

Clearinghouse Rule 25-007

**PROPOSED ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
AMENDING RULES**

The scope statement for this rule, SS 039-24, was published in Register No. 820B, on April 29, 2024, and approved by State Superintendent Jill K. Underly on May 10, 2024.

The State Superintendent of Public Instruction hereby proposes an order to amend ss. PI 34.040 (2) (g) 1. a. and b., 3., and 4.; and to create ss. PI 34.040 (2) (g) 1. c. and (g) 5.to 8., relating to the out-of-state pathway for educator licensure.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

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

Statutory authority: ss. 115.28 (7) (a) and 118.19 (11), Wis. Stats.

Explanation of agency authority:

The state superintendent is authorized under s. 115.28 (7) (a), Wis. Stats., to promulgate rules establishing the standards of attainment and procedures for the licensing of educators in the state:

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, 118.1915, 118.192, 118.193, 118.194, 118.195, and 118.197; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, to be approved by the state superintendent, a teacher preparatory program shall demonstrate that it provides instruction that prepares teachers to teach reading and language arts using science-based early reading instruction, as defined in s. 118.015 (1c) (b), and does not provide instruction on teaching reading and language arts that incorporates 3-cueing, as defined in s. 118.015 (1c) (c), and 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.

Additionally, under s. 118.19 (11), Stats., the department may promulgate rules establishing requirements for licensure as a school principal. A school principal license shall authorize the individual to serve as a school principal for any grade level.

Related statute or rule:

N/A

Plain language analysis:

The objective of the proposed rule is to amend ch. PI 34 of the Wisconsin Administrative Code, specifically as it relates to the requirements for the out-of-state pathway for educator licensure. Under current rule, to receive a license under this subsection, the applicant must complete an out-of-state educator preparation program which is approved by the state education agency of the state in which it is located, and is comparable to an approved program, including student teaching

experience. Approved educator preparation programs in other states include pedagogical content knowledge requirements. Additionally, applicants must receive institutional endorsement from the preparation program, demonstrate content knowledge by meeting the content knowledge assessment requirements under s. PI 34.021 (1) (c), and meet the pedagogical knowledge as required under s. PI 34.021 (1) (d).

The proposed rule provides options for verifying content knowledge, eliminates additional pedagogical knowledge requirements for out-of-state applicants to receive a license and clarifies the requirements for out-of-state applicants to progress their license. The proposed rule specifies certain requirements for student teaching and practicum experiences in order for the out-of-state program to be comparable to a Wisconsin-approved program, including a requirement that out-of-state applicants for a teaching license complete a student teaching experience that meets the requirements under s. PI 34.023 (2) (a) through (f), and that out-of-state applicants for a pupil services or administrator license complete a practicum experience that meets the requirements under s. PI 34.023 (3) (a).

Additionally, under the proposed rule, the applicant can demonstrate subject expertise by obtaining a passing score on a required content knowledge exam if one exists in their state, otherwise, a Wisconsin-approved exam may be utilized or a minimum 3.0 GPA in relevant coursework.

The proposed rule also delineates the degree requirements to obtain this license and specifies that applicants must fulfill the statutory requirements referenced in s. PI 34.022.

Finally, the proposed rule does not apply to those who are eligible for a license through reciprocity under PI 34.040 (2) (n).

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

Because educator preparation in the United States is typically governed by each state and local government, federal regulations are generally silent with respect to the preparation of student teachers. As a result, the requirements for out-of-state 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 May 9, 2024, and did not receive any comments on the statement of scope for the proposed rule.

Comparison with rules in adjacent states:

To obtain an educator license in Illinois, Iowa, Michigan, and Minnesota as an out-of-state applicant, each state has the following requirements:

Illinois: Illinois requires that out-of-state applicants hold a valid teaching license from another state, have completed a state-approved educator preparation program, including student teaching, and have either passed Illinois content tests or provides evidence of equivalent qualifications. If the applicant has not yet met all the requirements, they may be issued a provisional license to work while fulfilling Illinois-specific assessments or coursework.

Iowa: Iowa offers a Regional Exchange License for out-of-state applicants. To receive a license, applicants must complete a state-approved teacher preparation program and submit transcripts for a review by the Iowa Bureau of Educational Examiners. Any identified coursework deficiencies must be addressed within the two-year license period. Iowa requires that applicants demonstrate sufficient preparation in their subject area, along with passing scores on any required assessments.

