



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

Jessica Karls-Ruplinger
Legislative Council Deputy Director

CLEARINGHOUSE RULE 19-069

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

2. Form, Style and Placement in Administrative Code

a. SECTION 2 of the proposed rule repeals the entire existing content of subd. 3. and creates new content. This should be treated as a repeal of s. PI 6.06 (4) (d) 3. and the creation of s. PI 6.06 (4) (d) 4., rather than treated as an amendment.

b. SECTION 12 of the proposed rule creates a definition for “private choice school” and states that the term “includes” a private school participating in the parent choice program under s. 118.60 or s. 119.23, Stats. The term “includes” signifies that the definition is not limited to just the listed items. Is the intent to include additional schools within this definition? If not, the definition should use the term “means” instead of “includes”.

4. Adequacy of References to Related Statutes, Rules and Forms

SECTION 17 of the proposed rule makes changes to s. PI 13.09 to incorporate references to private choice schools, including changes to s. PI 13.09 (4) (a). The proposed rule’s amendment to s. PI 13.09 (4) (a) provides that results of tests shall be consistent with the “board’s” policies developed under s. 118.33 (1) (f) and (6), Stats., statutory provisions that apply to traditional public schools, charter schools, and choice schools. The rule language is being amended to include choice schools, but should also be amended to reference policies adopted by charter school operators and the governing bodies of choice schools, in addition to school boards.

5. Clarity, Grammar, Punctuation and Use of Plain Language

SECTION 22 of the proposed rule eliminates reference to a grant applicant applying for a grant for the costs of *renewing* a national board certification or Wisconsin master educator license. The plain language analysis explains that this change was made because 2017 Wisconsin Act 59 created lifetime licenses and eliminated continuing education for renewing a license. The Wisconsin master educator license no longer requires renewal. However, there is no statement regarding national board certification no longer requiring renewal. Did the agency intend to make expenses for renewal of a national board certification ineligible for the grants?