

Wisconsin Department of Public Instruction

**STATEMENT OF SCOPE
FOR ADMINISTRATIVE RULES**

Rule No.: PI 34

Relating to: Changes to accreditation and the definition of institution of higher education as a result of 2015 Wisconsin Act 55

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 licensure changes with respect to accreditation and the definition of higher education, as provided by 2015 Wisconsin Act 55, have become effective on July 14, 2015; therefore, an emergency rule is needed to administer these changes.

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

The proposed rule will make changes to PI 34 as a result of 2015 Wisconsin Act 55 with respect to accreditation provided under s. 118.19 (3) (a) and the definition of institution of higher education provided under s.118.19 (17), Stats.

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

These proposed rule changes are needed to align PI 34 with the statutory changes impacting accreditation under 2015 Wisconsin Act 55.

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 changes in licensure due to accreditation changes provided under ss. 118.19 (3) (a) and 118.19 (17), Stats., which now conflict with current rule. Statutory authority with respect to rulemaking is also provided under s. 115.28 (7) (a), 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 indeterminate.

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

This rule change could impact educator preparation programs as well as individuals seeking and renewing educator licenses.

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.

Contact information.

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