

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected		2. Date 7/14/2020
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) PI 34, Educator Licenses		
4. Subject Changes to rules governing substitute educational interpreter licenses		
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		6. Chapter 20, Stats. Appropriations Affected
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget		
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)		
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s.227.137 (3)(b) 1., Stats \$0		
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137 (3) (b) 2., Stats.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
11. Policy Problem Addressed by the Rule The proposed rule amends chapter PI 34 of the Wisconsin Administrative Code with respect to the rules governing the licensing of substitute educational interpreters.		
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments The department held a preliminary public hearing and comment period on the scope statement for the proposed rule. The comments received were considered in the development of this economic impact analysis. Additionally, the proposed rule was developed as a result of consultation with the State Superintendent's Advisory Council on Deaf and Hard of Hearing Programs, which is authorized under s. 115.372, Stats., and whose duties include proposing ways to improve the preparation of teachers and other staff who provide services to pupils who are hearing impaired.		
13. Identify the Local Governmental Units that Participated in the Development of this EIA None.		
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) Local: The proposed rule will create additional flexibility for applicants of substitute educational interpreter licensure by permitting that applicants may pass the performance educational interpreter performance assessment, with a cut score set by the State Superintendent in consultation with the State Superintendent's Advisory Council on Deaf and Hard of Hearing Programs, as a route to obtaining licensure. The rule may also create flexibility for school districts because the changes will result in less time and resources directed to staff recruitment compared to the status quo. However, the flexibilities offered to licensees and school districts as a result of this rule change is dependent on individual behavior, and the department is unable to predict how many applicants would benefit from this change. Therefore, the local impact as a result of this rule is indeterminate.		

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State:

None.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Chapter PI 34 governs the licensure of school personnel, including short-term substitutes in an educational interpreter assignment who may be authorized by holding a 5-year renewable license by the department (s. PI 34.095). Under the current rule, applicants who wish to obtain a substitute interpreter license must hold certification from an organization approved by the state superintendent in consultation with the state superintendent's Advisory Council on Deaf and Hard of Hearing Programs, or holds one of the following licenses or certifications required for licensure under s. PI 34.086 (3) (a): 1) a sign language interpreter license issued by the Wisconsin Department of Safety and Professional Services; 2) a certification from the National Registry of Interpreters for the Deaf; or 3) a basic, advanced, or master certification from the Board for Evaluation of Interpreters. Under the proposed rule, applicants for substitute educational interpreter licensure may pass the performance educational interpreter performance assessment, with a cut score set by the State Superintendent in consultation with the State Superintendent's Advisory Council on Deaf and Hard of Hearing Programs, in order to obtain licensure. Without a rule change, the department would be required to implement the current standards for substitute educational interpreters as they exist in the current rule.

16. Long-Range Implications of Implementing the Rule

The proposed rule will make the licensing process for substitute educational interpreters more flexible, thereby helping address staffing needs related to those licensees in school districts.

17. Compare With Approaches Being Used by Federal Government

Section 300.34 (c) (4) of the Individuals with Disabilities Education Act defines interpreting services as a related service with respect to educating a child who is deaf or hard of hearing. Under the Act, interpreting services are taken to mean oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and special interpreting services for children who are deaf-blind. However, because education in the United States is typically governed by each state and local government, the Act does not address how states administer the licensure of educational interpreters as a related service. As such, federal regulations are generally silent with respect to the licensure of substitute educational interpreters.

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

- Illinois: There does not appear to be any comparable rules with regard to the licensing of educational interpreter substitutes in Illinois. Educational interpreters working in substitute roles are expected to comply with state licensing requirements for regular educational interpreters.
- Iowa: There does not appear to be any comparable rules with regard to the licensing of educational interpreter substitutes in Iowa. Educational interpreters working in substitute roles are expected to comply with state licensing requirements for regular educational interpreters.
- Michigan: Michigan rules section R 393.5026 (4) provides that upon the absence of a regularly assigned educational interpreter, a long-term substitute interpreter shall be used in an elementary environment when an absence is expected to last more than 20 school days. A long-term substitute interpreter is required to possess Level II certification by the Board of Evaluation of Interpreters if the substitute interpreter performs work in an elementary school setting, or obtains a score of 3.5 on the educational interpreter performance assessment if the substitute interpreter performs work in the secondary school setting. Additionally, Michigan rules section 393.5026 (5) provides that upon the absence of a regularly assigned educational interpreter, a short-term substitute interpreter shall be used if the absence is expected to last 20 school days or less and is qualified to work in the elementary school setting if the applicant obtains a score of 3.5 on the educational interpreter performance assessment.
- Minnesota: There does not appear to be any comparable rules with regard to the licensing of educational interpreter substitutes in Minnesota. Educational interpreters working in substitute roles are expected to comply with state licensing requirements for regular educational interpreters.

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