

## Clearinghouse Rule 21-077

### PROPOSED ORDER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AMENDING PERMANENT RULES

The scope statement for this rule, SS 127-20, was published in Register No. 777B, on September 28, 2020, and approved by State Superintendent Carolyn Stanford Taylor on October 14, 2020.

The State Superintendent of Public Instruction hereby proposes an order to amend s. PI 34.023 (1) (intro.), (b), (d), (2) (intro.), (b), (f) 1., (h) 1., 2., and (4) (c), relating to educator preparation program and licensing flexibilities.

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#### ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

**Statute interpreted:** s. 115.28 (7) (a), Stats.

**Statutory authority:** s. 115.28 (7) (a), Stats.

**Explanation of agency authority:**

**115.28 General duties.** The state superintendent shall:

(7) Licensing of teachers.

(a) License all teachers for the public schools of the state; make rules establishing standards of attainment and procedures for the examination and licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.191, 118.192, 118.193, 118.194, and 118.195; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, beginning on July 1, 2012, and annually thereafter, each teacher preparatory program located in this state shall submit to the department a list of individuals who have completed the program and who have been recommended by the program for licensure under this subsection, together with each individual's date of program completion, from each term or semester of the program's most recently completed academic year; file in the state superintendent's office all papers relating to state teachers' licenses; and register each such license.

**Related statute or rule:**

Emergency Rule 2043, relating to licensing flexibilities during a pandemic declaration, which was in effect December 2, 2020, through August 28, 2021.

**Plain language analysis:**

The proposed rule amends ch. PI 34 to provide educator preparation programs the latitude to address student teaching requirements in the clinical programs they offer. The proposed rule provides that a teaching candidate's pre-student teaching requirements may be completed in a variety of settings related to effective instruction, safe and supported students, family and community engagement, or building meaningful relationships with students in prekindergarten through grade 12. The proposed rule also provides that a teaching candidate's student teaching may also occur in alignment with the cooperating school's current plan for teaching and learning, which may include face-to-face, virtual, hybrid, synchronous, or asynchronous settings, and shall be for full school days for a full semester of the cooperating school or its equivalent as approved by the state superintendent. Finally, the proposed rule creates flexibility by allowing cooperating teachers, who would otherwise not meet current rule experience requirements, to be assigned if they have been recommended by their principal and deemed acceptable by the approved program.

**Summary of, and comparison with, existing or proposed federal regulations:**

Because education in the United States is governed by each state and local government, federal regulations are generally silent with respect to teacher licensure. As a result, the requirements for teacher licensure vary by state.

**Summary of any public comments and feedback on the statement of scope for the proposed rule that the agency received at a preliminary public hearing and comment period held and a description of how and to what extent the agency took those comments into account and drafting the proposed rule:**

The department held a preliminary public hearing and comment period on October 9, 2020 and received comments on the statement of scope for the proposed rule. A brief summary of comments and the department's response to those comments are as follows:

One participant supported adjustments in PI 34 to allow for more flexibility for substitutes and student teaching in schools in the emergency rule.

**Agency Response:** The department agrees and has included these changes in the related emergency rule. These emergency provisions will not, however, be included in the proposed permanent rule.

One participant supported flexibility to allow for virtual observations of student teachers so more students could complete student teaching requirements.

**Agency Response:** The department agrees and will include these changes in the proposed rule.

One participant supported allowing teacher preparation programs the flexibility to place clinical students in classrooms with teachers who may or may not hold current state teaching licenses in the respective field.

**Agency Response:** The proposed rule amends s. PI 34.023 (4) (c) to provide that if no cooperating teacher or school-based supervisor who meets the experience requirements under current rule is available, the clinical program may place clinical students with a cooperating teacher or school-based supervisor with at least one year of experience who is recommended by the cooperating school's principal, and is deemed acceptable by the approved program.

One participant supported flexibility with regard to the requirement that an applicant for licensure receive passing scores on the edTPA as an assessment of pedagogical knowledge.

**Agency Response:** The proposed change is outside the scope of the proposed rule. However, the proposed change was included as a part of a previous package to provide flexibility in this area under Clearinghouse Rule 20-001 and was effective on July 1, 2020. The rule change creates options for educator preparation programs to assess pedagogical knowledge not limited to an educator performance assessment.

