

Clearinghouse Rule 24-018

PROPOSED ORDER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AMENDING RULES

The scope statement for this rule, SS SS 085-23, was published in Register No. 814B, on October 30, 2023, and approved by State Superintendent Jill K. Underly November 28, 2023.

The State Superintendent of Public Instruction hereby proposes an order to create s. PI 34.0375, relating to trade specialist permits.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statute interpreted: ss. 115.28 (7) (a) and 118.19 (1), 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. Under s. 115.28 (7) (a), Wis. Stats., the superintendent of public instruction shall make rules establishing standards of attainment and procedures for the examination and licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.191, 118.192, 118.193, 118.194, and 118.195, Wis. Stats. Further, s. 118.19 (7) (a), Wis. Stats., describes the requirements associated with a license to teach industrial arts subjects. As such, a rule is required to establish specific criteria for the issuance of an industrial arts subject license under ss. 118.19 (7) (a), and 118.191, Wis. Stats.

Related statute or rule:

N/A

Plain language analysis:

The proposed rule seeks to amend ch. PI 34 of the Wisconsin Administrative Code to establish rules around eligibility, renewal, and requirements for individuals seeking a trade specialist permit. The intent of the rule is to clarify current statute with respect to the trade specialist permit under s. 118.19 (7) (a), Wis. Stats., and align this rule to statute and other code provisions.

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

Because educator licensure in the United States is typically governed by each state and local government, federal regulations are generally silent with respect to the issuance of teacher licenses. As a result, the requirements for teacher certification 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 November 9, 2023, and did not receive any comments on the statement of scope for the proposed rule.

Comparison with rules in adjacent states:

Illinois: Illinois does not offer a comparable trade specialist permit. However, Ill. Admin. Code tit. 23 sec. 25.70 through 25.81 govern the rules for endorsing individuals seeking an educator license in career and technical education. To qualify for an endorsement, applicants must provide evidence of completing 60 semester hours of college coursework from a regionally accredited institution or an accredited trade and technical institution. Additionally, they must demonstrate having accrued 2,000 hours of work experience outside the field of education in each area they intend to teach. Applicants can count educational experience hours toward the work experience requirement only if they were delivering instruction, were appropriately licensed or qualified to teach the course at the time and were not substituting except for the General Education program of study. Evidence of this work experience must be supported by written statements from former supervisors or, if supervisors are unavailable, by affidavits from the applicant describing the work experience.

Iowa: Iowa does not offer a comparable trade specialist permit. Iowa Admin. Code r. 282-13.28(10) governs the minimum requirements for teaching endorsements, including teachers of industrial technology. To receive an endorsement, each applicant shall complete 24 semester hours in industrial technology to include coursework in manufacturing, construction, energy and power, graphic communications, and transportation. The coursework is to include at least 6 semester hours in three different areas.

Michigan: Michigan does not offer a comparable trade specialist permit. Mich. Admin. Code R. 390.1161 governs the requirements for individuals seeking endorsements to teach career and technical education subjects, which includes vocational and occupational education. To receive an endorsement, an applicant must meet the requirements for a standard or professional teaching certificate and provide evidence of completion of a program with at least 6 semester credit hours of career and technical education coursework from an approved institution. They must also fulfill the specific program requirements defined by the state board for each career and technical education endorsement and possess two years of recent and relevant experience in the occupational area of the endorsement, as determined by the superintendent of public instruction.

Minnesota: Minnesota does not offer a comparable trade specialist permit. Minn. R. 8710.8000 governs the requirements for individuals seeking endorsements to teach career and technical education subjects. To qualify for a license to teach career and technical education, applicants must satisfy one of the following criteria: hold an associates degree or higher in a field directly related to the desired licensure area, possess a professional certification relevant to the licensure field, or demonstrate five years of confirmed work experience in a field directly related to the licensure area. Additionally, applicants may need a job offer from a Minnesota public school district or charter school, or they might need to fulfill additional requirements depending on the tier of licensure they are seeking.

Summary of factual data and analytical methodologies:

Chapter PI 34 of the Wisconsin Administrative Code contains the current rules governing educator licensure promulgated by the department. Section 118.19 (7), Wis. Stats., contains the current requirements for obtaining a permit to teach industrial arts and states that no certificate or license to teach industrial arts subjects may be issued unless the applicant has had 3 years of practical experience beyond apprenticeship or 4 years of institutional training in such subjects. Additionally, the state superintendent may issue a permit to teach industrial arts subjects if the applicant is certified by the technical college system board to teach an industrial arts or similar subject.

This permit pathway is not currently reflected in ch. PI 34. Therefore, the proposed rule will establish rules around eligibility, renewal, and requirements for individuals seeking the permit. Without a rule change, the department would be required to implement existing rule and statute as they currently exist, which may create confusion for individuals seeking a permit through this pathway.

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
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(608) 266-3275

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

Comments should be submitted to Carl Bryan, Department of Public Instruction, at adminrules@dpi.wi.gov. The Department will publish a hearing notice in the *Administrative Register* which will provide information on the deadline for the submission of comments.

RULE TEXT

SECTION 1. PI 34.0375 is created to read:

PI 34.0375 Tier I, trade specialist permit.

(1) DEFINITIONS. In this section:

(a) “Apprenticeship program” means a registered apprenticeship program in an industrial art subject.

(b) “Industrial art subject” means one of the following subject areas:

1. CMC machinist.
2. Cabinet maker.
3. Machinist.
4. Sheet metal worker.
5. Welder (fitter).
6. Welder combination.
7. Welder-fabricator.
8. Residential carpenter.
9. Bricklayer.
10. Heating, ventilating and air conditioning (H/VAC).
11. Plumber.
12. Residential wirer.
13. Auto body repairer.

(c) “Institutional training” means completion of a program in the industrial art subject an accredited institution of higher education.

(d) “Practical experience” means work experience in the trade area.

(2) AUTHORIZATION. A permit issued under this section authorizes the license holder to teach a trade subject in grades 9 through 12.

(3) ELIGIBILITY. The state superintendent may issue a tier I permit under this section to an applicant who meets one of the following requirements:

(a) Holds an apprenticeship certificate verifying completion of an apprenticeship program, as defined in Wisconsin 106.001 or pursuant to other states’ apprenticeship laws and verifies 3 years of practical experience in the industrial art subject beyond the apprenticeship.

(b) Verifies completion of four years of institutional training in the industrial art subject.

(c) Verifies certification by the Wisconsin Technical College System board to teach the industrial art subject or similar subject.

(5) DURATION. A permit listed under this section is valid for 5 years.

(6) RENEWAL. A permit under this section is renewable.

SECTION 2. 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.), Stats.

Dated this ____ day of _____, 2024

Jill K. Underly, PhD
State Superintendent