

Wisconsin Department of Public Instruction
STATEMENT OF SCOPE FOR ADMINISTRATIVE RULES

GENERAL INFORMATION

Rule No.: PI 8

Relating to: Technical Changes to PI 8 as a Result of 2013 Wisconsin Act 257

Rule Type: Permanent

NARRATIVE

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).

N/A

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

This proposed rule change will align ch. PI 8 with the statutory changes made as a result of 2013 Wisconsin Act 257 with respect to school days and hours of instruction. Any other changes to PI 8 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 is a technical change to align ch. PI 8 with statutes.

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, PI 8 is required to effectively implement school district standards pertaining to days and hours of instruction under 115.01 (10), 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 amount of other resources necessary are minimal.

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

No entities should be affected by this rule change since the change will only be done to align the PI rule chapters with the statutes.

7. Summary and preliminary comparison with any existing or proposed federal regulation that 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.