

Clearinghouse Rule 14-022

PROPOSED ORDER OF THE WISCONSIN TECHNICAL COLLEGE SYSTEM BOARD REPEALING AND RECREATING RULE RELATING TO CERTIFICATION OF PERSONNEL

The Wisconsin Technical College System Board proposes an order to repeal and recreate TCS 3 related to Certification of Personnel: Requirements and Procedures. The scope statement for this rule, SS 088-13, was approved by the Governor on July 18, 2013, and published in Register No. 692 on August 14, 2013.

ANALYSIS PREPARED BY THE WISCONSIN TECHNICAL COLLEGE SYSTEM BOARD

1. **Statutes interpreted:** Wis. Stats. § 38.04 (4)
2. **Statutory authority:** Wis. Stats. § 38.04 (4)
3. **Explanation of agency authority:** Wis. Stats. § 38.04 (4), Stats., states that the qualifications of educational personnel shall be approved by the technical college system board.
4. **Related statute or rule:** Wis. Stats. § 38.12 (3)(b), Stats.
5. **Plain language analysis:** The Wisconsin Technical College System (WTCS) recently reviewed Chapter TCS 3 of the Wis. Admin. Code, entitled Certification of Personnel: Requirements and Procedures, to ensure that the process is efficient for both the System and its colleges while maintaining a high quality process that supports the statutory responsibilities of the WTCS Board. TCS 3, which was last amended in 1993, establishes the standards and procedures for implementation of a personnel certification system.
6. **Summary of, and comparison with, existing or proposed federal regulations:** There are no federal rules regarding certification of technical college personnel.
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:** None
11. **Agency contact person:** Nancy A. Merrill, Senior Policy Advisor and Federal Relations Officer, Wisconsin Technical College System, 4622 University Avenue, P.O. Box 7874,

Madison, Wisconsin 53707-7874, telephone (608) 267-9514, e-mail nancy.merrill@wtcsystem.edu.

12. **Place where comments are to be submitted and deadline for submission:** Comments may be submitted to the agency contact person listed above. Deadline for submission will be established in conjunction with the public hearing. A public hearing will be scheduled.

TEXT OF NEW RULE

CHAPTER TCS 3

Certification of Personnel: Requirements and Procedures

TCS 3.01	Purpose and Applicability
TCS 3.02	Definitions
TCS 3.03	Documentation and Instructor Credentials
TCS 3.04	Instructor Requirements
TCS 3.05	Faculty Quality Assurance System
TCS 3.06	Review of district compliance

TCS 3.01 Purpose and application. (1) PURPOSE. The purpose of this chapter is to establish standards and procedures pursuant to s. 38.04(4)(a), Stats., for the approval of minimum requirements for district educational personnel who provide instruction in courses that apply to a degree or adult basic education.

(2) APPLICABILITY. This chapter applies to all district instructors teaching courses that apply to a degree or adult basic education. It does not apply to instructors teaching adult continuing education or community service/avocational courses listed under aid code 42, 47 or 60.

TCS 3.02 Definitions. In this chapter:

(1) "Academic instructor" means a person teaching one or more courses in academic subjects such as mathematics, social science, English, communications, and science where the knowledge and skills taught are obtained by the instructor through collegiate preparation.

(2) "Accredited" means official recognition as a public or private educational institution by an accrediting agency recognized by the U.S. Department of Education.

(3) "Board" means the Wisconsin Technical College System Board.

(4) "Currency" means ongoing engagement in assigned occupational or academic area(s) that ensure instructors meet the most recent standards of practice for professions associated with their assigned content areas.

(5) "Director" means the person appointed as the System President by the Board under s. 38.04(2), Stats.

(6) "District" means a technical college district established under ch. 38, Stats.

(7) "District board" means the district board in charge of the technical colleges of a district.

(8) "District director" means the person employed by a district board under s. 38.12(3)(a)1, Stats.

(9) "Employed full-time" means employed by a district as an academic or occupational instructor in a position that qualifies as full-time according to district policy or standards.

(10) "Employed part-time" means employed by a district as an academic or occupational instructor in a position that qualifies as part-time according to district policy or standards.

(11) "Faculty Quality Assurance System" means the system used to ensure compliance under this chapter.

(12) "Occupational instructor" means a person employed by a district to teach one or more courses that are vocational or technical in nature and that apply toward a degree.

