

**Report From Agency**  
**FINAL REPORT**  
**CLEARINGHOUSE RULE 24-019**  
**CHAPTER PI 34**  
**EDUCATOR LICENSES**

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**Analysis by the Department of Public Instruction**

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

**Statute interpreted:** ss. 115.28 (7) (a) and 118.19 (1), Wis. Stats.

The proposed rule would clarify what is meant by a background check as a standard for admission into an educator preparation program.

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The hearing notice was published in the February 26, 2024, edition of the Wisconsin Administrative Register. A public hearing was held on March 15, 2024.

***The following persons submitted written testimony:***

<b>NAME</b>	<b>ORGANIZATION</b>	<b>IN FAVOR OR GENERALLY IN FAVOR</b>	<b>OPPOSED OR GENERALLY OPPOSED</b>	<b>OTHER</b>
Wendy Kropid	University of Wisconsin-Superior			X

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

1. The respondent raised concerns about the proposed change to s. PI 34.018 (2) (b), which provides that the background check shall include a review of criminal conduct at the state and federal levels. Specifically, the respondent argues that the change presents challenges for students who may be located internationally, including those in Canada or working at American schools abroad. The respondent further argues his requirement particularly affects students who may not have a state or federal status to undergo the specified background check and are enrolled in an online preparation program for teacher, administrative, or pupil services licensure. Some preparation programs have followed the recommendations of the US State Department regarding background checks for applicants in similar situations. However, the respondent believes the proposed language could potentially exclude these individuals from admission to those licensure programs.

Agency response: The department agrees with the suggestion and will amend s. PI 34.018 (2) (b) to state that the requirement for a background check to include a review of criminal conduct at the state and federal levels does not apply to individuals who do not reside in the United States for the duration of enrollment in an educator preparation program.

***Changes made as a result of oral or written testimony:***

As a result of public comment received, the department amended s. PI 34.018 (2) (b) to state that the requirement for a background check to include a review of criminal conduct at the state and federal levels does not apply to individuals who do not reside in the United States for the duration of enrollment in an educator preparation program.

***Changes to the analysis or the fiscal estimate:***

No changes were made.

***Responses to Clearinghouse Report:***

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

The changes are accepted.