**Comparison with rules in adjacent states:**

**Illinois:** The Illinois State Board of Education administers licensure for applicants seeking to obtain educator licensure in Illinois. Pursuant to 105 ILCS 5/21B-20 (1), to obtain professional educator licensure in Illinois, applicants must complete a state-approved teacher preparation program at an accredited college or university that fulfills the Illinois standards for teacher education. Student teaching and pre-student teaching field experiences are required as part of the teacher preparation program.

**Iowa:** The Iowa Board of Educational Examiners administers licensure for applicants seeking to obtain educator licensure in Iowa. Pursuant to IAC Ch. 282—13.5 (272), in order to obtain an initial teaching license via the traditional pathway, the applicant must have a bachelor's degree earned from a regionally-accredited institution and an approved teacher preparation program with a human relations component must be completed. Among other requirements, the teacher preparation program must include a full student teaching placement in the subject area and grade level endorsement desired.

**Michigan:** The Michigan Department of Education administers licensure for applicants seeking to obtain educator licensure in Michigan. Pursuant to MCL Section 380.1531b, candidates must complete an approved educator preparation

program which includes a student teaching experience. Before an individual may engage in student teaching in a school in Michigan, the individual or the college or university in which the individual is or was enrolled for teacher preparation shall demonstrate to the satisfaction of the school or school district that the teacher preparation program requires of individuals who student teach at least all of the following: 1) high academic achievement; 2) demonstration of successful group work with children as a condition for admission to the teacher preparation curriculum; 3) knowledge of research-based teaching; and 4) working knowledge of modern technology and use of computers.

**Minnesota:** The Minnesota Professional Educator Licensing and Standards Board administers licensure for applicants seeking to obtain educator licensure in Minnesota. Pursuant to Minnesota Administrative Rules Part 8710.0310, student teaching in Minnesota is completed while the applicant is enrolled in a state-approved teacher preparation program. This experience includes a minimum of 12 weeks full time, or the equivalent, when an individual enrolled in a teacher preparation program assumes teacher responsibilities while working with a cooperating teacher who holds a Tier 3 or 4 license or a professional license from another state in the subject area and a provider supervisor to practice and demonstrate the necessary development of the individual's knowledge, skills, and dispositions to become a teacher. A student teaching experience includes observation, feedback, and evaluation from the cooperating teacher and provider supervisor.

### **Summary of factual data and analytical methodologies:**

Chapter PI 34 of the Wisconsin Administrative Code contains the current rules governing the licensure of school personnel, including rules around completion standards for each educator preparation program as a condition for receiving educator licensure. Since the rules were rewritten in August 2018, the department has identified flexibilities in ch. PI 34 for educator preparation programs to help school districts in the state address school staffing needs. Flexibilities offered under this rule relate to in-person clinical experiences and evaluations. Under current rule, each student shall have onsite, supervised pre-student teaching clinical experiences which meet the following: 1) are developmental in scope and sequence; 2) occur in a variety of school settings; 3) result in the student being able to demonstrate knowledge and understanding of the standards under s. PI 34.002, as demonstrated by the assessments required under s. PI 34.021; and 4) evaluates each student's performance by using at least 2 written evaluations based upon observations by the cooperating teacher or the program supervisor, whereby the written evaluations shall be kept as part of the student file required under s. PI 34.016 (3) (b). Among the changes included in this rule, the proposed rule provides that a teaching candidate's pre-student teaching requirements may be completed in a variety of education-related settings. Observations may include recorded instruction, reviews of lesson plans, and teaching materials that include reflections by students about what went well with the teaching and learning events and how they would improve them next time.

Further, the current rule provides that for educator preparation programs leading to a teaching license, each student shall have student teaching experience which meets all of the following requirements: 1) is developmental in scope and sequence; 2) occurs in school settings; 3) meets the statutory requirements under s. 118.19 (3) (a), Stats.; 4) provides the student opportunities to interact with and adapt instruction for children with disabilities; 5) assigns the student a cooperating teacher or team of cooperating teachers; 6) is the duration for full school days for a full semester of the cooperating school, for educator preparation programs leading to the student's first license, or for a duration determined by the educator preparation program to be necessary for the student to gain the necessary clinical experience for the additional license, for educator preparation programs leading to the student obtaining an additional teacher license; 7) results in the student being able to demonstrate greater knowledge and understanding of the standards under s. PI 34.002, as demonstrated by the assessments required under s. PI 34.020; and 8) evaluates each student's performance using a minimum of 3 classroom observations, either in person or real-time virtual, by a program supervisor with relevant teaching experience, and at least 3 written evaluations of each student based upon classroom observations. The proposed rule provides that a student's teaching experience may occur in alignment with the cooperating school's current plan for teaching and learning, which may include face-to-face, virtual, hybrid, synchronous, or asynchronous settings, and shall be for full school days for a full semester of the cooperating school or its equivalent as approved by the state superintendent.

