



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 18-004

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

1. Statutory Authority

In the rule summary’s listing and explanation of statutory authority, consider revising the citation to s. 227.11 (2) (a), Stats. [s. 1.02 (2m) (a), Manual.]

2. Form, Style and Placement in Administrative Code

a. In the rule summary’s listing of statutes interpreted, consider adding a citation to s. 115.28 (9), Stats., if appropriate.

b. In s. PI 11.38 (3) (b) (intro.), the phrase “paragraph (3) (d)” should be revised to “par. (d)”, and the phrase “subsection (4) of this section” should be revised to “sub. (4)”. [s. 1.07 (2) (Table), Manual.]

a. In s. PI 11.38 (3) (c), the phrase “of this section” should be removed.

b. In s. PI 11.38 (3) (d), the phrase “par. (3) (a) of this section” should be revised to “par. (a)”.

c. In s. PI 11.38 (4) (b), the phrase “par. (3) (d) of this section” should be revised to “sub. (3) (d)”.

d. In s. PI 11.38 (6) (b), the phrase “paragraph (6) (a) of this section” should be revised to “par. (a)”.

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

- a. In s. PI 11.38 (6) (b), it is unclear why the student records law, 20 USC 1232g, is referenced.
- b. In s. PI 11.39 (1), it appears that the reference to 20 USC 1416 par. (e) should be to par. (f).

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

- a. In s. PI 11.38 (1) (c), the word “and” should be revised to “or”.
- b. In s. PI 11.38 (3) (b) 2. b., the word “learning” should not be capitalized.
- c. In s. PI 11.38 (5), in order to enhance clarity, delete the word “prior” and consider adding the word “immediately” before “preceding”.
- d. In s. PI 11.38 (7), the meaning of the final clause is unclear.