



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

LEGISLATIVE POLICY & OUTREACH TEAM
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GENERAL INFORMATION		
Rule No. PI 34	Relating to Bilingual-Bicultural supplemental licenses	Rule Type Permanent and Emergency

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		
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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 those teaching in a bilingual-bicultural education program. These difficulties are negatively impacting the educational experiences of students in the state. An emergency rule is needed to create another option in the teacher licensing process for school districts seeking to request a license in a bilingual-bicultural subject area and address this severe shortage area. A permanent rule would not be able to provide for this license in time for the next school year; 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 objective of the proposed rule is to change ch. PI 34 of the Wisconsin Administrative Code to 1) expand the scope of their bilingual-bicultural license to any underlying teaching license they hold or acquire in the future; and 2) to remove the prohibition on acquiring the bilingual-bicultural license through a three-year license with stipulations.

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 the licensure of school personnel, including those holding a license to teach in a bilingual-bicultural education program. Bilingual-bicultural licenses are supplementary licenses that require a Tier II teaching license be held to be eligible for the license. Section PI 34.078 (1) allows a bilingual-bicultural license to be issued in the subject area of the existing or underlying license held at the time. Section PI 34.078 (2) (c) further requires that the applicant shall have completed an approved program in bilingual-bicultural education at the grade level of the license being sought. The approved program must have coursework in cultural and cross-cultural studies which relate to the teaching of bilingual-bicultural content, regardless of grade level, and include: 1) contemporary social problems, with an emphasis on the bilingual-bicultural child; 2) culture of the target group or groups; 3) analysis contrasting the target culture with other cultures; 4) bilingual-bicultural field experiences in the community of the target group; 5) demonstrated competency in foundations of bilingual-bicultural education, including the rationale, history, and survey of existing models; 6) demonstrated theory and methodology of teaching bilingual-bicultural pupils in both English and the target language; 7) language study which develops knowledge related to phonology, morphology, and syntax in the target language as these elements contrast with English; and 8) a clinical program in bilingual-bicultural education.

Additionally, ch. PI 34 of the Wisconsin Administrative Code provides the rules governing a tier I, three-year school district-sponsored license with stipulations. A license issued under s. PI 34.029 authorizes the license holder to teach in a subject area or grade level other than the subject area or grade level covered by the license holder's valid tier II, III, or IV license. A license issued under this section only authorizes the license holder to teach in the school district, CESA, or residential school which requested the license. Currently under s. PI 34.029 (1r) (b) 6., a license issued under this section may not be granted in bilingual-bicultural education under s. PI 34.078.

The department proposes to update ch. PI 34 of the Wisconsin Administrative Code to provide flexibility to school districts to meet staffing needs in the area of bilingual-bicultural education. The proposed change would allow the scope of the bilingual license held to expand as an individual adds additional licenses and would revise s. PI 34.029 to provide individuals with a tier II license or higher with the option to add a bilingual-bicultural license under the three-year, school district-sponsored pathway. Without a rule, the department would be required to implement ch. PI 34 as the rules currently exist, and school districts will be left without the flexibility to address this shortage area.

	NARRATIVE (cont'd)	
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4. The statutory authority for the proposed rule.

The state superintendent is authorized under s. 115.28 (7) (a), Wis. Stats., to promulgate rules establishing the standards of attainment and procedures for the licensing of educators in the state:

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, 118.1915, 118.192, 118.193, 118.194, 118.195, and 118.197; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, to be approved by the state superintendent, a teacher preparatory program shall demonstrate that it provides instruction that prepares teachers to teach reading and language arts using science-based early reading instruction, as defined in s. 118.015 (1c) (b), and does not provide instruction on teaching reading and language arts that incorporates 3-cueing, as defined in s. 118.015 (1c) (c), and 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.

Additionally, the state superintendent is authorized under s. 115.28 (15) (a), Wis. Stats., to promulgate rules establishing standards for the approval of certified teachers and counselors and their aides participating in bilingual-bicultural education programs:

115.28 General duties. The state superintendent shall:

(15) Bilingual-bicultural education.

(a) Establish, by rule, standards for the approval of the abilities of certified teachers and counselors and their aides participating in bilingual-bicultural education programs under subch. VII to read, write and speak a non-English language and to possess knowledge of the culture of limited-English proficient pupils.

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 would impact school districts and individuals seeking a license under s. PI 34.078.

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.

Because educator licensure in the United States is typically governed by each state and local government, federal regulations are generally silent with respect to the issuance of teacher licenses. As a result, the requirements for licensure vary by state.