

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

➤ **

INFORMATION COLLECTED BY COMMITTEE
CLERK FOR AND AGAINST PROPOSAL

➤ Appointments ... Appt

➤ **

Name:

➤ Clearinghouse Rules ... CRule

**97hr_CRule_96-061_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 repeal PI 32.01(6), PI 32.03(2)(d), PI 32.06(1)(e), PI 32.06(2)(a) to (h), PI 32.08(5), PI 32.12, PI 32.13(3)(b) and (c); to renumber PI 32.03(2)(e) to (h); to renumber and amend PI 32.13(3)(d) and (e), to amend PI 32.01(2), PI 32.02(9), (13) and (14), PI 32.03(1)(intro.), (a), and (c) to (e), PI 32.03(2)(b), (e) and (f), PI 32.04(1), PI 32.05(1), PI 32.06(intro.), (1)(intro.), and (a), PI 32.06(2)(intro.), PI 32.07(5), PI 32.08(1), PI 32.08(2)(a)4, PI 32.11(2)(b); to repeal and recreate PI 32.05(2)(a) to (d), PI 32.06(3) to (9), PI 32.07(2), PI 32.08(4), and PI 32.09(3); and to create PI 32.09(2)(c), and PI 32.10(2)(d), relating to AODA programs.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 115.36(3)(a)5, 115.361(2)(c), 115.361(5)(c), 115.362(5) and 227.11(2)(a), Stats.

Statute interpreted: ss. 115.36(1) and (3), 115.361(2), (3), (4), and (5), and 115.362(2), Stats.

The proposed rules make several minor modifications to the various alcohol and other drug abuse (AODA) grant programs under ch. PI 32 in order to make the rules more flexible and consistent with statutes that established the programs. Major modifications include:

- Clarifying how AODA prevention affects other health and safety problems and concerns by including the phrase "health and safety problems or concerns."
- Changing the general requirements for AODA program policies. Grant participants will now be required to explain how their program will operate consistent with state and federal law rather than require the participants to ensure compliance with requirements specified in rule. Examples of applicable state law are given in the rule.
- Eliminating some of the general application requirements for all AODA grant programs as they relate to the required outline and description information. For instance, 1) The outline no longer requires a list of personnel involved and materials to be used (this information is already available in the application's budget) and 2) The description no longer requires a list of quantifiable data used to determine the extent to which the program objectives were met (this will allow grant applicants greater flexibility in choosing evaluation methods).
- Eliminating or modifying some provisions relating to the state superintendent's review of AODA grant applications.
- Eliminating or modifying the requirements for a comprehensive K-12 AODA program, including eliminating the specific criteria previously required for a comprehensive K-12 AODA policy. Instead, allow grant participants to determine policy contents.
- Eliminating specific training, knowledge and skill requirements for an AODA program coordinator. Instead, allow the grant participant to decide what training will be required for the coordinator.
- Eliminating or modifying specific application requirements under the various AODA grant categories.

- Eliminating the criteria used to determine comparable training required for an officer to offer drug abuse resistance education (DARE). The comparable training currently listed in the rule is subject to change as determined by DARE America. Therefore, the rule will give an explanatory note describing how the reader may obtain more information regarding training.
- Eliminating specific DARE curriculum requirements. Again, curriculum requirements currently listed in the rule are subject to change as determined by DARE America.
- Defining the enrollment size of small, medium and large districts under the grants for families and schools together program.
- Eliminating the school counselors, psychologists and social workers program since the program has already been eliminated in statute.
- Having the state superintendent's advisory council advise him or her on related health and safety issues and programs as well as AODA issues and programs.

SECTION 1. PI 32.01(2) is amended to read:

PI 32.01(2) Section 115.361(2), Stats., which allows a school board to apply to the state superintendent for a grant not to exceed \$50,000 to fund the costs of contracting with a city or county law enforcement agency to provide drug abuse resistance education to pupils enrolled in grades ~~5 through 8~~ 3 to 9.

SECTION 2. PI 32.01(6) is repealed.

SECTION 3. PI 32.02(9), (13) and (14) are amended to read:

PI 32.02(9) "Intervention" means efforts to respond to and provide appropriate assistance to students who demonstrate behaviors of concern which may indicate an experiencing health and safety problems including alcohol and other drug abuse problem or who seek help for such problems themselves.

