

**REPORT TO
LEGISLATIVE COUNCIL RULES CLEARINGHOUSE
GRANTS FOR TRIBAL LANGUAGE REVITALIZATION
PI 39, WISCONSIN ADMINISTRATIVE CODE**

Statute interpreted: Section 115.745, Stats.

Statutory authority: Sections 115.745 (3) and 227.11 (2) (a), Stats.

Explanation of agency authority:

Section 115.745 (3), Stats., requires the department to promulgate rules to implement and administer this program.

Section 227.11 (2) (a), Stats., gives an agency rule-making authority to interpret the provisions of any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute.

Court decisions directly relevant : None

Related statute or rule: N/A

Plain language analysis:

2009 Wisconsin Act 28, the biennial budget bill, created a new competitive grant program under s. 115.745, Stats., appropriating \$247,500 annually for a school board or cooperative educational service agency (CESA), in conjunction with a tribal education authority to apply to the department for a grant for the purpose of supporting innovative, effective instruction in one or more American Indian languages.

The proposed rule establishes criteria and procedures for awarding grants to eligible applicants. Rules must be in place as soon as possible to award grants in time for the upcoming school year. Therefore, emergency rules will be promulgated effective sometime in December 2009.

Summary of, and comparison with, existing or proposed federal regulations: N/A

Comparison with rules in adjacent states:

Illinois, Iowa, Michigan, and Minnesota do not have rules relating to grants for tribal language revitalization.

Summary of factual data and analytical methodologies:

Because 2009 Wisconsin Act 28 creating this grant program became effective June 30, 2009, the rule established an application deadline of January 29, 2010 to expedite the awarding of funds in 2009-10. In subsequent years, applications will be due March 1 to coincide with application timelines established for other grants awarded by the department.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report: N/A

Anticipated costs incurred by private sector: N/A

Effect on small business:

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

Agency contact person: (including email and telephone)

JP Leary, American Indian Studies Program Consultant, (608) 267-2283, jp.leary@dpi.state.wi.us.

Place where comments are to be submitted and deadline for submission:

The department will publish a hearing notice in the *Administrative Register* which will include this information.

Agency procedure for promulgation:

Notice to Legislative Council pursuant to s. 227.15, Stats., and proceeding under the ten day notice/hearing process pursuant to ss. 227.16 to 227.18, Stats.

Description of any forms (attach copies if available):

PI-9930 American Indian Language Revitalization Grant Application (draft).