

GENERAL INFORMATION		
Rule No. PI 34	Relating to Issuing a Tier I License with Stipulations based on District Need	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  ➤	Date Signed Mo./Day/Yr.
NARRATIVE		

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

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

The proposed rule change amends s. PI 34.028 (2) (c) of the Wisconsin Administrative Code with respect to the rules governing the issuance of a tier 1, one-year renewable license with stipulations due to a school district need. The proposed change will include CESAs, charter schools, and private schools under this section as a means of providing all schools with access to this license option.

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

Chapter PI 34 of the Wisconsin Administrative Code contains the rules governing educator licensure, including the issuance of tier 1, one-year renewable licenses with stipulations. Under s. PI 34.028 (2), the state superintendent may issue a tier I license to an applicant who does not meet all the requirements for a tier II, III, or IV license if the applicant meets one of several criteria. Among these criteria, the applicant is hired to meet a school district need and meets one of the following requirements: 1) for a teaching license, the applicant must hold a bachelor's degree or higher; 2) for a school social worker or school counselor license, the applicant must hold either a master's degree in the area of licensure or a bachelor's degree or higher from an institution and verification of enrollment in an approved program leading to the license for the assignment; or 3) for a school psychologist, the applicant must hold a master's degree in the area of licensure and verify enrollment in an approved program in the area of licensure and verify enrollment in an approved program leading to the school psychologist license. Additionally, the applicant's employing school district must have conducted a search for a fully licensed candidate and no fully licensed candidates were acceptable for the assignment, and the district administrator of the employing school district submitted a written request to the state superintendent on behalf of the applicant for the applicant to receive the license.

The proposed rule change will permit the state superintendent to issue a tier I license to an applicant who is hired to meet the needs of an employing CESA, charter school, or private school. To receive the license, the applicant shall meet the same degree requirements stated above and the administrator of the employing CESA, charter school, or private school shall submit a written request to the state superintendent on behalf of the applicant for the applicant to receive the license. Without a rule change, the department will be unable to implement this flexibility for all schools and will be required to implement ch. PI 34 based on current rule.

4. The statutory authority for the proposed rule.

Under 118.19 (1), Stats., any person seeking to teach in a public school, including a charter school, or in a school or institution operated by a county or the state shall first procure a license or permit from the department. Under Wis. Stat. s. 115.28 (7) (a) the superintendent of public instruction shall 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.

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.

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**NARRATIVE (cont'd)**

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

This rule change would impact internal staff, CESAs, charter schools, private schools, associations representing school districts.

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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