

STATEMENT OF SCOPE
Department of Workforce Development

Rule No.

DWD 802

Relating to

Technical Education Equipment Grants

Rule Type

Emergency

Finding of Emergency

The Department of Workforce Development seeks to promulgate new rules in Chapter DWD 802 to implement the Technical Education Equipment Grants program created by 2017 Wisconsin Act 59. Section 1407k of the Act, creating Wis. Stat. § 106.275, required the Department to promulgate rules to implement the program.

In a November 2019 Audit, the Legislative Audit Bureau ("LAB") found that the Department had not complied with the statute requiring it to promulgate rules for awarding grants for advanced manufacturing technical education equipment. The LAB recommended that the Department:

- comply with the statutes by promulgating rules for awarding grants for technical education equipment for advanced manufacturing fields; and
- report to the Joint Legislative Audit Committee by March 31, 2020, on its effort to implement this recommendation.

Legislative Audit Bureau Report 19-24, November 2019, p. 46.

In addition, the funding for the Technical Education Equipment Grant program is an annual appropriation of \$1,000,000 for 2019-2020 that will lapse if not encumbered by the end of the fiscal year. The grants must be encumbered by June 30, 2020. *See* Wis. Stat. § 20.445(1)(cg).

Detailed Description of the Objective of the Proposed Rule

2017 Wisconsin Act 59 created Wis. Stat. § 106.275, which allows the Department to award technical education equipment grants to school districts and requires the Department to promulgate rules to implement the grant procedures and requirements. The objective of this proposed rule is to establish those procedures and requirements for applying for a grant, including the information that must be submitted with a grant application; establish the procedures and criteria for awarding a grant; and outline the reporting requirement for each school district that receives a grant.

Description of Existing Policies Relevant to the Rule, New Policies Proposed to be Included in the Rule, and an Analysis of Policy Alternatives

The new policies which will be proposed in the rule will establish the basic procedures and criteria for the awarding of grants, which will include requirements for written proposals, standards for the evaluation of the proposals, and a description of the extent to which matching funds will be required. The new policies will also describe the reports required by the statute which are intended to provide a record of how the grant funds were expended and what outcomes were achieved.

Detailed Explanation of Statutory Authority for the Rule (Including the Statutory Citation and Language)

Wis. Stat. § 106.275

(4) IMPLEMENTATION OF GRANT PROGRAM.

(b) The department shall promulgate rules to implement this section. Those rules shall include all of the following:

1. Rules establishing the procedures and requirements for applying for a grant under sub. (2) (a), including the information that must be submitted with a grant application.
2. Rules establishing the procedures and criteria for awarding a grant under sub. (2) (b).
3. Rules governing the reporting requirements under sub. (3), including the information that must be provided in a report submitted under sub. (3).

Estimate of Amount of Time that State Employees Will Spend Developing the Rule and of Other Resources Necessary to Develop the Rule

The estimated time is 80 hours.

List with Description of All Entities that May Be Affected by the Proposed Rule

The emergency rule will impact school districts that are interested in participating in the Technical Education Equipment Grant program.

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

The grant will complement existing job training opportunities under the Wisconsin Fast Forward programs, the federal Workforce Innovation and Opportunity Act of 2014, and other local, state, and federal workforce training programs.

Anticipated Economic Impact of Implementing the Rule (Note if the Rule is Likely to Have a Significant Economic Impact on Small Businesses)

The proposed rule will effectuate the anticipated economic impact intended by the Legislature in enacting 2017 Wis. Act 59, section 1407k.

Contact Person: Pamela McGillivray, Chief Legal Counsel, (608) 261-6705,
pamelar.mcgillivray@dwd.wisconsin.gov