Michigan: Michigan issues a standard teaching certificate to out-of-state applicants who completed an accredited educator preparation program with student teaching or an alternative route program that includes a valid certificate from another

state. Michigan also requires either passage of its own teacher certification tests or evidence of three years of successful teaching in the endorsement area.

Minnesota: Minnesota uses a tiered licensing system for educators. Out-of-state applicants may qualify for a Tier 3 license if they have completed a teacher preparation program and passed a similar licensure exam. If further requirements are necessary, applicants may receive a Tier 2 license while they complete Minnesota-specific requirements, such as additional pedagogy coursework.

Each state has provisions for provisional or temporary licensure options, ensuring that out-of-state applicants meet state-specific standards for teaching competency and subject knowledge.

Summary of factual data and analytical methodologies:

Chapter PI 34 of the Wisconsin Administrative Code contains the current rules governing the licensure of educators, including applicants receiving a license to teach from out of state. Under the rule, in order to receive a provisional educator license from the department, an out-of-state applicant who is not eligible for a license through reciprocity must meet all of the following requirements: 1) completes an out-of-state educator preparation program which is approved by the state education agency of the state in which it is located, and is comparable to an approved program, including student teaching experience; 2) received institutional endorsement from the preparation program; 3) demonstrated content knowledge by meeting the content knowledge assessment requirements under s. PI 34.021 (1) (c); and 4) demonstrated pedagogical knowledge as required under s. PI 34.021 (1) (d).

The current rule with respect to content and pedagogical knowledge is not specific and does not detail what requirements must be met as a condition for receiving a license. Therefore, the proposed rule revises what is meant for content and pedagogical knowledge for purposes of this license pathway. Without a rule, the department would be required to implement ch. PI 34 as the rules currently exist, and applicants for this license may face confusion as a result.

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
Legislative Policy Coordinator
Wisconsin Department of Public Instruction
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, at 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.

RULE TEXT

SECTION 1. PI 34.040 (2) (g) 1. a. and b. are amended to read:

PI 34.040 (2) (g) 1. a. Is approved by the state education agency of the state in which it is ~~located~~ headquartered.

b. Is comparable to ~~aaa~~ Wisconsin approved educator preparation program, including student teaching experience, as defined under s. PI 34.023 (2) (a) through (f), for those seeking a teaching license under subch. VI.

SECTION 2. PI 34.040 (2) (g) 1. c. is created to read:

PI 34.040 (2) (g) 1. c. Is comparable to a Wisconsin approved educator preparation program, including a practicum experience under s. PI 34.023 (3) (a), for those seeking pupil services or administrator licenses issued under subchs. VII and VIII.

SECTION 3. PI 34.040 (2) (g) 3. and 4. are amended to read:

PI 34.040 (2) (g) 3. Demonstrated content knowledge ~~by meeting the requirements under s. PI 34.021 (1) (e)~~ with a passing score on a standardized content knowledge test as required by the state where the program is headquartered. If such a test is not required or not available in that state, then a passing score on a standardized test approved by the Wisconsin state superintendent or a cumulative grade point average of not less than 3.0 on a 4.0 scale for courses in the subject area or position may be utilized.

4. ~~Demonstrated pedagogical knowledge, as required under s. PI 34.021 (1) (d). Provides evidence of completion of all applicable requirements under s. PI 34.022. If an applicant is unable to provide evidence of completion of all applicable requirements under s. PI 34.022, the applicant may be eligible to receive a tier I license.~~

SECTION 4. PI 34.040 (2) (g) 5. to 8. are created to read:

PI 34.040 (2) (g) 5. Met the following degree requirements:

a. A bachelor's degree for individuals seeking a teaching license.

b. The minimum degree requirements under subchs. VII and VIII for those seeking a pupil services license or an administrator's license.

6. An educator seeking a tier II Pupil Services license under subch. VII shall meet all requirements under PI 34.058 (1) and (2) in addition to the requirements in this subsection.

7. An educator seeking an administrator license under subch. VIII shall meet the requirements in PI 34.065 in addition to specific eligibility requirements for licenses issued under PI 34.066, PI 34.067, and PI 34.070 in addition to the requirements in this subsection.

8. An educator seeking a supplemental license issued under subch. IX must meet the requirements of PI 34.073 in addition to the requirements in this subsection.

SECTION 5. 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 _____, 2025

Jill Underly, PhD
State Superintendent