

**Order of the Wisconsin
Department of Workforce Development**

The Wisconsin Department of Workforce Development proposes an order to renumber and amend DWD 802.06, to amend DWD 802 (title), 802.01, 802.03 (1) and (4), 802.04 (2) (b), (c) and (e), 802.05 (3), 802.07, 802.08, and 802.09 (3) and (4), and to create DWD 802.03 (6) and (7) and 802.06 (1) and (2), relating to technical education equipment.

The statement of scope for this rule, SS 085-24, was approved by the Governor on July 25, 2024, published in register No. 824A1, on August 5, 2024, and approved by the Department of Workforce Development on August 15, 2024.

Analysis Prepared by the Department of Workforce Development

Statutes Interpreted: Section 106.275, Stats.

Statutory Authority: Section 106.275 (4), Stats.

Explanation of Statutory Authority.

Section 106.275, Stats., allows the Department to award technical education equipment grants to school districts and requires the Department to promulgate rules to implement the grant procedures and requirements.

Related Statute or Rules: EmR2418

Plain Language Analysis.

This rule revises procedures and requirements in ch. DWD 802 for the Department to award technical education equipment grants to school districts in this state. This rule will align ch. DWD 802 with changes to s. 106.275, Stats., that were made in 2023 Wisconsin Act 165. Those changes do all of the following: allow the grants to be used to enhance or improve technical education facilities or to acquire equipment used in construction fields; allow a consortium of school districts to receive a grant; vary the amount of required matching funds based on whether the funds are from private or public sources; require that not less than one-third of the grant monies awarded in a fiscal biennium are provided to school districts that are eligible for sparsity aid; and increase the maximum amount of a grant from \$50,000 to \$100,000.

The Department made the same changes in emergency rule EmR2418, which went into effect on December 10, 2024. The revisions to ch. DWD 802 made by this permanent rule are substantively identical to the revisions made in emergency rule EmR2418, with one exception. The exception relates to applicants for grants that are school districts that are eligible for sparsity aid or are consortia that include at least one school district that is so eligible. The rule defines these applicants as "sparsity aid applicants."

As under current ch. DWD 802, the Department must make awards to applicants with the highest scores under the Department's application evaluation criteria. Under the permanent rule, the highest scores for sparsity aid applicants are based on comparisons with other sparsity aid applicants and the highest scores for other applicants are based on comparisons with those other applicants.

Summary of, and comparison with, existing or proposed federal regulations.

The federal Workforce Investment and Opportunity Act of 2014 (WIOA) provides funding for employment and training programs. The Department, with the approval of the Council on Workforce Investment, provides grant allocations to 11 regional workforce development boards, which fund and supervise local programs. Programs for employment placement/retention, job training, and education-related training programs are delivered through Wisconsin Job Centers.

Summary of comments on the statement of scope and description of how the comments were taken into account in drafting the rule.

A preliminary hearing on the Statement of Scope for this rule, SS 085-24, was held on August 13, 2024. The Department received no comments on the Statement of Scope.

Comparison with rules in adjacent states.

Illinois. The Industrial Development Assistance Law allows local school districts and community colleges to apply for and receive grants under Act 100-0679 for the acquisition of land, construction of facilities, and purchase of equipment, dedicated solely to the instruction of occupations in manufacturing.

Iowa. The Iowa Department of Education announced \$1.7 million in Credentials to Career grants to support high schoolers in earning industry-recognized credentials in January 2024. The Credentials to Career grants are available to Iowa School Districts to align secondary career and technical education programs with industry-recognized credentials. Funding through the Credentials to Careers grant can be used by school districts to develop, broaden and enhance CTE pathway programs. Allowable costs include student exam fees, instructional equipment, non-consumable instructional supplies, computer equipment and software, wired and wireless internet connections, installation costs, instructor training related to new equipment purchases, and instructor training expenses required to offer the credential and curriculum enhancements.

Michigan. The Michigan Department of Education (MDE) awards grants of up to \$250,000 through the Career Pathways Grant (CPG) opportunity for entities that are eligible for funding under the federal Strengthening Career and Technical Education for the 21st Century Act, which is commonly called Perkins V. Applicants for the grants may apply for more than one instructional classification or occupational career, which could include engineering technology, drafting and design technology/architectural, biotechnology, plumbing/pipefitting, heating, air conditioning, ventilation, refrigeration, small engine repair, etc. The CPG grant supports Michigan's state plan for career and technical education under Perkins V.

Minnesota. The Partnership Program allows Minnesota participating businesses to partner with accredited Minnesota educational institutions to develop and deliver custom training specific to business needs. Grants up to \$400,000 are available for training related costs such as curriculum development, instruction, training materials and supplies, training equipment, and instructor travel.

Summary of factual data and analytical methodologies.

As part of the process for developing this rule, the Department reviewed the changes to s. 106.275, Stats., made by 2023 Wisconsin Act 165. No other data or analysis was needed.

Development of this rule did not involve the gathering, analysis, or use of data. Therefore, s. 227.14 (2m), Stats., does not apply to this rulemaking.

Analysis and supporting documents used to determine effect on small business or in preparation of an economic impact analysis.

The proposed rule will have no significant economic impact on small businesses as defined in s. 227.114 (1), Stats.

The Department posted a draft of the rule on its administrative rules website for 14 days to solicit comments on economic impact from the public. No comments were received.

Agency contact person.

