

ORDER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION ADOPTING EMERGENCY RULES

The scope statement for this rule, SS 116-24, was published in Register No. 828A4, on December 23, 2024, and approved by State Superintendent Jill K. Underly, PhD, on January 23, 2025.

The State Superintendent of Public Instruction hereby adopts an order to repeal s. PI 34.074 (2) (b) 3. and 34.074 (2) (b) 2. c.; to amend s. PI 34.077 (2) (b), 34.078 (2) (c) 8., 34.079 (2) (intro.), 34.081 (2) (c), and 34.082 (2) (e); and to create s. PI 34.074 (2) (c), 34.075 (2) (b) 3. and 34.076 (2) (b) 3., relating to pre-student teaching requirements for supplementary license areas.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statute interpreted: s. 115.28 (7) (a), Wis. Stats.

Statutory authority: s. 115.28 (7) (a), Wis. Stats.

Explanation of agency authority:

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.

Related statute or rule:

N/A

Plain language analysis:

The proposed rule revises ch. PI 34 of the Wisconsin Administrative Code by eliminating the pre-student teaching requirement under s. PI 34.023 (1) for individuals seeking licensure in a supplementary licensure under subch. IX of ch. PI 34, clarifying that only the student teaching requirement under PI 34.023 (2) applies to this license area and replacing references to "clinical program" with "student teaching."

Summary of, and comparison with, existing or proposed federal regulations:

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.

Summary of any public comments and feedback on the statement of scope for the proposed rule that the agency received at a preliminary public hearing and comment period held and a description of how and to what extent the agency took those comments into account and drafting the proposed rule:

The Department held a preliminary public hearing and comment period on January 10, 2025, and did not receive any comments on the statement of scope for the proposed rule.

Comparison with rules in adjacent states:

- **Illinois:** Illinois requires teachers seeking supplemental endorsements (specifically bilingual, gifted, and reading) to engage in additional coursework and pass the appropriate test.
- **Iowa:** Completion of either student teaching or a practicum course is required to add some endorsements to the underlying license. see IAC 218.14.2 and 282.13
- **Michigan:** For new teachers, Michigan requires an apprenticeship (similar to pre-student teaching) and an internship (comparable to student teaching). Those seeking a special education endorsement also need to complete an additional 8-week Internship placement in the area of endorsement, but not an additional apprenticeship. If a licensed teacher is seeking to add an additional endorsement, they need additional student contact hours. (Mich. Admin. Rules for Special Education R340.1782)
- **Minnesota:** For initial licensure, students need at least 100 school-based hours prior to student teaching. Candidates who are already licensed and want to get an additional license or endorsement engage in a practicum experience that addresses any gaps in prior experience.

Summary of factual data and analytical methodologies:

Chapter PI 34 of the Wisconsin Administrative Code contains the rules governing the licensure of school personnel, including the rules governing clinical programs for students in a Wisconsin approved educator preparation program. Clinical programs must include pre-student teaching for programs leading to a teaching license, and a practicum program for programs leading to pupil services or administrative licensure. These experiences must follow a developmental scope and sequence, occur in diverse settings, and enable students to demonstrate knowledge of state standards through assessments and evaluations. For pre-student teaching specifically, each student must have onsite, supervised experiences with at least two written evaluations by the cooperating teacher or program supervisor. All clinical programs must use cooperating teachers or supervisors who meet criteria for licensure, experience, and training.

Since the rules were promulgated, the department has identified a rule change which is necessary to clarify the preparation requirements for individuals seeking licensure in a supplementary license area. While the pre-student teaching requirement was never intended for individuals working in a supplementary license area under subch. IX of ch. PI 34, Wis. Admin. Code, the rules incorrectly require that applicants seeking several licenses must complete a clinical program in the license area, including pre-student teaching. To correct this issue, the department proposes a rule change that will ensure clarity in the processing and issuing of supplemental licenses as intended. The proposed rule change would remove the clinical program requirement to accurately reflect that only the student teaching requirement under s. PI 34.023 (2), Wis. Admin. Code, applies to this license area. Specifically, references to the term “clinical program” will be replaced with “student teaching” as it applies to the supplementary licenses listed under subch. IX of ch. PI 34, Wis. Admin. Code.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:

N/A

Anticipated costs incurred by private sector:

N/A

Effect on small business:

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

Agency contact person: (including email and telephone)

Carl Bryan
Legislative Policy Coordinator
Wisconsin Department of Public Instruction
adminrules@dpi.wi.gov
(608) 266-3275

Place where comments are to be submitted and deadline for submission:

Comments should be submitted to Carl Bryan, Department of Public Instruction, at adminrules@dpi.wi.gov. The Department will publish a hearing notice in the *Administrative Register* which will provide information on the deadline for the submission of comments.

RULE TEXT

SECTION 1. PI 34.074 (2) (b) 3. is repealed.

SECTION 2. PI 34.074 (2) (c) is created to read:

PI 34.074 (2) (c) Student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in adaptive education.

SECTION 3. PI 34.075 (2) (b) 2. c. is repealed.

SECTION 4. PI 34.075 (2) (b) 3. is created to read:

PI 34.075 (2) (b) 3. Student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in adaptive physical education.

SECTION 5. PI 34.076 (2) (b) 3. is created to read:

PI 34.076 (2) (b) 3. Student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in assistive technology.

SECTION 6. PI 34.077 (2) (b) is amended to read:

PI 34.077 (2) (b) The applicant completed an approved program, including student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in alternative education and received an institutional endorsement.

SECTION 7. PI 34.078 (2) (c) 8. is amended to read:

PI 34.078 (2) (c) 8. ~~A clinical program~~ Student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in bilingual-bicultural education.

SECTION 8. PI 34.079 (2) (intro.) is amended to read:

PI 34.079 (2) ELIGIBILITY. The state superintendent may issue a coaching athletics license to an applicant who completed a ~~clinical program~~ student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in coaching and meets one of the following requirements:

SECTION 9. PI 34.081 (2) (c) is amended to read:

PI 34.080 (2) (c) Completed a ~~clinical program~~ student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in gifted, talented, and creative education.

SECTION 10. PI 34.082 (2) (e) (intro.) is amended to read:

PI 34.082 (2) (e) Completed a ~~clinical program~~ student teaching, meeting the requirements of PI 34.023 (2) and 34.023 (4), in teaching reading which included experience with all of the following:

SECTION 11. STATEMENT OF EMERGENCY

The Department of Public Instruction finds an emergency exists and that a rule is necessary for the immediate preservation of the public welfare. A statement of the facts constituting the emergency is:

School districts throughout the state are experiencing difficulties obtaining and retaining licensed personnel, particularly in the areas of adaptive education, bilingual-bicultural education, gifted and talented, and reading. As written, the current rule may preclude eligible applicants from obtaining a supplementary license in these areas under subch. IX of ch. PI 34, Wis. Admin. Code. As a result, these difficulties are negatively impacting the educational experiences of students in the state. An emergency rule is therefore needed to ensure clarity in the processing and issuing of supplemental licenses as the rule was originally intended. Further, a permanent rule would not be able to provide for this license in time for the current school year, so promulgation of an emergency rule is necessary until the process for promulgating the associated permanent rule can be completed. Without immediate action, school districts will continue to struggle with staffing shortages, further exacerbating inequities in access to quality education across the state.

SECTION 12. EFFECTIVE DATE:

The rules contained in this order shall take effect upon publication as emergency rules pursuant to the authority granted by s. 227.24, Stats.

Dated this _____ day of _____, 2025

Jill K. Underly, PhD
State Superintendent