(13) "Prevention" means efforts to provide pupils appropriate information and developmental experiences necessary to make personally and socially responsible decisions regarding their own alcohol and other drug use and non-use; and other health and safety factors and to cope effectively with the personal and social results of health and safety decisions made by others regarding use.

(14) "Pupil assistance program," also referred to as a student assistance program, means an alcohol and other drug abuse support program involving pupils with health and safety problems and concerns in individual or group settings operating under conditions established by school board policy, rules and responsibilities.

SECTION 4. PI 32.03(1)(intro.), (a) and (c) to (e) are amended to read:

PI 32.03 GENERAL REQUIREMENTS. (1) AODA PROGRAM POLICIES. A school board conducting an AODA program shall establish policies and procedures which meet the following requirements: that clearly articulate how the program will operate consistent with applicable state and federal laws. In developing policies under this subsection, a school board may consider requiring the following:

- (a) Ensure that That administrators and teachers designated to engage in AODA programs under s. 118.126, Stats., have

received appropriate training and are aware of the requirements of s. 118.126, Stats.

(c) ~~Ensure that That~~ school administrators, principals, pupil services professionals and teachers employed by the school board are aware of the provisions under s. 118.257, Stats., pertaining to liability for referral to police, when referring pupils to law enforcement authorities for removal from school grounds or school sponsored activities as a result of suspicion of possession or consumption of an alcoholic beverage or controlled substance.

(d) ~~Ensure that That~~ school administrators, principals, pupil services professionals and teachers employed by the school board are aware of the provisions of s. 118.258, Stats., pertaining to the prohibition of electronic communications devices and that pupils are annually provided with a copy of the board's rules pertaining to this prohibition.

(e) ~~Ensure that That~~ school administrators, principals, pupil services professionals and teachers employed by the school board are aware of the provisions of s. 120.12(19) (20), Stats., pertaining to prohibiting the use of all tobacco products on school premises.

SECTION 5. PI 32.03(2)(b), (e) and (f) are amended to read:

PI 32.03(2)(b) The name of the AODA program coordinator, and evidence that the AODA program coordinator meets the requirements under s. ~~PI 32.06(8) holds a current license issued by the department under ch. PI 3.~~

(e) An outline of the proposed program goals, objectives, activities, personnel to be involved, materials to be developed or acquired, and related timelines.

(f) A description of how the proposed program activities will be evaluated including ~~quantifiable data which will be used to determine the extent to which the program objectives were met which shall include qualitative, quantitative, or anecdotal data.~~

SECTION 6. PI 32.03(2)(d) is repealed.

SECTION 7. PI 32.03(2)(e) to (h) are renumbered PI 32.03(2)(d) to (g).

SECTION 8. PI 32.04(1) is amended to read:

PI 32.04(1) An 18 member council, selected from local educational agency staff, professionals in the AODA field and various related interest groups, shall be appointed by and advise the state superintendent concerning the administration of s. 115.36(3), Stats., and other matters related to AODA, health and safety, and other pupil service programs as the state superintendent requests.

SECTION 9. PI 32.05(1) is amended to read:

PI 32.05(1) The council under s. PI 32.04 shall review the applications submitted under s. PI 32.07 and any other applications under this chapter as requested by the state superintendent and make recommendations to the state superintendent regarding the school district applications. These recommendations shall be based on the criteria specified in sub. (2)(a) to (d) (c) and consideration of recommendations made by the county department of community programs.

SECTION 10. PI 32.05(2)(a) to (d) are repealed and PI 32.05(2)(a), (b) and (c) are recreated to read:

PI 32.05(2)(a) The extent to which the goals, objectives and activities relate to the purpose of the proposed program.

(b) The extent to which the proposed program activities will assist the district in meeting the requirements of s. PI 32.06.

(c) The local capacity to sustain program activities.

SECTION 11. PI 32.06(intro.), (1)(intro.), and (a) are amended to read:

PI 32.06(intro.) COMPREHENSIVE KINDERGARTEN THROUGH GRADE 12 ALCOHOL AND OTHER DRUG ABUSE PROGRAMS. Under s. 115.36(1), Stats., every public and private school is encouraged to develop AODA programs to prevent or ameliorate alcohol and other drug abuse among minors. Sections 115.36(3), 115.361(2), (3), and (5), (6) and 115.362(2), Stats., provide for grants to assist school districts in developing or supplementing AODA programs. An AODA program shall meet the requirements specified in s. PI 32.03(1) and consist of the following:

(1) ~~Alcohol~~ A comprehensive kindergarten through grade 12 alcohol and other drug abuse specific curriculum and instruction which meets all of the requirements of s. 118.01(2)(d)2.c. and 6, Stats., and which:

(a) ~~Is developmentally appropriate, sequential and mandatory at each grade level.~~

SECTION 12. PI 32.06(1)(e) is repealed.

