

Report From Agency

**FINAL REPORT
CLEARINGHOUSE RULE 15-025
CHAPTER PI 26**

ACADEMIC AND CAREER PLANNING AND EDUCATION FOR EMPLOYMENT PLANS AND PROGRAMS

Analysis by the Department of Public Instruction

Statutory authority: s. 121.02 (1)(m) and 115.28 (59), Stats.

Statute interpreted: s. 121.02 (1)(m) and 115.28 (59), Stats.

Pursuant to s. 121.02 (1) (m), Stats., school districts are required to provide education for employment programs that are approved by the state superintendent. The Department of Public Instruction (DPI) promulgated PI 26 to administer this requirement. Beginning in the 2017-18 school year, school districts will also be required to provide academic and career planning services under s. 115.28 (59), Stats. The DPI is required to promulgate rules to implement this new requirement. The DPI is revising the existing rule provisions regarding education for employment programs and adding new rule provisions regarding academic and career planning services.

A list of the persons who appeared or registered for or against the proposed rule at a public hearing:

The hearing notice was published in the March 23, 2015 edition of the Wisconsin Administrative Register. A public hearing was held on May 20, 2015.

The following persons testified at the May 8, 2015 hearing (some also provided written testimony as well):

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Marci Waldron-Kuhn	School District of Mishicot	X		
Sally Flaschberger	Disability Rights Wisconsin	X		
Steve Schneider	Sheboygan South High School	X		
Nate Rice	Wisconsin School Counselor Association	X		
Peter Welch	Wisconsin Association of College Admissions Counselors			X
Rafael Gomez	Representing Self	X		

The following persons submitted written testimony:

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Mary Nilsestuen	School District of Arcadia	X		
Tessa Darley	Chippewa Falls Area United School District	X		
Valerie Fetting	Stevens Point Area School District	X		

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Tammy Hewuse	Tomah Area School District	X		
Jeffrey Tarkowski	Kenosha Unified School District	X		
Marge Rubin and Jennifer Wagner	Concerned Citizens and Advocates of Career & Technical Education	X		
Rebecca Schneider	DeForest Area School District			X
Sally Flaschberger	Disability Rights Wisconsin	X		
Melanie McCauley	School District of Cudahy	X		
Joseph Garza	School District of New Berlin	X		
Andrea Donegan	Burlington Area School District	X		
Laura Multer	Kohler School District	X		

Summary of public comments relative to the rule, the agency's response to those comments, and changes made as a result of those comments:

Summary of public comments

Comments on the Rule

1. Academic and career planning (ACP) will bring meaning to a student's education by giving students time to map out their future and is best done at grades 6-12 so students can maximize their high school educational experience and allow for many post-secondary choices. Short of any regulations to address issues like student loan debt, ACP seems to be the best way forward to ensure that students have the information necessary to make informed decisions about charting out their plan after high school. Creating a tangible, well-informed plan will allow students to develop their individual definition of success and focus on career goals.
2. Research illustrates the positive impact ACP has on child and adolescent development. Educational professionals will be able to support learning and close achievement gaps by connecting content to career exploration. With the appropriate career planning resources, schools will be able to document and collect data on all students and deliver the means to career and college readiness through the relationships built by school counselors with students.
3. While the change to implement education for employment programs is generally positive, concerns exist around the current level of time and resources provided to administer the new requirements, specifically in evaluating postsecondary outcomes, establishing communication with students and parents around career planning, requiring further professional development for all staff, establishing relationships with community members and businesses, etc.
4. Some school districts have unfortunately implemented education for employment programs under the existing rule with varying degrees of commitment and little accountability. Schools may be unsure of the appropriate metrics that indicate a school's success in improving postsecondary outcomes as provided by PI 26.02 (9) and 26.04 (2) under this program. Unless DPI develops specific outcomes and assessments to measure the success of all aspects of ACP, concerns exist that attaching ACP to the existing education for employment rules will amount to another unfunded mandate.

Suggestions on the Rule

1. Rule language should be considered relative to the time allocation needed in order to implement ACP with fidelity. Testing mandates and interventions have monopolized most of the school year, taking away direct

services from students and families; therefore, further time is needed for this new requirement to be carried out efficiently.

2. It is recommended that the agency consider use of the word “student” rather than “pupil.” Further, the agency should add the requirement that students be exposed to fields such as STEM, CTE, and other trades in order for students to gain exposure to all types of careers and for schools to address the skills gap that exists today.

3. The proposed rule makes no mention of Career Clusters and Programs of Study, which were developed with the purpose of transitioning students from secondary to postsecondary education and allows students to select their individual academic career plans based on their personal interests. Their inclusion into the rule is encouraged.

4. K-12 school districts are expected to implement PI 26 with fidelity without any additional funding directed for this purpose. While some may choose to do this because it is in alignment with their strategic plans and what they believe is best for all students, others will not implement with fidelity and instead do the minimum to comply with the legislation as originally intended. Therefore, it is recommended that state/regional “capacity building” support services, that assist in engaging local employers and providing student-friendly, labor market projections, would be valuable in supporting the implementation of PI 26 with ACP.

5. The “career planning software tool” referenced in s. PI 26.02 (3) is to be used to plan out secondary and post-secondary experiences and should not necessarily be limited to career planning; therefore, it is recommended that the reference be updated to state “Academic and Career Planning Software Tool” throughout PI 26. Use of the term “interoperable” should be revised to reflect the requirement that district level data be pulled from the ACP platform and be sent to the state information system, and not that the district’s career planning software be interoperable with the state’s chosen software. Further, s. PI 26.02 (3) should clearly state that no individual student data is required and/or will be collected by the state in order to address identified parent concerns with ACP in the past.

