

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

Rule No.: PI 30

Relating to: Changes to High Cost Special Education Aid

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 objective of the proposed rule is to modify PI 30 to reflect changes in the corresponding statutes as a result of 2015 Wisconsin Act 55 and to update the rule to reflect changes in agency practice. These include inserting a reference to the newly modified eligibility definition under s. 115.881 (2), Stats. Additionally, the Department proposes to delete subchapter II of the rule, which has been deemed unnecessary for administration of the program and does not conform to current agency process.

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

Ch. PI 30 was promulgated on June 1, 2007 and was last modified January 1, 2009. 2015 Wisconsin Act 55 altered the eligibility definition for High Cost Special Education Aid under s. 115.881, Stats., from 90 percent of student costs above \$30,000 to 70 percent of student costs. PI 30 still includes the 90 percent amount. Additionally, the rule refers to a form that is no longer used. This rule change is needed to modify the existing rule so that the rule is reflective of current law and agency practice.

4. The statutory authority for the proposed rule.

Under s. 227.10 (1), Stats., "Each agency shall promulgate as a rule each statement of general policy and each interpretation of a statute which it specifically adopts to govern its enforcement or administration of that statute." As such, PI 30 is required to administer criteria and procedures for awarding special education aid under s. 115.881, 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 and could be absorbed by the department.

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 changes to the statutes as a result of 2015 Wisconsin Act 55 and in current practice.

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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