

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

The Wisconsin Department of Workforce Development proposes an order to create ch. DWD 8 relating to technical education equipment grants under the Wisconsin Fast Forward program.

The statement of scope for this rule, SS , was approved by the Governor on February 13, 2020, published in register No. 771A2, on March 9, 2020, and approved by the Department of Workforce Development on March 20, 2020.

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.

2017 Wisconsin Act 59 created s. 106.275, Stats, which 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: Section 106.275, Stats. This rule is identical in substance to EmR200.01, which became effective on February 25, 2020.

Plain Language Analysis.

This rule establishes procedures and requirements for the Department of Workforce Development to award technical education equipment grants to school districts in this state. A school district may receive a grant only for acquiring the following: 1) equipment that is used in advance manufacturing field or workplace; 2) any software necessary to operate such equipment; and 3) any instructional materials necessary to train pupils in the operation of such equipment. A grant may not be less than \$5,000 and more than \$50,000. To be eligible for a grant, a school district must provide matching funds equal to 25 percent of the amount of the grant. The matching funds may be in the form of money or the market value of equipment. The rule allows the matching funds to be contributed by an applicant, private sources, or both.

The rule requires the Department to solicit applications for the grants by preparing one or more Program Announcements (GPAs). A GPA must do all of the following: 1) describe the grants; 2) describe the applications; 3) specify who may apply; and 4) establish application procedures, criteria for awarding grants, and conditions and restrictions accompanying the grants. The Department must publish the GPAs on its website and distribute copies upon request. School districts may request a copy of a GPA from the Department. GPAs are available on the Department's website at www.dwd.wisconsin.gov.

The rule requires the Department to make a preliminary review of applications. Based on the preliminary review, the Department may deny applications that fail to include the above information or to conform with the format and content specifications of the GPA. For applications that satisfy the preliminary review, the Department must evaluate them and, as specified in the GPA, assign points signifying the degree to which they meet applicable criteria. The Department must award grants to applications with the most points and notify applicants in writing of its decision by the date set in the GPA. The grants are made through contracts between the Department and grant recipients.

The rule also imposes reporting requirements on school districts that receive grants. The rule requires a grant recipient to file a report with the Department by September 1 of each of the first 3 fiscal years following the fiscal year in which the grant was received. The report must describe how the grant funds were expended, describe the outcomes achieved as a result of receiving the grant, share best practices for training pupils on the use of equipment acquired with the grant, and include a plan for sustaining that training. Finally, the report must provide such other information as the Department may require in the GPA.

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.

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 Registered Apprenticeship Program (RAP) uses apprenticeship training program funds to support grants to Registered Apprenticeship program sponsors – which are typically employers, labor-management partnerships, or industry associations to subsidize the cost of RAP. Such costs include classroom instruction, purchasing equipment for the apprenticeship program, and establishing training locations to expand apprenticeship training.

Michigan. The Michigan Department of Education (MDE) in 2018 awarded \$5 million in grants to school districts and intermediate districts to purchase specialized equipment and expand programs as part of the Career and Technical Education (CTE) Innovation and Equipment Grants. These grants allow districts to obtain equipment to expand career and technical education programs in manufacturing with an emphasis on mechatronics, computer numerical control machining, and welding.

Minnesota. The Partnership Program allows Minnesota participating businesses to partner with accredited Minnesota educational institutions to develop and deliver custom training specific to the business. Grants are up to \$400,000 available for training development and delivery.

The rules for the standard Wisconsin Fast Forward grant program under Wis. Admin. Code ch. were reviewed as part of the process for developing this proposed rule. No other data or analysis needed.

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

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

The proposed rule will have no significant economic impact on small businesses as defined in s. 227.14(1), Stats.

Anticipated costs incurred by private sector: Not Applicable.

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

Agency contact person.

