

Chapter PI 3

LICENSES

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Note: Chapter PI 3 as it existed on October, 31, 1984 was repealed and a new chapter PI 3 was created effective November 1, 1984.

PI 3.01 Definitions. In this chapter:

(1) "Accredited" means that an educational institution meets required educational standards or accepted criteria of quality in its educational program as established by a recognized state, regional, or national accrediting agency.

(2) "Administrative assistant" means a degree holding person serving in the central administration office in a position which is not included elsewhere in ch. PI 3 and which does not normally include direct involvement with pupils, supervising teachers or curriculum development.

(3) "Approved program" means a teacher education program developed and offered by a higher education institution and approved by the state superintendent utilizing the process and criteria described in s. PI 3.02.

(4) "Classroom" means an area or space designated for instructing students.

(5) "Consultant" means a specialist or resource person whose advice is sought in improving an educational program, facilities, or methods of cooperation, limited to a specified period of time, for a specific purpose or program.

(6) "Cooperating teacher" means a licensed teacher with 2 years experience in private or public nursery, elementary and secondary schools who supervises student teachers/interns in cooperation with the college or university supervising teacher who meets criteria described in s. PI 3.26.

(7) "Course" means organized subject matter in which instruction is offered within a period of time, and for which credit is usually granted toward graduation or licensure.

(8) "Curriculum coordinator or director of instruction" means a member of the professional staff of a school system responsible for coordination of various curricular offerings within either one or more schools in a school system.

(9) "Department" means the department of public instruction.

(10) "District administrator" means the person who acts as the administrative head of a district.

(11) "Early childhood education" for purposes of licensing, means the nursery school and kindergarten levels.

(12) "Elementary school" means a school which usually includes any one or more grades within the range of nursery school level through grade 8.

(13) "Equivalency" means the state or condition of being equal or comparable in value, meaning or effect, to given criteria established for courses, course work, programs or experience.

(14) "High school" means a school which usually includes one or more grades within the range of grades 9 through 12.

(15) "Initial license" means the first regular license which verifies that the holder has satisfied the minimum requirements prescribed in ch. PI 3.

(16) "Institutional endorsement" means written verification from the certifying officer at an institution which prepares teachers that the applicant has satisfactorily completed the Approved Program of teacher education and is recommended for a specific license.

(17) "Junior high school" means a school which usually includes any one or more grades within the range of grades 7 through 9.

(18) "License" means a document issued by the department granting authority or permission to practice in the teaching profession.

(19) "Middle school" means a school which usually includes any one or more grades within the range of grades 5 through 8.

(20) "Practicum" means a course of instruction aimed at closely relating the study of theory and practical experience, both usually carried on simultaneously.

(21) "Preparation institution" means a college or university which offers one or more Approved Programs in teacher education.

(22) "Professional education" means that phase of the teacher preparation program which usually includes a sequence of courses intended to prepare a person for the teaching profession and usually deals with the study of educational foundations, psychology, and teaching methods. As the culminating clinical experience, student teaching is also usually required.

available and may include, but not be limited to, a continued shortage of available regularly licensed teachers.

4. The state superintendent may issue or deny a permit.

(c) *One-year license.* A one-year Wisconsin teaching license may be issued to an out-of-state applicant who has completed a state approved teacher education program as required by Wisconsin statutes and administrative code but who has minor coursework deficiencies.

(d) *License based on equivalency.* A Wisconsin teaching license may be issued to an applicant who has completed a teacher education program at a non-state approved, out-of-state institution if an equivalency statement is obtained from a state approved college or university offering teacher education programs.

(5) **INTERN LICENSE.** An intern license may be issued to a person assigned to a school system through an internship program approved by the state superintendent. An intern shall hold an intern license to receive a stipend from a board of education. The license may be issued only to a student recommended by the proper preparation institution authorities and must hold senior or graduate rank. A request signed by the district administrator of the participating school system shall be filed as a condition for the issuance of such license. An intern is assigned to limited administrative, pupil service or instructional duties under the direction of a fully licensed practitioner in the specific field of internship.