SECTION 13. PI 32.06(2)(intro.) is amended to read:

PI 32.06(2)(intro.) A written school district policy which supports comprehensive alcohol and other drug abuse programming including pupil assistance programs, curriculum, instruction, staff development and youth oriented activities. The policies shall be widely publicized and include: ~~be in accordance with appropriate state and federal laws.~~

SECTION 14. PI 32.06(2)(a) to (h) are repealed.

SECTION 15. PI 32.06(3) to (9) are repealed and PI 32.06(3) to (8) are recreated to read:

PI 32.06(3) Programs for students including pupil assistance programs, peer programs, student clubs, and drug free alternatives.

(4) Programs for adults including staff development, employee assistance and wellness programs, and parent and community education.

(5) Integration of community resources and support services including, but not limited to, human services providers, private treatment providers, law enforcement officers, and judicial personnel.

(6) Access to a collaborative pupil service team made up of school counselors, social workers, nurses and psychologists.

(7) An AODA program coordinator who is provided with appropriate time and training.

(8) Ongoing monitoring, assessment and evaluation of AODA program activities.

SECTION 16. PI 32.07(2) is repealed and recreated to read:

PI 32.07(2) In addition to the grant application requirements under s. PI 32.03(2), the application shall include a description of the resources and funds necessary to implement the project and how the matching fund contribution of 20% required under s. 115.36(3)(c), Stats., will be met. Private and in-kind contributions may be applied to meet this requirement.

SECTION 17. PI 32.07(5) is amended to read:

PI 32.07(5) The county department of community programs may and the council shall submit an advisory recommendation to the state superintendent. ~~An advisory recommendation from the county department of community~~

programs must be received by the department not later than 5 days after the deadline for receipt of project proposals:

SECTION 18. PI 32.08(1) is amended to read:

PI 32.08(1) Under s. 115.361(2), Stats., a school board may apply to the state superintendent for a grant to fund the costs of contracting with a city or county law enforcement agency to provide drug abuse resistance education to pupils enrolled in grades 5 through 8 3 to 9. No grant may exceed \$50,000.

SECTION 19. PI 32.08(2)(a)4 is amended to read:

PI 32.08(2)(a)4 The law enforcement officer shall conduct 17 one-hour sessions which are, to the extent possible, held over 17 consecutive weeks, that include the number of lessons specified in the training program under s. PI 32.08(4).

SECTION 20. PI 32.08(4) is repealed and recreated to read:

PI 32.08(4) Law enforcement officers shall be trained in the delivery of the drug abuse resistance education program through the sheriff's department of a county having a population of 500,000 or more, or a program that provides comparable training as determined by DARE America.

NOTE: Information regarding comparable hours may be obtained by contacting the Training and Standards Bureau, Department of Justice, P.O. Box 7070, Madison, WI 53707-7070, (608) 267-6736.

SECTION 21. PI 32.08(5) is repealed.

SECTION 22. PI 32.09(2)(c) is created to read:

PI 32.09(2)(c) A budget which describes how grant funds will be used.

SECTION 23. PI 32.09(3) is repealed and recreated to read:

PI 32.09(3)(a) No grant may exceed \$50,000 for school districts with small and medium memberships, which includes districts with enrollments under 10,000.

(b) No grant may exceed \$70,000 for school districts with large memberships, which includes districts with enrollments of 10,000 or more.

SECTION 24. PI 32.10(2)(d) is created to read:

PI 32.10(2)(d) A budget which describes how grant funds will be used.

SECTION 25. PI 32.11(2)(b) is amended to read:

PI 32.11(2)(b) A description of the methods used to identify the pupils to be served in the program and the special skills and interests of the individual pupils to be served in the program and the methods used to help them develop those skills and interests.

SECTION 26. PI 32.12 is repealed.

SECTION 27. PI 32.13(3)(b) and (c) are repealed.

