

Wisconsin Department of Public Instruction

STATEMENT OF SCOPE FOR ADMINISTRATIVE RULES

GENERAL INFORMATION

Rule No.: PI 24

Relating to: Changes to PI 24 As a Result of 2011 Wisconsin Act 105 and 2015 Wisconsin Act 53

Rule Type: Emergency and Permanent

Pursuant to *Coyne v. Walker*, the Department of Public Instruction is not required to obtain the Governor's approval for the statement of scope for this rule. *Coyne v. Walker*, No. 2013AP416, 2015 WL 686178 (Wis. Ct. App. Feb. 19, 2015)

1. Finding/nature of the emergency (Emergency Rule only).

The changes provided by 2015 Wisconsin Act 53 became effective July 3, 2015 and an emergency rule is needed to administer contracts under this program for the 2015-16 school year.

2. A description of the objective of the proposed rule.

This proposed rule change will align PI 24 with the statutory changes made as a result of 2011 Wisconsin Act 105, related to the Student Achievement Guarantee in Education program, and 2015 Wisconsin Act 53 with respect to the calculation and payment of state aid under the newly created Achievement Gap Reduction program. Any other changes to PI 24 that are needed to align these rules with current statutes will also be made.

3. A description of the existing policies and new policies included in the proposed rule and an analysis of policy alternatives.

This rule change is designed to modify the existing rule so that the rule reflects current law.

4. The statutory authority for the proposed rule.

Under s. 227.11 (2) (a) (intro.), Stats., “Each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.” As such, a rule is required to effectively implement and administer the payment of state aid under ss. 118.43 (6m) and 118.44 (6) (e), Stats.

5. An estimate of the amount of time agency employees will spend developing the proposed rule and of other resources needed to develop the rule.

The amount of time needed for rule development by department staff and the number of other resources necessary are minimal.

6. A description of all of the entities that will be affected by the proposed rule.

This rule change will affect school districts.

7. A summary and preliminary comparison of any existing or proposed federal regulation that addresses or is intended to address the activities to be regulated by the proposed rule.

N/A

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses).

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1), Stats.