

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

Rule No.: PI 34

Relating to: Professional Standards Council revisions to licensure

Rule Type: Permanent and Emergency

The revised statement of scope modifies SS 102-16, which was published in Register No. 730B on October 31, 2016 and approved by State Superintendent Tony Evers on December 5, 2016, relating to Professional Standards Council revisions to licensure. 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*, 2016 WI 38.

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

School districts throughout the state are experiencing difficulties obtaining and retaining licensed personnel. These difficulties can impact children's educational experience. An emergency rule is needed to create additional flexibility in the teacher licensing process for individuals who are seeking a license for the upcoming school year. A permanent rule would not be able to provide the flexibility that is needed for applicants and school districts in time for the upcoming school year.

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

Through its work with the Professional Standards Council for Teachers (PSC) and stakeholder groups, the Department has identified administrative rule changes that help school districts address teacher shortages with the goal of attracting people into the teaching profession and prepare them for work, beginning with Emergency Rule 1623 that is currently in effect. Additional changes to PI 34 are being recommended by the PSC and stakeholder groups, which proposes to amend Chapter PI 34 further. In order to continue implementing solutions that help school districts address staffing difficulties, the proposed rule's objective is to provide further flexibility, transparency, and clarity around the teacher licensing process.

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

PI 34 contains the current administrative rules governing the licensure of school personnel. Section 115.425, Wis. Stats., and PI 34.36, Wis. Admin. Code, provide the duties of the Professional Standards Council for Teachers, which include advising the State Superintendent of Public Instruction on matters including the licensure of teachers, as well as review and make recommendations regarding administrative rules that relate to teacher preparation, licensure and regulation. The Department will identify new policies and possible alternatives during the rulemaking process, including those recommended by the Professional Standards Council. Such policies may include changes to teacher preparation, pathways into the profession, and strategies that develop, support, and retain teachers.

Without a rule change, the Department will continue to administer school personnel licensure as it exists in PI 34.

4. The statutory authority for the proposed rule.

115.28 General duties. The state superintendent shall:

(7) Licensing of teachers.

(a) License all teachers for the public schools of the state; 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; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, beginning on July 1, 2012, and annually thereafter, each teacher preparatory program located in this state shall submit to the department a list of individuals who have completed the program and who have been recommended by the program for licensure under this subsection, together with each individual's date of program completion, from each term or semester of the program's most recently completed academic year; file in the state superintendent's office all papers relating to state teachers' licenses; and register each such license.

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 indeterminate.

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

This rule change could impact public schools, including charter schools and educator preparation programs, as well as individuals with a teaching license or those seeking a teaching license under s. 115.28 (7) (a), Stats.

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), Stats.

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