

## Clearinghouse Rule 24-011

# PROPOSED ORDER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AMENDING RULES

The scope statement for this rule, SS 112-23, was published in Register No. 816A2, on December 11, 2023, and approved by State Superintendent Jill K. Underly on December 21, 2023.

The State Superintendent of Public Instruction hereby proposes an order to renumber and amend s. PI 34.022 (6); and to create s. PI 34.022 (6) (a) through (i), relating to reading requirements for the educator preparation program approval process.

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## ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

**Statute interpreted:** ss. 115.28 (7) (a) and 118.015 (1c), Wis. Stats.

**Statutory authority:** s. 115.28 (7) (a), Wis. Stats.

### Explanation of agency authority:

Under s. 118.19 (1), Wis. Stats., any person seeking to teach in a public school, including a charter school, or in a school or institution operated by a county or the state shall first procure a license or permit from the department. One element of teacher licensure through ch. PI 34 is completion of a teacher preparation program which has been approved under s. PI 34.007. Section 115.28 (7) (a), Wis. Stats., requires, in relevant part, that the superintendent of public instruction shall prescribe by rule standards, requirements and procedures for the approval of teacher preparatory programs leading to licensure.

**Related statute or rule:** N/A

### Plain language analysis:

The proposed rule is a technical change to amend ch. PI 34 of the Wisconsin Administrative Code with respect to program approval and licensing requirements due to the passage of 2023 Wisconsin Act 20. The proposed rule conforms the rule to statutory requirements which provide that educator preparation programs shall address the acquisition of knowledge regarding evidence-based early reading instruction to be an approved preparation program and update the requirements for issuance of a license to align with statutory language.

### Summary of, and comparison with, existing or proposed federal regulations:

Because educator preparation in the United States is typically governed by each state and local government, federal regulations are generally silent with respect to the preparation of student teachers. As a result, the requirements for teacher preparation programs vary by state.

### Summary of any public comments and feedback on the statement of scope for the proposed rule that the agency received at a preliminary public hearing and comment period held and a description of how and to what extent the agency took those comments into account and drafting the proposed rule:

The department held a preliminary public hearing and comment period on December 14, 2023, and did not receive any comments on the statement of scope for the proposed rule.

### Comparison with rules in adjacent states:

- **Illinois:** Illinois will develop a literacy plan around the Science of Learning by the end of January 2024, and a rubric by July 1, 2024. By January 1, 2025, the IL Board of Education will develop and make available training opportunities for educators in teaching reading that are aligned with the comprehensive literacy plan (IL Public Act 103-0402). The plan is still being developed, but it will address teacher preparation programs to amend course content to incorporate a greater emphasis on evidence-based reading instruction.
- **Iowa:** The Iowa Department of Education offers a professional learning development course in the Science of Reading: Language Essentials for Teachers of Reading and Spelling. According to the National Council on Teacher Quality, teacher preparation programs in Iowa do not require teacher preparation programs for elementary teacher candidates to address the science of reading. The standards in Iowa address phonemic awareness, phonics, fluency, vocabulary, and comprehension, but only list them with no detail. None of the teacher preparation programs adequately teach all five components of reading and they continue to provide instruction on content contrary to research-based practices. Iowa also does not require teacher candidates to pass an assessment that measures knowledge of scientifically based reading instruction prior to certification or at any point thereafter. (IAC 282-13.26(4))
- **Michigan:** Michigan has moved away from three-cue teaching. Michigan recently enacted new elementary literacy standards for teacher preparation programs, therefore programs are in the process of aligning to these requirements. Under Mich. Admin. Code R. 390.1123 - Standard teaching certificate preparation program requirements, an applicant for a standard teaching certificate shall satisfactorily complete an approved program which meets the state board approved standards including addressing the five core components based on the science of reading. Michigan requires a licensing test that addresses reading.
- **Minnesota:** The approved teacher preparation programs in Minnesota must implement the five pillars supported by the science of reading per Minnesota Statutes 2022, sect. 122A.092, (5). Under Minn. Stat. sect. 120B.1118 (4), this does not include three-cue teaching. Minnesota requires a licensing test that addresses reading prior to licensure.

### **Summary of factual data and analytical methodologies:**

Chapter PI 34 of the Wisconsin Administrative Code contains the current rules governing the licensure of school personnel, including the standards for educator preparation program approval. Section PI 34.021 provides that an educator preparation program shall assess the knowledge, skills, and dispositions of students in a number of areas, including reading for special education teachers. Additionally, under s. PI 34.045, the state superintendent may issue an elementary and middle school license if the applicant completed an approved program in elementary and middle school education with at least one course in the curriculum content of the Wisconsin standards in language arts. The proposed rule amends ch. PI 34 with respect to the program approval process according to the requirements under s. 118.015 (1c), Wis. Stats. Without a rule change, the department would be required to implement ch. PI 34 as the rules currently exist.

### **Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:**

N/A

### **Anticipated costs incurred by private sector:**

N/A

### **Effect on small business:**

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

### **Agency contact person: (including email and telephone)**

Carl Bryan  
Legislative Policy Coordinator  
Wisconsin Department of Public Instruction

**Place where comments are to be submitted and deadline for submission:**

As provided in s. 227.16 (2) (b), Stats., there is no requirement that a public hearing be held for this rule because the proposed rule brings an existing rule into conformity with a statute that has been changed. However, pursuant to s. 227.14 (2) (a) 8., Stats., written comments on the rule may be submitted until March 1, 2024, by completing the form on the Legislature's website.

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**RULE TEXT**

**SECTION 1. PI 34.022 (6) is renumbered PI 34.022 (6) (intro.) and amended to read:**

**PI 34.022 (6) READING AND LANGUAGE ARTS.** ~~Appropriate instruction methods for teaching reading and language arts, including phonics for licenses to teach reading and language arts at the early childhood and elementary and middle school levels. In this paragraph, "phonics" means a method of teaching beginners to read and pronounce words by learning the phonetic values of letters, letter groups, and syllables. Instruction for teaching science-based reading and language arts in early childhood and elementary and middle school. In this paragraph, science-based instruction, as defined in s. 118.015 (1c) (b), Stats., shall include all of the following:~~

**SECTION 2. PI 34.022 (6) (a) through (i) are created to read:**

- a. Phonological awareness, including word awareness, rhyme recognition, repetition and creation of alliteration, syllable counting or identification, onset, and rime manipulation.
- b. Phonemic awareness, including phoneme identification, isolation, blending, segmentation, addition, substitution, and deletion.
- c. Phonics, as defined in s. 118.015 (1c) (a), Stats.
- d. Building background knowledge.
- e. Oral language development.
- f. Vocabulary building to develop lexical and morphological knowledge.
- g. Instruction in writing.
- h. Instruction in comprehension.
- i. Reading fluency.

**SECTION 3. EFFECTIVE DATE:**

The proposed 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.), Wis. Stats.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024

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Jill K. Underly, PhD  
State Superintendent