(6) **SUBSTITUTE TEACHERS.** (a) Short-term substitutes are defined as teachers employed for a maximum of 20 consecutive school days in the same teaching assignment. Short-term substitutes shall be licensed teachers; however, they may be employed to teach any subject at any grade level. Long-term substitutes are defined as teachers employed for 21 or more consecutive school days in the same teaching assignment. Long-term substitutes may be employed only in the subject and/or grade level of their license. Emergency licenses may be granted to long-term substitutes based upon the provisions of sub. (4) (a) and (b).

(b) A regular license allowing a person to serve as a substitute teacher may be issued to an applicant who has held or is eligible to hold a regular Wisconsin license for the teaching assignment or the equivalent license issued in another state.

(7) **LICENSE BASED UPON EXPERIENCE.** A 2-year license may be issued to a person who presents evidence of having completed an Approved Program in teacher education except student teaching. Evidence shall be provided verifying eligibility for acceptance into student teaching in the preparation institution and verifying 5 or more years of successful teaching experience in the subject or grade level of preparation. A 3-year renewal license may then be issued upon proof of 2 years of successful teaching experience under the 2-year license. Eligibility for a license for such person is established at the end of 5 years of successful teaching experience in Wisconsin while holding the 2 and 3-year licenses, respectively.

History: Cr. Register, October, 1984, No. 346, eff. 11-1-84.

PI 3.04 Validity of licenses. (1) **LIFE LICENSES.** Validity of life licenses is included under s. PI 3.03 (3).

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(2) **REFRESHER WORK.** (a) Teachers who have not been regularly employed within the teaching profession within the past 5 years, but who are endorsed by a teacher preparation institution as having completed an approved teaching program, may be issued a one-year license upon the written request of an employing district administrator. For conversion of this license to a regular license, the completion of 6 semester credits of refresher work in methods or academic subject, or both, is required.

(b) A regular license may be issued to an applicant who has not been regularly employed in the teaching profession within the past 5 consecutive years who has an institutional endorsement and who presents evidence of having completed a minimum of 6 semester credits of refresher work in methods or academic subjects, or both, within the 5 year period immediately preceding the filing of application for licensure.

History: Cr. Register, October, 1984, No. 346, eff. 11-1-84; r. (3), Register, December, 1986, No. 372, eff. 1-1-87.

PI 3.045 License revocation and reinstatement. (1) **DEFINITIONS.** In this section:

(a) "Immoral conduct" means conduct or behavior which is contrary to commonly accepted moral or ethical standards.

(b) "Incompetency" means a substantial, prolonged pattern of inadequate performance of duties or the lack of ability, legal qualifications or fitness to discharge required duties, affecting the health, welfare, safety or education of pupils.

(c) "Reinstatement" means restoring the rights, privileges and authority previously revoked.

(d) To "revoke" a license means to terminate a license and all rights, privileges and authority previously conferred and associated with the license, including the right to renew the license.

(2) **STANDARDS FOR REVOCATION.** Under s. 118.19 (5), Stats., the state superintendent may revoke any license issued by the department for incompetency or immoral conduct on the part of the holder. In making a decision to revoke a license, the state superintendent shall adhere to the following standards:

(a) A license may be revoked for immoral conduct if there is clear and convincing evidence that the person engaged in the immoral conduct and there is a nexus between the immoral conduct and the health, welfare, safety or education of any pupil.

(b) A license may be revoked for incompetency if there is clear and convincing evidence of incompetency.

(3) **COMPLAINT AND INVESTIGATION.** (a) *Complaint.* 1. The state superintendent shall, at his or her own initiative or upon receipt of a written complaint, make inquiries necessary to determine whether an investigation shall be conducted which may lead to revocation of a license.

2. The state superintendent shall acknowledge, in writing, any written complaint and notify the complainant that an investigation and subsequent revocation of a person's license may result.

