



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 21-095

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

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

In its description of statutes interpreted by the proposed rule, the agency should also consider citing s. 115.782 (4), Stats., which prescribes when local educational agencies must re-evaluate children with disabilities, as the proposed rule relates to the same subject matter.

6. Potential Conflicts With, and Comparability to, Related Federal Regulations

In its summary of, and comparison with, existing or proposed federal regulations, the agency refers to 20 U.S.C. 1401 (3) (A) and (B), which provide definitions of the phrase “child with a disability”. The agency should consider also referring to 20 U.S.C. 1414, which outlines re-evaluation procedures and criteria for eligibility as a child with a disability, both relevant to the proposed rule.