

Wisconsin Department of Public Instruction
STATEMENT OF SCOPE FOR ADMINISTRATIVE RULES

GENERAL INFORMATION

Rule No.: PI 35

Relating to: Milwaukee Parental Choice Program

Rule Type: Permanent

The revised statement of scope modifies SS 086-13, which was published in Register No. 691 on July 31, 2013 and approved by the Superintendent of Public Instruction on August 15, 2013, relating to the Milwaukee parental choice program. Pursuant to *Coyne v. Walker*, the Department of Public Instruction is not required to obtain the Governor's approval for the statement of scope for this rule. *Coyne v. Walker*, No. 2013AP416, 2015 WL 686178 (Wis. Ct. App. Feb. 19, 2015).

1. Finding/nature of the emergency (Emergency Rule only).

N/A.

2. Detailed description of the objective of the proposed rule.

Section 119.23 (11) (a), Stats., requires the DPI to promulgate rules to implement and administer the Milwaukee Parental Choice Program. The 2013-15 budget, 2013 Wisconsin Act 20, made several modifications to the Milwaukee Parental Choice Program; the program was further modified by the 2015-17 budget, 2015 Wisconsin Act 55. The rule needs to be updated to reflect statutory changes and changes in practice.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives.

The DPI is proposing to update PI 35 so that it reflects how the Milwaukee Parental Choice Program is implemented and administered. The alternative to not updating this rule is to have an administrative rules chapter that is outdated.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language).

119.23 Milwaukee parental choice program.

(11) The department shall do all of the following:

(a) Promulgate rules to implement and administer this section. The department may not by rule establish standards under sub. (7) (am) that exceed the standards established by the American Institute of Certified Public Accountants.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule.

The amount of time needed for rule development by department staff and the amount of other resources necessary is indeterminate.

6. List with description of all entities that may be affected by the proposed rule.

Private schools participating in the Milwaukee Parental Choice Program will be impacted by this rule change.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule.

N/A.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses).

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