

**ORDER OF THE  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
AMENDING RULES**

The state superintendent of public instruction hereby amends PI 25.06 (2) and PI 25.07 (1) (a), relating to the children at risk program.

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**ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION**

Statutory authority: ss. 118.153 (7) and 227.11 (2) (a), Stats.

Statute interpreted: s. 118.153, Stats.

The department recently promulgated Clearinghouse Rule 01-119, relating to children at risk under ch. PI 25. Although the following changes were listed in the analysis of the rule, the corresponding modifications to ch. PI 25 were inadvertently left out:

- Eliminating the requirement that school districts meeting certain criteria (50 or more dropouts and a dropout rate exceeding 5%) must apply for children at risk aid.
- Allowing school districts with 30 or more dropouts or a dropout rate exceeding 5% of their total enrollment to apply for children at risk aid.

The proposed rule states: "If, in the previous school year, a school district has 30 or more dropouts or a dropout rate exceeding 5% of its total high school enrollment, the board may apply to the state superintendent for aid under this section."

The rule currently states, in part: ". . . 50 or more dropouts AND a dropout rate exceeding 5% of its total high school enrollment, the board SHALL apply to the state superintendent for aid under this section." (Emphasis added).

This modification will bring the rule into compliance with statutory language under s. 118.153 (2) (b), Stats.

- Modifying the allowable size of the Milwaukee programs to require at least 30 pupils (rather than 40) and no more than 250 pupils (rather than 200).

The proposed rule states: "That there are at least 30 pupils and not more than 250 pupils in each program and that a separate administrator or teacher is in charge of each program."

The rule currently states, in part: ". . . 40 pupils and not more than 200 pupils . . ."

This modification will bring the rule into compliance with statutory language under s. 118.153 (3) (b), Stats.

The proposed rules are modified to conform to current statutory language. Therefore, pursuant to s. 227.16 (2) (b), Stats., the department will not hold public hearings regarding these rules.

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**SECTION 1.** PI 25.06 (2) is amended to read:

PI 25.06 (2) That there are at least ~~40~~ 30 pupils and no more than ~~200~~ 250 pupils in each program and that a separate administrator or teacher is in charge of each program.

**SECTION 2.** PI 25.07 (1) (a) is amended to read:

PI 25.07 (1) (a) If, in the previous school year, a school district had ~~50~~ 30 or more dropouts ~~and~~ or a dropout rate exceeding 5% of its total high school enrollment, the board ~~shall~~ may apply to the state superintendent for aid under this section.

The rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

Dated this \_\_\_\_\_ day of October, 2002

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Elizabeth Burmaster  
State Superintendent