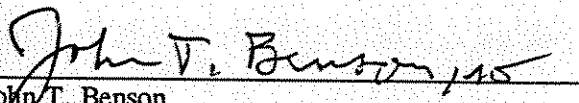
SECTION 28. PI 32.13(3)(d) and (e) are renumbered PI 32.13(3)(b) and (c) and as renumbered, PI 32.13(3)(c) is amended to read:

PI 32.13(3)(c) A description of budget that describes the resources and funds necessary to implement the proposed program including the associated administrative costs.

SECTION 29. NOTE TO REVISOR: Please eliminate the phrase "Bureau for Pupil Services" wherever it appears in notes throughout chapter PI 32.

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 24th day of June, 1996



John T. Benson
State Superintendent

FISCAL ESTIMATE

DOA-2048 (R10/92)

- ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

PI 32

LRB or Bill No./Adm. Rule No.

Amendment No. If Applicable

Subject
AODA Programs

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

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

Local: No local government costs

- | | |
|---|---|
| <p>1. <input type="checkbox"/> Increase Costs
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> <p>2. <input type="checkbox"/> Decrease Costs
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> | <p>3. <input type="checkbox"/> Increase Revenues
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> <p>4. <input type="checkbox"/> Decrease Revenues
 <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</p> |
|---|---|

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

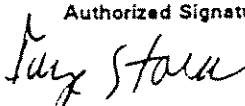
Assumptions Used in Arriving at Fiscal Estimate

The proposed rules allow for flexibility by eliminating many restrictive requirements under the various grant categories available under the alcohol and other drug abuse (AODA) program. Many of the general requirements have been eliminated as well.

It is assumed that the amendments to PI 32 will not result in any increased costs to school districts. In fact, the desired result is to make it easier for school districts to apply for funds under the AODA program.

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

Long-Range Fiscal Implications

<p>Agency/Prepared by: (Name & Phone No.) Department of Public Instruction Lori Slauson (608) 267-9127</p>	<p>Authorized Signature/Telephone No.  Faye Stark (608) 266-1966</p>	<p>Date 3-21-96</p>
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**FINAL REPORT
CLEARINGHOUSE RULE 96-061
CHAPTER PI 32
- AODA PROGRAMS -**

Analysis by the Department of Public Instruction

Statutory authority: ss. 115.36(3)(a)5, 115.361(2)(c), 115.361(5)(c), 115.362(5) and 227.11(2)(a), Stats.

Statute interpreted: ss. 115.36(1) and (3), 115.361(2), (3), (4), and (5), and 115.362(2), Stats.

The proposed rules make several minor modifications to the various alcohol and other drug abuse (AODA) grant programs under ch. PI 32 in order to make the rules more flexible and consistent with statutes that established the programs. Major modifications include:

- Clarifying how AODA prevention affects other health and safety problems and concerns by including the phrase "health and safety problems or concerns."
- Changing the general requirements for AODA program policies. Grant participants will now be required to explain how their program will operate consistent with state and federal law rather than require the participants to ensure compliance with requirements specified in rule. Examples of applicable state law are given in the rule.
- Eliminating some of the general application requirements for all AODA grant programs as they relate to the required outline and description information. For instance, 1) The outline no longer requires a list of personnel involved and materials to be used (this information is already available in the application's budget) and 2) The description no longer requires a list of quantifiable data used to determine the extent to which the program objectives were met (this will allow grant applicants greater flexibility in choosing evaluation methods).
- Eliminating or modifying some provisions relating to the state superintendent's review of AODA grant applications.
- Eliminating or modifying the requirements for a comprehensive K-12 AODA program, including eliminating the specific criteria previously required for a comprehensive K-12 AODA policy. Instead, allow grant participants to determine policy contents.
- Eliminating specific training, knowledge and skill requirements for an AODA program coordinator. Instead, allow the grant participant to decide what training will be required for the coordinator.
- Eliminating or modifying specific application requirements under the various AODA grant categories.
- Eliminating the criteria used to determine comparable training required for an officer to offer drug abuse resistance education (DARE). The comparable training currently listed in the rule is subject to change as determined by DARE America. Therefore, the rule will give an explanatory note describing how the reader may obtain more information regarding training.
- Eliminating specific DARE curriculum requirements. Again, curriculum requirements currently listed in the rule are subject to change as determined by DARE America.

- Defining the enrollment size of small, medium and large districts under the grants for families and schools together program.
- Eliminating the school counselors, psychologists and social workers program since the program has already been eliminated in statute.
- Having the state superintendent's advisory council advise him or her on related health and safety issues and programs as well as AODA issues and programs.

