECTION 1.** PI 19.02(6) is amended to read:

PI 19.02(6) "Pupil services personnel" means school psychologists, school social workers, and school counselors licensed under ch. PI 3; and registered nurses licensed through the department of regulation and licensing serving the schools employed by the school district or CESA.

**SECTION 2.** PI 19.03(3), (4)(intro.), (6)(intro.), and (9)(intro.) 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, ~~estimated salaries,~~ and anticipated costs of the program. Annually following completion of the approved program, the board, CESA, or fiscal agency for an agreement under s. 66.30, Stats., shall submit a report to

the department indicating actual costs, 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.

(4) (intro.) All teachers and pupil services personnel in the school age parent program shall hold a Wisconsin license ~~to teach~~ within their respective field of practice. All teachers and pupil services personnel providing instruction in the areas specified under sub. (6)(f), shall have earned at least 9 semester credits selected from the following:

(6)(intro.) The ~~program~~ services provided include:

(9)(intro.) At least annually, the board shall evaluate the program for purposes of determining the effectiveness of the program and the need for modifications to the program. ~~Copies of the evaluation shall be provided to the department.~~  
The evaluation shall examine the extent to which the following were accomplished:

SECTION 3. PI 19.04(2)(intro.), (3)(intro.) and (6) are amended to read:

PI 19.04(2)(intro.) Prior to offering enrollment in the school age parent program, the program coordinator ~~shall~~ may:

(3)(intro.) Upon determination that a pupil is eligible to enroll in a school age parent program, the program coordinator shall inform the pupil that participation in the program is voluntary ~~and the pupil may select from the following placement options~~; Placement options may include any of the following:

(6) When a pupil ceases his or her participation in the school age parent program prior to graduation from high school, the program coordinator shall develop a plan for the transition to the regular school program, if needed.

SECTION 4. PI 19.04(4)(d) is created to read:

PI 19.04(4)(d) Placement options under sub. (3).

SECTION 5. PI 19.05 (1)(a) is amended to read:

PI 19.05(1)(a) Salaries for instruction by teachers, and instructional aides, and pupil services personnel. Salaries for aides for home study programs are not reimbursable;

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 24<sup>th</sup> day of June, 1996

John T. Benson /s/  
John T. Benson  
State Superintendent

**FISCAL ESTIMATE**

DOA-2048 (R10/92)

ORIGINAL       UPDATED  
                                     

LRB or Bill No./Adm. Rule No.  
 Ch. PI 19  
 Amendment No. if Applicable

**Subject**  
 Education for School Age Parents

**Fiscal Effect**  
 State:  No State Fiscal Effect  
 Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Increase Costs—May be possible to Absorb Within Agency's Budget       Yes       No  
 Decrease Costs

**Local:**  No local government costs

1.  Increase Costs  
 Permissive       Mandatory

2.  Decrease Costs  
 Permissive       Mandatory

3.  Increase Revenues  
 Permissive       Mandatory

4.  Decrease Revenues  
 Permissive       Mandatory

5. Types of Local Governmental Units Affected:  
 Towns       Villages       Cities  
 Counties       Others \_\_\_\_\_  
 School Districts       VTAE Districts

**Fund Sources Affected**  
 GPR     FED     PRO     PRS     SEG     SEG-S

**Affected Ch. 20 Appropriations**

**Assumptions Used in Arriving at Fiscal Estimate**

The proposed rules make several modifications to the education for school age parents program, including allowing the costs for pupil services personnel who provide instructional services under the program to be eligible for categorical aid reimbursement.

Under the program, reimbursement for school district costs for salaries of teachers and instructional aides, special transportation and other expenses approved by the department for the education of school age parents comes from the appropriation under s. 20.255(2)(b), Stats., (handicapped aids). In recent years, this ch. 20 appropriation has been insufficient to pay the full amount of aid that school districts are entitled to under s. 115.93(1), Stats. Therefore, as provided in statute, reimbursement to school districts for costs incurred under the school age parent program have been prorated. The current level of prorated reimbursement for this program is approximately 40% of incurred costs.

Because the handicapped aid appropriation does not increase in the 1996-97 fiscal year and because proposed rules will add to the costs eligible for reimbursement under the school age parent program in FY 97, it is assumed that the overall reimbursement rate for handicapped education and school age parent programs will decrease. It should be noted, however, that the rules will benefit those school districts which currently offer a school age parent program through staff whose costs may not be reimbursed by allowing pupil services staff to be partially reimbursed.