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

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Department of Workforce Development
Division of Employment Training
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Telephone: (608) 261-6385
E-Mail: Steve.Laesch@dwd.wisconsin.gov

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

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Hearing comments will be accepted until the last scheduled hearing is conducted. The Department will hold a hearing in conjunction with the permanent rule hearing.

Technical Education Equipment Grants

DWD 802.01 Authority and purpose.

DWD 802.02 Applicability.

DWD 802.03 Definitions.

DWD 802.04 Application.

DWD 802.05 Grant awards.

DWD 802.06 Match requirement.

DWD 802.07 Use of grant funds.

DWD 802.08 Amount of grants.

DWD 802.09 Reporting requirements.

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 authorized under s. 106.275, Stats.

DWD 802.02 Applicability. This chapter applies to the department, applicants for grants to school districts in this state that are awarded grants for technical education equipment under s. 106.275, Stats.

DWD 802.03 Definitions. In this chapter:

(1) “Applicant” means a school district in this state that applies to the department for a grant.

(2) “Department” means the department of workforce development.

(3) “Grant” means an agreement between the department and the grantee whereby the department provides funds from the appropriation under s. 20.445 (1) (cg), Stats., for the purpose specified in s. 106.275 (1) (b), Stats.

(4) “Grantee” means a school district awarded a grant by the department.

(5) “Grant Program Announcement” or “GPA” means a document that describes the grant program under this chapter, invites applications for a grant, specifies who may apply, and establishes the process for awarding grants.

department's website, and distributing copies of the GPA on request. An applicant shall apply on an application form included in the GPA by the date specified in the GPA and in accordance with the procedures and requirements specified in the GPA.

Note: GPAs can be found on the department's website at http://wisconsinfastforward.com/wff_standard.htm.

(2) CONTENTS. An applicant for a grant shall describe all of the following:

(a) The purpose and need for the grant.

(b) The projected outcomes that the applicant is seeking to achieve as a result of receiving the grant.

(c) The amount, form, and source of the matching funds required under s. DWD 802.04(2).

(d) Any other information required in the GPA.

DWD 802.05 Grant awards. (1) PRELIMINARY REVIEW. The department shall review each application for compliance with the format and content specifications of s. DWD 802.04 (2) of the GPA. The department may deny any application that fails to meet any of those criteria.

(2) EVALUATION CRITERIA. (a) The department shall evaluate grant applications against the criteria as specified in sub. (1) against criteria specified in s. DWD 802.04 (2) and established in the GPA. As specified in the GPA, the department shall assign points to each application signifying the degree to which the application meets each applicable criterion. The total points assigned to each application for all applicable criteria will be the score for the application. The department shall numerically rank each application for each GPA.

(3) MAKING AWARDS. For each GPA, the department shall award grants to the applicant with the highest numerical scores under sub. (2).

(4) NOTIFICATION. The department shall notify the applicant in writing of the results of the

DWD 802.06 Match requirement. An applicant may not be awarded a grant unless the applicant provides matching funds equal to 200 percent of the amount of the grant that is awarded. Matching funds may be in the form of money, or the monetary value of equipment, contributed from private sources or the applicant or from both private sources and the applicant.

DWD 802.07 Use of grant funds. A grantee may use grant funds only for the acquisition of equipment that is used in advanced manufacturing fields in the workplace, together with any supplies necessary for the operation of that equipment and any instructional material necessary to train personnel for the operation of that equipment.

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

DWD 802.09 Reporting requirements. A grantee shall file a report with the department on or before September 1 of each of the first 3 fiscal years following the fiscal year in which the grant was awarded. For each report, the grantee shall do all of the following:

- (a) Describe how the grant moneys were expended.
- (b) Describe the outcomes achieved as a result of receiving the grant.
- (c) Share the best practices employed by the grantee regarding the training of pupils in the use of the equipment acquired with the grant moneys.
- (d) Include a plan for sustainability of the training described in par. (c).
- (e) Provide such other information as the department may require in the GPA. **SECTION 802.09(5)**

This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

Caleb Frostman, Secretary