

Report From Agency
FINAL REPORT
CLEARINGHOUSE RULE 15-038
CHAPTER PI 17
CHANGES AS A RESULT OF 2013 WISCONSIN ACT 257

Analysis by the Department of Public Instruction

Statutory authority: 121.14, Stats.

Statute interpreted: 121.14, Stats., and 227.11(2)(a)(intro.), Stats.

This proposed change will modify PI 17 as a result of statutory change made in 2013 Wisconsin Act 257. Any other changes to PI 17 that are needed to align with PI 17 with current statutes will also be made.

The hearing notice was published in the June 8, 2015 edition of the Wisconsin Administrative Register. A public hearing was held on June 26, 2015.

No persons provided oral testimony at the June 26 hearing. However, the following persons submitted written testimony:

| NAME | ORGANIZATION | IN FAVOR OR GENERALLY IN FAVOR | OPPOSED OR GENERALLY OPPOSED | OTHER |
|----------------|----------------------------|--------------------------------------|------------------------------------|-------|
| Troy Gunderson | West Salem School District | X | | |

Summary of public comments relative to the rule and the agency's response to comment:

Summary of public comments

As public education continues to evolve, education professionals need the latitude to try new ways to provide students with an education. From year around elementary schools to summer vocational academies at the high school level, school districts are eagerly waiting for the chance to expand their offerings and make use of their facilities and people in a year round fashion. Extending state aid to cover summer or interim programming can help make providing these offerings successful.

Agency response

This is a change to align PI 17 with the statutory changes made as a result of 2013 Wisconsin Act 257, including changes to s. 121.14, Stats. This chapter establishes criteria for summer and interim session classes receiving state aid.

Changes made as a result of oral or written testimony:

No changes were made.

Changes to the analysis or the fiscal estimate:

No changes were made.

Responses to Clearinghouse Report:

1. Statutory Authority:

a. The existing rule, provided in PI 17.03 (2) (c), contains up to 270 minutes per day as a measure of one full-time equivalency for a day of instruction.

2. Form, Style and Placement in Administrative Code:

a. Organized the enumeration of provisions treated in the manner prescribed by the Clearinghouse Report.

b. Provided a specific period by which to submit public comments in the rule summary.

c. In SECTION 4 of the proposed rule, created sub. “(1d)” rather than sub. “(1)” and corrected the introductory clause that enumerates the provision treated by the proposed rule.

d. In SECTION 8 of the proposed rule, revised the reference to “PI 17.04 (intro.)” to “PI 17.04 (title)” and corrected the introductory clause that enumerates the provision treated by the proposed rule.

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

a. Included the reference to s. 121.004 (8), Stats., which defines the phrase “summer average daily membership” as used in s. PI 17.04 (2).

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

a. In the plain language analysis, deleted the first use of the word “with.”

b. Because the Department believes the phrase “year-round school” as referenced in PI 17.03 (1) refers to a school established by the school district or county children with disabilities education board, and not a method of instruction, it does not believe that modifying the definition of “Year-round school” under s. PI 17.02 (6) is necessary.

c. Removed the comma after “department-licensed teacher” in s. PI 17.03 (2) (c).

d. Removed the reference to hours in s. PI 17.03 (2) (d).

e. Clarified the language “and the lesser hours are to be prorated accordingly” in s. PI 17.03 (2) (d) to require that the credit earned will be prorated based on the amount of time if less than 8,100 minutes of direct instruction is provided to pupils in grades 7 and 8 enrolled in online classes offered to high school pupils.

f. Deleted the word “program” in s. PI 17.05 (2).