Questions and comments related to this rule may be directed to:

John Roos, Director, Office of Skills Development, Division of Employment Training
Department of Workforce Development
Division of Employment Training
P.O. Box 7972
Madison, WI 53707
Telephone: (608) 733-3918
E-Mail: John.Roos@dwd.wisconsin.gov

Place where comments are to be submitted and deadline for submission.

Comments may be submitted to the contact person shown above. Information as to the place, date, and time of the public hearing, as well as the deadline for submitting comments, will be published in the Wisconsin Administrative Register.

Text of Rule

1 **SECTION 1.** DWD 802 (title) is amended to read:

2 **DWD 802 (title) TECHNICAL EDUCATION EQUIPMENT GRANTS**

3 **SECTION 2.** DWD 802.01 is amended to read:

4

DWD 802.01 **Authority and purpose.** This chapter is created to establish the rules for administering and awarding technical education ~~equipment~~ grants to school districts in this state, as authorized under s. 106.275, Stats.

SECTION 3. DWD 802.03 (1) is amended to read:

DWD 802.03 (1) "Applicant" means a school district or a consortium consisting of multiple school districts in this state that applies to the department for a grant.

SECTION 4. DWD 802.03 (4) is amended to read:

DWD 802.03 (4) "Grantee" means ~~a school district~~ an applicant awarded a grant by the department.

SECTION 5. DWD 802.03 (6) is created to read:

DWD 802.03 (6) "Non-sparsity aid applicant" means an applicant that is not a sparsity aid applicant.

SECTION 6. DWD 802.03 (7) is created to read:

DWD 802.03 (7) "Sparsity aid applicant" means an applicant that is either a school district that is eligible for sparsity aid under s. 115.436, Stats., or a consortium that includes at least one school district that is so eligible.

SECTION 7. DWD 802.04 (2) (b) is amended to read:

DWD 802.04 (2) (b) The projected outcomes ~~that the applicant is seeking~~ sought to achieve ~~be achieved~~ as a result of receiving the grant.

SECTION 8. DWD 802.04 (2) (c) is amended to read:

DWD 802.04 (2) (c) A summary of the applicant's proposed budget for ~~acquiring the~~ enhancement or improvement of a technical education facility or for the acquisition of equipment used in advanced manufacturing or construction fields in the workplace, including any software necessary for the operation of that equipment and any instructional material necessary to train pupils in the operation of that equipment, and including the amount, form, and source of the matching funds required under s. DWD 802.06.

1 **SECTION 9.** DWD 802.04 (2) (e) is amended to read:

2 DWD 802.04 (2) (e) A narrative description of the program for which the applicant will enhance
3 or improve a technical education facility or acquire equipment used in advanced manufacturing or
4 construction fields in the workplace.

5 **SECTION 10.** DWD 802.05 (3) is amended to read:

6 DWD 802.05 (3) MAKING AWARDS. For each GPA, the department shall award grants to the
7 applicants so that not less than one-third of grant moneys awarded in a fiscal biennium are provided to
8 sparsity aid applicants. For sparsity aid applicants, the department shall award grants to applicants with
9 the highest numerical scores under sub. (2) (b) compared to other sparsity aid applicants and for non-
10 sparsity aid applicants, the department shall award grants to applicants with the highest numerical scores
11 under sub. (2) (b) compared to other non-sparsity aid applicants.

12 **SECTION 11.** DWD 802.06 is renumbered DWD 802.06 (intro.) and amended to read:

13 **DWD 802.06 Match requirement.** (intro.) An applicant may not be awarded a grant unless
14 the applicant provides matching funds ~~equal to 200 percent of the amount of the grant that is awarded.~~
15 ~~The matching funds may be in the form of money; or the monetary value of equipment; contributed from~~
16 ~~private sources or the applicant or from both private sources and the applicant-~~ and that are equal to one of
17 the following:

18 **SECTION 12.** DWD 802.06 (1) and (2) are created to read:

19 DWD 802.06 (1) Except as provided in sub. (2), if the matching funds are contributed from
20 private sources, 100 percent of the grant amount awarded.

21 (2) If any of the matching funds are contributed from school district funds, 200 percent of the
22 grant amount awarded.

23 **SECTION 13.** DWD 802.07 is amended to read:

24 DWD 802.07 **Use of grant funds.** A grantee may use grant funds only for the enhancement or
25 improvement of technical education facility or for the acquisition of equipment that is used in advanced
26 manufacturing or construction fields in the workplace, together with any software necessary for the

1 operation of that equipment and any instructional material necessary to train pupils in the operation of that
2 equipment.

3 **SECTION 14.** DWD 802.08 is amended to read:

4 **DWD 802.08 Amount of grants.** The amount of a grant shall be based on the amount
5 requested by the applicant and approved by the department, except that no grant may be less than \$5,000
6 nor more than ~~\$50,000~~ \$100,000.

7 **SECTION 15.** DWD 802.09 (3) is amended to read:

8 DWD 802.09 (3) Share the best practices employed by the grantee regarding the training of
9 pupils in the use of ~~the~~ any equipment acquired with the grant moneys.

10 **SECTION 16.** DWD 802.09 (4) is amended to read:

11 DWD 802.09 (4) Include a plan for sustainability of ~~the~~ any such training described in sub. (3).

12 **SECTION 17 EFFECTIVE DATE.** This rule takes effect on the first day of the month following publication
13 in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

Signed this _____ day of _____, 2025.

Amy Pechacek, Secretary-designee