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(b) *Investigation.* 1. If the state superintendent determines that an investigation shall be conducted, the state superintendent shall appoint a person to serve as the investigator and shall notify the licensee that an investigation is proceeding and of the nature of the complaint or allegation. The licensee shall have an opportunity to respond to the investigator regarding the complaint or allegation.

2. If, based upon the investigation, the state superintendent finds no probable cause for license revocation, the state superintendent shall promptly notify the licensee and the complainant that the investigation is concluded and that no charges will be issued.

3. If, based upon the investigation, the state superintendent finds probable cause for license revocation, the state superintendent shall promptly notify the licensee of the specific charges, of the licensee's right to request a hearing, and of the state superintendent's intent to revoke the license. The state superintendent shall notify the complainant and the school board or other public or private agency employing the licensee in a licensed capacity of the finding of probable cause and of the specific charges.

4. The state superintendent shall notify the licensee that within 30 days following receipt of the notice the licensee may request a hearing on the revocation. The notice shall inform the licensee that if a hearing is not requested within the 30 day period, his or her license shall be revoked.

5. As authorized under ss. 19.35 (1) and 19.85 (1) (b), Stats., during the course of the investigation the state superintendent, the investigator and any department employe involved in the investigation shall maintain as confidential all files, communications and other information pertaining to the investigation.

(4) **HEARING.** (a) The state superintendent shall schedule a hearing not later than 60 days after receipt of the licensee's request for a hearing and shall provide the licensee with at least 20 days written notice of the hearing. The hearing shall be conducted as a class 2 proceeding under ch. 227, subch. III, Stats.

(b) Both parties may be requested to provide the names and addresses of persons whom they intend to call as witnesses at the hearing.

(c) The proposed decision under s. 227.46 (2), Stats., shall be filed with the state superintendent and served on the licensee not later than 30 days following the close of the hearing. The licensee may file a written objection to the proposed decision with the state superintendent within 10 days following receipt by the licensee of the proposed decision.

(d) The state superintendent shall issue a final decision under s. 227.47, Stats., within 60 days of the close of the hearing.

(5) **REQUEST AND HEARING FOR REINSTATEMENT.** (a) Upon written request from a person whose license has been revoked, the state superintendent shall conduct a hearing to consider reinstatement of the license. The hearing shall be conducted as a class 1 proceeding under ch. 227, subch. III, Stats.

(b) The requestor shall submit evidence that the cause of the revocation no longer exists and that reinstating the license will not be detrimental to the health, welfare, safety or education of pupils.

(c) The state superintendent shall hold the hearing and make a final decision regarding reinstatement of the license within 120 days after receipt of the request.

(6) LICENSES REVOKED BY OTHER STATES. (a) The state superintendent may revoke the license of a person whose license has been revoked by the department of public instruction of another state, following the procedures under subs. (3) and (4).

(b) The state superintendent may deny licensure to a person whose license has been revoked in another state. A person who is denied licensure under this paragraph may request a hearing and the state superintendent shall follow the procedures for a reinstatement hearing under sub. (5).

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

PI 3.05 General requirements for a license. A license is issued in Wisconsin based upon the applicant's completion of an Approved Program including the endorsement from the training institution. Requirements listed in subs. (1) to (5) as well as requirements in each license area as specified in ss. PI 3.08 through 3.24 shall be met.

(1) **EXCEPTIONAL EDUCATION.** Effective July 1, 1981, to be eligible for a regular license to teach in Wisconsin's elementary and secondary schools, persons shall have completed a course or courses consisting of a minimum of 3 semester credits or its equivalent in exceptional education. The equivalent may be accomplished in part or in full by including study of the exceptional child in existing required courses or other program requirements. Programs shall provide students with the following knowledge:

(a) Knowledge of exceptional educational need areas as defined by state (subch. V, ch. 115) law and federal (Public Law 94-142) law.

(b) Knowledge of the major characteristics of the disability areas in order to recognize their existence in children.

(c) Knowledge of various alternatives for providing the least restrictive environment for children with exceptional educational needs.

(d) Knowledge of methods of teaching children and youth with exceptional educational needs effectively in the regular classroom.