

Wisconsin Department of Public Instruction
STATEMENT OF SCOPE
FOR ADMINISTRATIVE RULES

GENERAL INFORMATION

Rule No.: PI 34

Relating to: Cleanup revisions to educator license rules

Rule Type: Emergency and 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*, 2016 WI 38, 368 Wis.2d 444.

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

The Department has recently issued an overhaul of rules governing educator licensure under CR 17-093 relating to stakeholder workgroup revisions to licensure, which became effective on August 1, 2018. The proposed changes outlined in this scope statement were identified by the Department since the promulgation of CR 17-093 and are needed to clarify rule language that was developed as a result of that rule. Absent these modifications, applicants for certain educator licenses will be faced with unclear guidance, and the Department will not be in a position to administer the educator licensure rule with maximum efficiency. The promulgation of emergency rules will help ensure implementation of educator licensure remains consistent through the completion of the permanent rule making process.

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

The proposed rule seeks to make the following revisions to the current administrative rules governing educator licensure: 1) technical language changes regarding program improvement plans under s. PI 34.008; 2) clarifying language referring to classroom teaching under s. PI 34.022 (5); 3) clarifying language regarding a Tier I license with stipulations for pupil services licenses; 4) clarifying language regarding applicants earning a Tier II provisional license who have completed an out-of-state program under s. PI 34.040 (2) (g); 5) clarifying language for licenses based on equivalency to address standards or assessment under s. PI 34.040 (2) (h); 6) technical language changes to the prekindergarten through grade 12 license under s. PI 34.047; 7) clarifying language regarding the American Indian-related licenses under s. PI 34.053 through 34.056, as applied to individuals who does not yet have a bachelor's degree; 8) technical language changes regarding individuals who meet the alternative eligibility requirements for individuals who earn an American Indian history, culture, and tribal sovereignty license under s. PI 34.056; 9) technical language changes to rules governing program coordinator licenses under s. PI 34.072; 10) technical language changes to rules governing vocational licenses under s. PI 34.084; and 11) clarifying license and preparation program continuation language under s. PI 34.110 (2) (e). Any other changes to PI 34 that are needed to align the chapter with current statutes or to clarify existing rule 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.

The Department recently promulgated a rule revising PI 34 of the Wisconsin Administrative Code, Clearinghouse Rule 17-093 relating to stakeholder workgroups revisions to licensure, which became effective August 1, 2018. Upon further review, the Department has identified further points of clarification within the rule. Without a rule change, the Department will be required to implement rules

for educator licensure as they currently exist in PI 34; applicants for specific licenses may face unclear guidance on license requirements as a result.

4. The statutory authority for the proposed rule.

115.28 General duties. The state superintendent shall:

(7) Licensing of teachers.

(a) License all teachers for the public schools of the state; make rules establishing standards of attainment and procedures for the examination and licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.191, 118.192, 118.193, 118.194, and 118.195; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, beginning on July 1, 2012, and annually thereafter, each teacher preparatory program located in this state shall submit to the department a list of individuals who have completed the program and who have been recommended by the program for licensure under this subsection, together with each individual's date of program completion, from each term or semester of the program's most recently completed academic year; file in the state superintendent's office all papers relating to state teachers' licenses; and register each such license.

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 individuals with a teaching license or those seeking a teaching license under s. 115.28 (7) (a), Stats.

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

Carly Bryan

Policy and Budget Team

Phone: 267-9127

Email: adminrules@dpi.wi.gov