

Wisconsin Department of Public Instruction
**STATEMENT OF SCOPE
 FOR ADMINISTRATIVE RULES**

GENERAL INFORMATION		
Rule No. PI 8	Relating to Technical Changes to PI 8 as a Result of 2013 Wisconsin Act 257	Rule Type Permanent
SIGNATURE		
State Superintendent Review <input type="checkbox"/> Approved. <i>Begin Drafting Rule</i> <input type="checkbox"/> Disapproved. <i>Reason for Disapproval</i>	State Superintendent Signature <div style="text-align: center;">➤</div>	Date Signed Mo./Day/Yr.
NARRATIVE		

The revised statement of scope modifies SS 070-15, which was published in Register No. 716A2 on August 10, 2015 and approved by the Superintendent of Public Instruction on August 24, 2015, relating technical changes to PI 8 as a result of 2013 Wisconsin Act 257. 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. A description of the objective of the proposed rule.

This proposed rule change will align PI 8 with the statutory changes made as a result of 2013 Wisconsin Act 257 with respect to school days and hours of instruction. Any other changes to PI 8 that are needed to align these rules with current statutes will also be made.

3. A description of the existing policies and new policies included in the proposed rule and an analysis of policy alternatives.

This is a technical change to align PI 8 with statutes.

4. The statutory authority for the proposed rule.

Under s. 227.11 (2) (a) (intro.), Stats., “Each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.” As such, PI 8 is required to effectively implement school district standards pertaining to hours of instruction under s. 121.02 (1) (f), Stats.

5. An estimate of the amount of time agency employees will spend developing the proposed rule and of other resources needed to develop the rule.

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

6. A description of all of the entities that will be affected by the proposed rule.

No entities should be affected by this rule change since the change will only be done to align the PI rule chapters with the statutes.

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.

Contact information.

Carl Bryan
Policy and Budget Team
267-9127
carl.bryan@dpi.wi.gov