

Wisconsin Department of Public Instruction

**STATEMENT OF SCOPE  
FOR ADMINISTRATIVE RULES**

**GENERAL INFORMATION**

Rule No.: PI 5

Relating to: The passing score for GED tests and the Civics Exam diploma requirement

Rule Type: Emergency and Permanent

**NARRATIVE**

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*, 2015 WI App 21, 361 Wis.2d 255.

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

Recent guidance regarding the passing score for the general educational development (GED) test was provided to states by GED Testing Service on January 19, 2016 with an effective date of March 1, 2016. Since the change in cut score will result in the issuance of credentials on March 1, 2016 forward, emergency rules are needed to implement the change for individuals who will be taking the GED tests.

Additionally, 2015 Wisconsin Act 55 requires the civics exam for persons seeking both a GED and High School Equivalency Diploma under s. 115.29 (4) (a), Stats. This statutory requirement becomes effective July 1, 2016 and will require revisions to the administrative code to implement.

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

This proposed rule will address the GED passing score and include the civics exam diploma requirement.

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

The rule change addresses the passing score of the GED and completion of the civics requirement for the issuances of high school completion credentials by the State Superintendent under his authority in 115.29 (4), Wis. Stats.

4. The statutory authority for the proposed rule.

**(4) HIGH SCHOOL GRADUATION EQUIVALENCY.**

(a) Grant a declaration of equivalency of high school graduation to an individual if the individual has successfully completed the civics test required under s. 118.33 (1m) (a) and if, in the state superintendent's judgment, the individual has presented satisfactory evidence of having completed a recognized high school course of study or its equivalent. The state superintendent may establish the standards by which high school graduation equivalency is determined. Such standards may consist of evidence of high school courses completed in high schools recognized by the proper authorities as accredited, results of examinations given by or at the request of the state superintendent, successful completion of correspondence study courses given by acceptable correspondence study schools, a general educational development certificate of high school equivalency issued by an agency of the U.S. government, course credits received in schools meeting the approval of the state superintendent, or other standards established by the state superintendent.

(b) Promulgate rules establishing fees for issuing a declaration of equivalency of high school graduation or a general educational development certificate under par. (a). The rules may provide exemptions from the fees based on financial need.

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.

School districts, technical colleges, Department of Corrections, and Department of Health Services will be affected by the proposed rule change.

7. A summary and preliminary comparison of any existing or proposed federal regulation that addresses or 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) (a), Stats.

Contact information.

Carl Bryan  
Policy and Budget Team  
Phone: 608-267-9127  
Email: [carl.bryan@dpi.wi.gov](mailto:carl.bryan@dpi.wi.gov)