The proposed rules will have no fiscal effect on the department.

**Long-Range Fiscal Implications**

<p><b>Agency/Prepared by: (Name &amp; Phone No.)</b>                  Department of Public Instruction                  Lori Slauson (608) 267-9127</p>	<p><b>Authorized Signature/Telephone No.</b>                    Faye J. Stark (608) 266-1966</p>	<p><b>Date</b>                  3-26-96</p>
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**FINAL REPORT  
CLEARINGHOUSE RULE 96-059  
CHAPTER PI 19  
- 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: s. 115.92, Stats.

The proposed rules make several modifications to the education for school age parents program. The proposed rule:

- Clarifies that nurses serving in the program must be registered.
- Clarifies that pupil services personnel, in addition to teachers, may participate in the program and may provide instruction within their respective areas of expertise.
- Eliminates the requirement that program evaluations must be submitted to the department. Accountability of program effectiveness will be maintained through newly established and streamlined evaluation and report formats. This new format will eliminate the need for school districts to submit narrative evaluations on an annual basis.
- Clarifies that placement options for participating pupils is determined by the district. Current rules imply that a participating pupil determines which option he or she will be placed and that school districts must maintain all program options for the pupil to select from.
- Clarifies that program placement options are to be discussed in a meeting with the pupil, family, and appropriate school staff.
- Allows pupil services personnel who provide instructional services under the program to be eligible for categorical aid reimbursement.

Public hearings to consider the proposed rule were conducted by the department on May 15 and 21, 1996, in Madison and Wausau, respectively. Persons were asked to register in favor, generally in favor (except for . . .), against, generally against (except for . . .), or for information only.

*Madison Hearing, May 15, 1996*

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Senn Brown	Wis. Assn. of School Boards		X	
Katie Stout	Wis. Education Assoc. Council		X	

*Wausau Hearing, May 21, 1996*

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Carmon Stencil	Wausau School District	X		

*The following persons submitted written testimony:*

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Dot Lingren	Self	X		

*Changes made as a result of oral or written testimony:*

The definition of "pupil services personnel" under s. PI 19.02(6) has been modified to clarify that such personnel may be employed by the school district or CESA.

*Responses to Clearinghouse Report:*

5. Clarity, Grammar, Punctuation and Plainness:

a. Only registered nurses licensed through the department of regulation and licensing or the DPI may receive reimbursement for participation in the program. Nurses otherwise registered may participate in the program, but may not receive reimbursement.

Again, programs may use individuals who do not hold a Wisconsin license. However, programs using such individuals may not be reimbursed under the program.

The definition of "pupil services personnel" under s. PI 19.02(6) has been modified to clarify that school psychologists, school social workers, and school counselors must be licensed under ch. PI 3. Registered nurses must be licensed through the Department of Regulation and Licensing.

Language has been added to the end of the sentence of s. PI 19.03(4)(intro.) to clarify that the required teacher license be in the field of practice.

b. These rules provide for school district flexibility and are not significant enough to cause implementation problems. The rules should go into effect the summer before the 1996-97 school year begins.

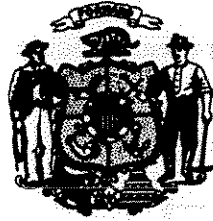
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**CLEARINGHOUSE REPORT TO AGENCY**

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[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 96-059**

AN ORDER to amend PI 19.02 (6), 19.03 (3), (4) (intro.), (6) (intro.) and (9) (intro.), 19.04 (2) (intro.), (3) (intro.) and (6) and 19.05 (1) (a); and to create PI 19.04 (4) (d), relating to education for school age parents.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

03-27-96      RECEIVED BY LEGISLATIVE COUNCIL.  
04-16-96      REPORT SENT TO AGENCY.

RS:RW;jt;wu



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## CLEARINGHOUSE RULE 96-059

### 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 October 1994.]**

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

a. The agency may wish to indicate the intended purpose of requiring that nurses serving in the school age parents program be "registered." Does this, for example, preclude the participation in the program of a nurse who is not registered? Also, under s. PI 19.03 (4) (intro.), is it intended that only Wisconsin licensed personnel may be engaged in the program? Does the reference to "license" refer to any license, or only to a license issued by the Department of Public Instruction? The agency may wish to add language to the end of the sentence to clarify that the required license is in the field of practice.

b. The agency may wish to include an initial applicability provision in the rule to ease administrative implementation of the new rule.