

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

The state superintendent of public instruction hereby amends s. PI 8.02 (1), relating to audits of the school district standards.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: ss. 227.11 (2) (a) and 121.02 (5), Stats.

Statute interpreted: s. 121.02 (2), Stats.

1995 Wisconsin Act 27 eliminated the requirement that the department annually conduct an on-site audit of at least 10% of all school districts to ensure compliance with the 20 school district standards under s. 121.02 (2), Stats. The Legislative Audit Bureau suggested that the department modify ch. PI 8 to reflect current statutory requirements. To that end, this rule modification will align ch. PI 8 with the statutes under s. 121.02 (2), Stats., by:

- Eliminating the requirement that the department annually conduct on-site audits.
- Requiring the department to conduct an inquiry into a school district's compliance with the standards upon receipt of a complaint.
- Allowing the department to audit a school district's compliance with the standards on its own initiative.

This rule modification duplicates statutory language under s. 121.02 (2), Stats., and is considered technical. Therefore, pursuant to s. 227.16 (2) (b), Stats., the department will not hold public hearings regarding these rules.

SECTION 1. PI 8.02 (1) is amended to read:

8.02 Compliance audits. (1) The department shall ~~annually conduct a general on-site audit of at least 10% of all school districts, as required under s. 121.02 (2), Stats., selected by means of a stratified random sample. In this section, "selected by means of a stratified random sample" means that districts will be grouped according to enrollment and a representative number will be selected randomly from each group. The state superintendent shall audit each school district at least once every 10 years but may not audit a school district more than once every 6 years. Nothing in this section prohibits the state superintendent from conducting an inquiry into compliance with the standards upon receipt of a complaint~~ and may, on its own initiative, conduct an audit of a school district.

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 November, 2003

Elizabeth Burmaster
State Superintendent