

Wisconsin Department of Public Instruction
**STATEMENT OF SCOPE
FOR ADMINISTRATIVE RULES**

Rule No.: PI 17

Relating to: Changes to summer and interim session classes

Rule Type: 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*, 2016 WI 38.

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

N/A

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

The proposed rule aims to modify existing policies and practices around items such as membership calculations, eligible fund sources and credit requirements.

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

The proposed rule aims to modify existing policies and practices which include the following:

- Alignment of existing summer of interim session courses with the regular academic curriculum
- Membership calculations related to courses funded partially or solely with grant funds, i.e., Title I
- Transportation requirements for off campus classes and activities

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 to school districts for summer and interim session classes under s. 121.14, Stats.

In addition, the Department is given specific rulemaking authority to establish criteria for summer and interim session classes under s. 121.14 (1) (a), Stats., which reads as follows:

121.14 State aid for summer classes and interim session classes.

(1)

(a) State aid shall be paid to each district or county children with disabilities education board for all of the following:

1. Subject to par. (b), those academic summer classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule.
2. Subject to par. (b), for a school district or county children with disabilities education board that provides year-round school, those interim session classes or laboratory periods that are for necessary academic purposes, as defined by the state superintendent by rule.

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.

School districts and county children with disabilities education boards may be impacted by this rule.

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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