6. It is recommended that the agency consider adding more specificity to s. PI 26.03 (2) to reference ACP standards and what is meant by career exploration at the middle school level.

7. S. PI 26.03 (2) a. should exclude the criteria that information related to “the levels of training and education needed for work” and the “common expectations for employees in the workplace” as provided to elementary grade levels because it may not be developmentally appropriate at this stage. DPI should reconsider at which grade these lessons would best support ACP.

8. Concerns exist that the proposed rule does not do enough to guarantee that students with disabilities have the same access to career planning as provided for all students. Changes to s. PI 26.03 (3) are recommended in order to provide the necessary accommodations that allow for full participation in the ACP program by students with disabilities.

9. Currently, most school districts include college coursework codes on a high school transcript and link it to the course. Students who complete the course will earn high school credit; however, not all may earn college credit, causing a great deal of confusion to students, parents, high school staff and college admission staff when reviewing high school transcripts. School districts should be placing the college coursework code on the course only if the student earned the college credit; therefore, the following language is recommended for s. PI 26.04 (1): “Indicate on a pupil’s transcript the name of each course completed by the pupil, the number of high school credits earned for each course, whether ~~a course is eligible for~~ **the pupil earned** postsecondary credit, and, if applicable, a course’s participating postsecondary institution.”

10. The current statements concerning program approval lack accountability. Language concerning standards, evaluation, assessment, and reporting needs to be included in the rule text. Further, s. PI 26.05 should be corrected to read: “A program shall be approved, **reviewed, and feedback provided** by the state superintendent as long as the program complies with all of the requirements of this chapter and ss. 115.28 (59) and 121.02 (1) (m), Stats.”

Under s. 115.28 (59), Stats., DPI is required to promulgate rules to implement ACP. The Department believes that connecting school districts' education for employment plans and programs with the new ACP initiative will increase efficiency and effectiveness.

Response to Comments and Suggestions on the Rule

1. **Regarding accountability measures for ACP and in the program approval process for school districts.** There are several aspects of accountability built into the rule including the school board's annual review of the education for employment plan, follow-up report, and publication of the plan and report on the school district's website. This type of transparency was not present in the previous education for employment plan requirement.
2. **Regarding use of the word "student" rather than "pupil" and exposure to specific fields including STEM and CTE.** The term "pupil" is referenced throughout the rule and taken directly from statute. Information regarding exposure to various careers will be addressed in guidance and provided to the field.
3. **Regarding the inclusion of Career Clusters and Programs of Study.** As part of the career development process, students should be made aware of career clusters and pathways as an organizing framework to understand the world of work. This information will be part of the guidance that is developed and shared with the field.
4. **Regarding support services to assist school districts in ACP implementation.** The proposed suggestion is outside the scope of the proposed rule change and cannot be included. The Department believes that school districts should retain the flexibility to engage local employers. However, utilization of the state procured career development software will provide access to labor market information.
5. **Regarding further specificity to ACP standards and what is meant by career exploration at the middle school level.** The Department will provide guidance and other resources for school districts to address age appropriate career development activities for middle school students.
6. **Regarding excluding certain criteria pertaining to career awareness at elementary grade levels.** The Department will provide guidance and other resources for school districts to address age appropriate career development activities for elementary school students.
7. **Regarding provisions that guarantee necessary accommodations for participation in ACP by students with disabilities.** School districts are required by state and federal law, including the Americans with Disabilities Act, to accommodate students with disabilities. Further, the rule specifies that academic and career planning services must be provided to "each pupil." The phrase "each pupil" includes students with disabilities; as such, DPI believes that the proposed changes are unnecessary.
8. **Regarding language changes on a pupil's transcript to indicate that a pupil earned postsecondary credit.** It is difficult for school districts to know if the student actually earned the postsecondary credit; further, requiring school districts to establish a means of receiving verification of earning college would add a significant administrative burden to school districts. Students who earn actual college credit through attendance of a high school dual enrollment course will receive evidence of course completion from the college, so there is no need for a high school transcript to reflect this.

Changes made as a result of oral or written testimony:

- Replaced the reference to "career planning software tool" in s. PI 26.02 (3) with "academic and career planning software tool."
- Clarified the language in s. PI 26.02 (3) to specify that the academic and career planning software tool procured by the Department or a similar program allows pupils to download their academic and career plan.

- Revised s. 26.03 (3) (intro.) to clarify that ACP services shall be provided to pupils in grades 6 to 12 beginning in the 2017-18 school year.

Changes to the analysis or the fiscal estimate:

No changes were made.

Responses to Clearinghouse Report:

2. Form, Style and Placement in Administrative Code:

a. Clarified the introductory clause to state that the agency proposes an order to repeal the PI 26 Appendix and to repeal and recreate PI 26.

5. Clarity, Grammar, Punctuation and Plainness:

a. Revised the rule analysis to explain that existing rule provisions in ch. PI 26 regarding the education for employment program are being revised, and that new rule provisions regarding academic and career planning services are being added to the chapter.

b. Replaced references to “board” in s. PI 26.03 (1) (intro.) with “school board.”

c. Hyphenated the word “school” and “supervised” in s. PI 26.03 (2) (c) 2. as a noun and adjective appearing before the noun. Separated the coordinate adjectives “school-supervised” and “work-based” with a comma.

d. Removed the phrases “Each pupil shall receive” and “Each pupil shall have” in s. PI 26.03 (3) (a) and (c) in order to reconcile the text of each paragraph with s. PI 26.02 (3) (intro.). Retained the language in 26.03 (3) (b) as proposed because its meaning is clear as written.