

Report From Agency

REPORT TO THE LEGISLATURE

CLEARINGHOUSE RULE 10-096
WISCONSIN TECHNICAL COLLEGE SYSTEM BOARD
CHAPTER TCS 17, WIS. ADMIN. CODE

Submitted by:

Wisconsin Technical College System Board
4622 University Avenue
PO Box 7874
Madison, Wisconsin 53707-7874

October 6, 2010

**ORDER OF THE
WISCONSIN TECHNICAL COLLEGE SYSTEM BOARD
AMENDING RULE RELATED TO TRAINING PROGRAM GRANTS**

The Wisconsin Technical College System Board proposes an order to amend TCS 17.06 relating to training program grants.

**ANALYSIS PREPARED BY THE
WISCONSIN TECHNICAL COLLEGE SYSTEM BOARD**

- 1. Statutes interpreted:** Wis. Stats. § 20.292(1)(eh) and § 38.41
- 2. Statutory authority:** Wis. Stats. § 38.41
- 3. Explanation of agency authority:** Section 38.41(4), Stats., authorizes the technical college system board to promulgate rules to implement and administer the awarding of grants to technical college district boards to provide skills training or other education related to the needs of business.
- 4. Related statute or rule:** TCS 17.06
- 5. Plain language analysis:** TCS 17 relates to training grants for technical college districts that provide skills training or other education related to the needs of business. A 25% match is required as a condition of the grant awards. The proposed amendment would eliminate the match requirement.
- 6. Summary of, and comparison with, existing or proposed federal regulations:**
Not applicable
- 7. Comparison with rules in adjacent states:** Not applicable
- 8. Summary of factual data and analytical methodologies:** Not applicable
- 9. Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:** Not applicable
- 10. Effect on small business:** Positive effect -- without the 25% match requirement, small businesses may be better able to take advantage of the training or education funding opportunities provided by this grant. Small businesses may access training or education through the training program grants, but there is no mandated participation in the program.
- 11. Agency contact person:** Morna Foy, Executive Assistant, Wisconsin Technical College System, 4622 University Avenue, P.O. Box 7874, Madison, Wisconsin 53707-7874, telephone (608) 266-2449, e-mail morna.foy@wtcssystem.edu.

12. Place where comments are to be submitted and deadline for submission: A public hearing will be held and is tentatively scheduled for September 28, 2010. Written comments should be submitted by 4:00 pm on September 28, 2010 to Morna Foy at the Wisconsin Technical College System, 4622 University Avenue, PO Box 7874, in Madison, WI 53707-7874 or by email to morna.foy@wtcssystem.edu with a subject line of TCS 17.

TEXT OF RULE

SECTION 1. Section TCS 17.06 is amended to read:

TCS 17.06 CONDITIONS OF THE GRANT AWARD. ~~(1) District boards or employers receiving skills training or education under the grant shall contribute matching funds, other than in-kind matching funds, equal to at least 25% of total approved project costs.~~

(2) Grant award funds, ~~including matching funds,~~ may not be used for administration, marketing, or indirect costs.

(3) The board may establish limitations on the percentage of the grant award funds ~~and matching funds~~ that may be used to purchase or lease instructional materials, software, equipment or supply items and that may be used to fund staff development costs. Such limitations shall be specified in the grant guidelines approved by the board under TCS 17.03(2).

EFFECTIVE DATE

This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.

FINAL REGULATORY FLEXIBILITY ANALYSIS

Not applicable.

FISCAL ESTIMATE

The functions required by these rules can be absorbed within existing staff. Therefore, there is no fiscal effect on the agency.

CONTACT PERSON

Questions concerning these rules may be directed to Morna Foy, Executive Assistant, Wisconsin Technical College System, 4622 University Avenue, P.O. Box 7874, Madison, Wisconsin 53707-7874; telephone (608) 266-2449; e-mail morna.foy@wtcsystem.edu.

STATEMENT EXPLAINING THE NEED FOR THE PROPOSED RULE

TCS 17 relates to training grants that are awarded by the Wisconsin Technical College System (WTCS) Board to technical college districts to provide skills training or other education related to the needs of business. A 25% funding match is currently required as a condition of the grant award. The proposed rule amendment would eliminate that 25% match requirement so that businesses may be better able to take advantage of the training or education opportunities provided by the grant.

PUBLIC HEARING SUMMARY

A public hearing was held on September 28, 2010. No comments were received. No modifications to the rule were made.

RESPONSE TO THE LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS

The guidelines referred to in 17.06 (3) provide detailed processes for implementation of the Administrative Rules. As required under s. 227.10 Stats, the Board has promulgated statements of general policy and statutory interpretation as Administrative Rule.

FINAL REGULATORY FLEXIBILITY ANALYSIS AND ECONOMIC IMPACT REPORTS

None required.



**WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE**

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

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 10-096

AN ORDER to amend TCS 17.06, relating to training program grants.

Submitted by **TECHNICAL COLLEGE SYSTEM BOARD**

07-27-2010 RECEIVED BY LEGISLATIVE COUNCIL.

08-13-2010 REPORT SENT TO AGENCY.

RNS:DWS

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO
2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO
3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO
4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]
Comment Attached YES NO
5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO
6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO
7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO



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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 September 2008.]

2. Form, Style and Placement in Administrative Code

Current s. TCS 17.06 (3), which is amended by the proposed rule, references grant guidelines approved by the board that relate to limitations on use of grant funds for specified items. If these guidelines come within the requirements of s. 227.10 (1), Stats., they should be promulgated as rules.