



GENERAL INFORMATION		
Rule No. PI 34	Relating to Options for addressing professional misconduct under PI 34	Rule Type Permanent

SIGNATURE		
State Superintendent Review <input type="checkbox"/> Approved. <i>Begin Drafting Rule</i> <input type="checkbox"/> Disapproved. <i>Reason for Disapproval</i>	State Superintendent Signature ➤	Date Signed Mo./Day/Yr.

NARRATIVE

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

N/A

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

The proposed rule change amends ch. PI 34 of the Wisconsin Administrative Code to provide alternatives for the department to address educator misconduct. Currently the only options open to the department are to revoke a license or seek a voluntary surrender of the license.

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

Chapter PI 34 of the Wisconsin Administrative Code contains the current rules governing educator licensure, including the rules governing processes for addressing professional misconduct. Section PI 34.098 currently provides only for license revocation if an educator is found to have engaged in immoral conduct or incompetence. The department currently does not have processes articulated in rule to revoke a license for specified periods of time, to place conditions on a revocation for later restoration, or impose lesser penalties focusing on remediation. The proposed rule is designed to create alternative options for the department to address instances of professional misconduct that are less severe than complete licensure revocation. Without a rule, the department would be required to implement ch. PI 34 as the rules currently exist.

4. The statutory authority for the proposed rule.

Under 118.19 (1), Wis. Stats., any person seeking to teach in a public school, including a charter school, or in a school or institution operated by a county or the state shall first procure a license or permit from the department. Section 115.31, Wis. Stats. relates to license or permit revocation, reports, and investigation based on immoral conduct or incompetence. Section 115.31 (8), Wis. Stats., gives the superintendent authority to promulgate rules to implement and administer this section.

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 will affect licensed educators.

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