(13) "Postsecondary degree granting institution" means a public or private educational institution awarding an associate, baccalaureate, or graduate degree.

(14) "Higher Learning Commission" means the independent corporation that accredits degree-granting post-secondary educational institutions in the North Central region, thereby granting accredited institutions membership in the Commission and in the North Central Association.

(15) "Subject matter expert" means an individual with scientific, technical, or other specialized knowledge in a specific subject matter, profession or field of study exhibited by or obtained through knowledge, skill, experience, training, education, or a combination thereof.

(16) "Verifiable occupational experience" means occupational experience that is, at a minimum, documented by a district director's or designee's reference check.

TCS 3.03 District documentation of instructor credentials. Prior to being assigned to teach any course, a person employed by a district as an academic or occupational instructor shall provide to the district director or designee:

(1) Official transcripts of undergraduate and graduate credits from accredited institutions to document compliance with educational requirements under this chapter.

(2) Copies of professional or occupational licenses required by a state or federal agency for employment in the occupation or profession.

(3) Verification from accredited institutions of appropriate teaching experience.

(4) Verification of required occupational experience for occupational instructors.

TCS 3.04 Instructor requirements. (1) Each academic and occupational instructor shall meet applicable requirements established by the Higher Learning Commission and federal and state licensing requirements.

(2) Each occupational instructor also shall have a minimum of two years (4,000 hours) of occupational experience in a target job for the program(s) being taught, of which at least one year (2,000 hours) shall be within five years prior to the date of appointment. One year (2,000 hours) of related occupational experience may be waived if the occupational instructor has at least two years of post-secondary teaching experience in the appropriate occupational field within five years prior to the date of appointment (two years of post-secondary teaching experience means eight semesters of part-time teaching or four semesters of full-time teaching at an accredited institution).

(3) An exception to the occupational experience requirements under s. TCS 3.04(2) may be granted by the district director or designee for:

- (a) Emergency staffing situations;
- (b) Pending credentials;
- (c) Specialized expertise or renowned qualifications of candidate;
- (d) Emerging fields; and
- (e) Lack of candidate availability.

(4) An occupational experience exception under s. TCS 3.04(3) shall only be allowed if a plan is approved by the district director or designee to ensure the occupational instructor granted the exception complies with occupational experience requirements within the time period specified pursuant to s. TCS 3.05(2).

TCS 3.05 Faculty Quality Assurance System. Each district shall provide annual reports as required by the System President on its activities to maintain a faculty quality assurance system that includes all of the following:

(1) district recruitment and hiring procedures for academic and occupational instructor positions that:

- (a) demonstrate efforts to achieve a diverse instructor population;
- (b) include subject matter expert participation in the development of each new instructor position;
- (c) comply with all state and federal laws;
- (d) comply with Board policy on criminal background checks;
- (e) verify prospective employee qualifications; and
- (f) address onboarding for new employees through providing a district employee handbook or standard operating practice and the Wisconsin Technical College System mission, vision and strategic direction.

(2) professional development plans for each academic and occupational instructor that ensures the instructor:

- (a) completes all System President-approved competencies within three years of the date of employment if full-time or within five years of the date of employment if part-time.
- (b) maintains currency in their assigned content area(s). The district director or designee shall establish a process to maintain currency of academic and occupational instructors.
- (c) fulfills occupational experience requirements within the time period specified by the district director or designee for an occupational instructor hired pursuant an occupational experience exception under to TCS 3.04(3).
- (d) complies with all other requirements and policies set forth by the State Board or System President .

(3) a performance evaluation system for each full-time academic or occupational instructor that includes (a) documentation that the instructor and their supervisor discussed and set instructor goals; (b) data measures that will be used to assess instructor performance; and an (c) employee development or performance improvement plan.

(4) a process for evaluating academic and occupational instructors who are less than full-time.

(5) a plan that provides peer coaching and/or mentoring for all academic and occupational instructors.

TCS 3.06 Review of district compliance. The System President or designee shall review district compliance with the requirements established in this chapter under TCS 3.03, TCS 3.04 and TCS 3.05 at least once every three years.

Dated this 24 day of February, 2014

Wisconsin Technical College System Board

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Morna K. Foy, President

Wisconsin Technical College System