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
Judi Gunderman	Chippewa Falls Sch. District	X		
Daniel L. Hazaert	State Supts. Advisory Council	X		
Gail Knaack	Wausau School District	X		

The following persons submitted written testimony:

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Kay Nightingale	State Supts. Advisory Council	X		
Sue Today	Green Bay School District	X		

Changes made as a result of oral or written testimony:

The evaluation criteria under s. PI 32.03(2)(f) has been clarified. Program activities shall be evaluated using qualitative, quantitative or anecdotal data.

Responses to Clearinghouse Report:

2. Form, Style and Placement in Administrative Code:

- a. Recommendations accepted, changes made.
- b. Recommendations accepted, changes made.
- c. The treatment clause of SECTION 15 has been modified.

d. The rule language relating to DARE training currently reflects statutory language. Section 115.361(2)(bm), Stats., implies that training is to be provided by a sheriff's department having a population of 500,000 or more. Or law enforcement officers may receive comparable training. The department does not have the authority to set program training requirements for law enforcement agencies. The sheriff's department works directly with DARE America to determine comparable training.

Although the "training program under s. PI 32.08(4)" does not specify in rule the number of lessons that must be provided, the training program, itself, will specify the number of lessons to be offered as well as other program criteria.

- e. The reference to "ensures that the provisions under sub. (3) are met" has been eliminated.
- f. Recommendation accepted, change made.

4. Adequacy of References to Related Statutes, Rules and Forms:

An AODA coordinator may hold any license (teacher, administrator, school nurse, aide) issued by the department under ch. PI 3. A reference to ch. PI 3 has been included in s. PI 32.03(2)(b).

WISCONSIN LEGISLATIVE COUNCIL STAFF

LCRC
FORM 2

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 96-061

AN ORDER to repeal PI 32.01 (6), 32.03 (2) (d), 32.06 (1) (e) and (2) (a) to (h), 32.08 (5), 32.12, 32.13 (3) (b) and (c); to renumber PI 32.03 (2) (e) to (h); to renumber and amend PI 32.13 (3) (d) and (e); to amend PI 32.01 (2), 32.02 (9), (13) and (14), 32.03 (1) (intro.), (a) and (c) to (e) and (2) (b), (e) and (f), 32.04 (1), 32.05 (1), 32.06 (intro.), (1) (intro.) and (a) and (2) (intro.), 32.07 (5), 32.08 (1) and (2) (a) 4. and 32.11 (2) (b); to repeal and recreate PI 32.05 (2) (a) to (d), 32.06 (3) to (9), 32.07 (2), 32.08 (4) and 32.09 (3); and to create PI 32.09 (2) (c) and 32.10 (2) (d), relating to AODA programs.

Submitted by **DEPARTMENT OF PUBLIC INSTRUCTION**

03-27-96 RECEIVED BY LEGISLATIVE COUNCIL.
04-23-96 REPORT SENT TO AGENCY.

RS:MM:jt;wu

WISCONSIN LEGISLATIVE COUNCIL STAFF

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CLEARINGHOUSE RULE 96-061

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.]

2. Form, Style and Placement in Administrative Code

a. In the last sentence of s. PI 32.03 (1) (intro.), should "requiring" be inserted after "consider"? Also, the phrase "is encouraged to" should be replaced by the word "may."

b. In s. PI 32.06 (1) (intro.), the comma in the cite to s. 118.01 (2) (b) 2. c. should be eliminated and periods should be inserted where appropriate. [See s. 1.03 (5) and (6), Manual.] Also, following the amendment of this provision, the reference to s. 115.361, Stats., should read "115.361 (2), (3) and (5)."

c. The treatment clause of SECTION 15 states that sub. (9) is repealed and recreated. However, the rule does not actually recreate sub. (9).

d. Section PI 32.08 (4) is confusing. Specifically, the rule refers to a program that "provides comparable training as determined by DARE America." To what must the training be comparable? The rule appears to require that a program provide training comparable to that provided through the sheriff's department of a county having a population of 500,000 or more. However, the rule sets up no requirements for the training provided in such a county. Thus, the requirement that a different program provide comparable training is problematic. In addition, how does DARE America determine what type of training is comparable to the training provided through a sheriff's department of a county having a population of 500,000 or more? Finally, the reference to s. PI 32.08 (4) contained in s. PI 32.08 (2) (a) 4. is unclear because the "training program under s. PI 32.08 (4)" does not specify any number of lessons that must be provided.