Finally, under current rule, the clinical program may only use cooperating teachers and school-based supervisors who meet all of the following requirements: 1) hold a valid Wisconsin license, or an equivalent license if the clinical program is located outside of Wisconsin; 2) volunteered for an assignment as a cooperating teacher or school-based supervisor; 3) have at least 3 years of teaching experience, including one year of experience at the current place of employment, or at least 3 years of pupil services or administrator experience, including one year of experience at the current place of employment; and 4) have completed training in the supervision of clinical students and the applicable standards under

subch. II of ch. PI 34. The proposed rule allows cooperating teachers who do not meet current experience requirements, if they have been recommended by their principal and deemed acceptable by the approved program. Without a rule change, the department will continue to administer the rules governing educator licensure as they exist in PI 34, meaning teacher preparation programs will be required to meet requirements under the existing rule.

**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)**

Carl Bryan  
Administrative Rules Coordinator  
Wisconsin Department of Public Instruction  
[adminrules@dpi.wi.gov](mailto:adminrules@dpi.wi.gov)  
(608) 266-3275

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

Comments should be submitted to Carl Bryan, Department of Public Instruction, 125 S. Webster Street, P.O. Box 7841, Madison, WI 53707-7841 or at [adminrules@dpi.wi.gov](mailto:adminrules@dpi.wi.gov). The Department will publish a hearing notice in the *Administrative Register* which will provide information on the deadline for the submission of comments.

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## RULE TEXT

**SECTION 1. PI 34.023 (1) (intro.), (b), (d), (2) (intro.), (b), (f) 1., (h) 1., 2., and (4) (c) are amended to read:**

**PI 34.023 (1) PRE-STUDENT TEACHING.** Each student shall have ~~on-site~~, supervised pre-student teaching clinical experiences which meet all of the following requirements:

**(b)** Occur in a variety of school settings related to effective instruction, safe and supported students, family and community engagement, or building meaningful relationships with students in prekindergarten through grade 12.

**(d)** Evaluates each student's performance by using at least 2 written evaluations based upon observations by the cooperating teacher or the program supervisor. Observations may include recorded instruction, reviews of lesson plans, and teaching materials that include reflections by the student about what went well with the teaching and learning events and how the student would improve them next time. The written evaluations shall be kept as part of the student file required under s. PI 34.016 (3) (b).

**(2) STUDENT TEACHING.** For educator preparation programs leading to a teaching license, each student shall have a student teaching experience which meets all of the following requirements:

**(b)** Occurs in school settings in alignment with the cooperating school's current plan for teaching and learning, which may include face-to-face, virtual, hybrid, synchronous, or asynchronous settings.

**(f) 1.** For educator preparation programs leading to the student's first license, the student teaching shall be for full school days for a full semester of the cooperating school or its equivalent as approved by the state superintendent.

**(h) 1.** A minimum of 3 classroom observations, either in person or ~~real-time~~ virtual, by a program supervisor with relevant teaching experience. At least one observation shall be in person. Observations shall be conducted synchronously or consistent with the school's instructional format. If synchronous observations are not possible, observations may include a recording of the student delivering instruction.

**2.** At least 3 written evaluations of each student based upon ~~classroom~~ teaching observations by the cooperating teacher or a supervisor approved by the educator preparation program. At least one written evaluation shall be done by the cooperating teacher and at least one evaluation shall be done by a program supervisor. The procedures for the written evaluations shall include conferences with the student, cooperating teacher, and program supervisor. The student shall determine which evaluations are available to prospective employers. The written evaluations shall be kept as part of the student file required under s. PI 34.016 (3) (b).

**(4) (c)** Has at least 3 years of teaching experience, including one year of experience at the current place of employment, or at least 3 years of pupil services or administrator experience, including one year of experience at the current place of employment. If no cooperating teacher or school-based supervisor who meets these experience requirements is available, the cooperating teacher or school-based supervisor has at least one year of experience, been recommended by the cooperating school's principal, and deemed acceptable by the approved program.

## **SECTION 2. EFFECTIVE DATE:**

The proposed rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021

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Jill K. Underly, PhD  
State Superintendent