

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

**GENERAL INFORMATION**

Rule No.: PI 34

Relating to: Educator licenses for military spouses

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*, 2016 WI 38, 368 Wis. 2d 444.

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

School districts throughout the state are experiencing difficulties obtaining and retaining licensed personnel, particularly in rural areas located around military institutions in the state. These difficulties can impact children's educational experience. An emergency rule is needed to create another option in the teacher licensing process for military spouses who are seeking a license. A permanent rule would not be able to provide for this license in time for when school districts are required to make hiring decisions; therefore, an emergency rule is necessary until the process for promulgating a permanent rule can be completed.

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

The Department proposes to amend its current rules governing educator licenses under PI 34 of the Wisconsin Administrative Code in order to streamline the process for educators who are military spouses to receive a teaching license in Wisconsin.

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

PI 34 of the Wisconsin Administrative Code governs educator licenses, which was rewritten and had become effective on August 1, 2018. The Department's rules governing program approval for educator licenses also exist under PI 34. Currently, the educator preparation of military spouses is often done through alternative route programs, which are not the equivalent of approved Wisconsin educator preparation programs. In addition, because military assignments are often 18 months or shorter, it is often difficult to meet the one year of full-time experience requirement in order to receive an educator license in Wisconsin based on reciprocity. For these reasons, the Department proposes a rule change that would allow it to issue a license to military spouses based solely on their license in another state and upon military orders. Without a rule change, the Department would be required to administer educator licenses

as they currently exist in PI 34 and affected license applicants will have to meet the current rule requirements in order to receive a license by using current license pathways.

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 individuals 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.

Contact Information

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