

Clearinghouse Rule 98-039

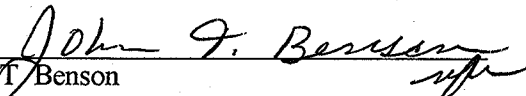
CERTIFICATE

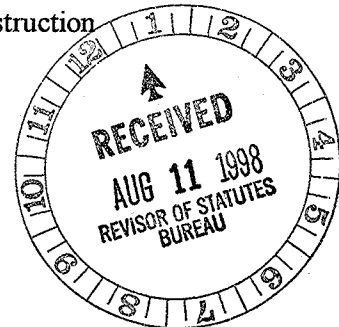
STATE OF WISCONSIN)
) SS
DEPARTMENT OF PUBLIC INSTRUCTION)

I, State Superintendent of the Department of Public Instruction and custodian of the official records of said Department, do hereby certify that the annexed rule relating to the school district boundary appeals board was duly approved and adopted by this Department on the first day of the month following publication in the Wisconsin Administrative Register.

I further certify that said copy has been compared by me with the original on file in this Department and the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the official seal of the Department at General Executive Facility (GEF) 3, 125 South Webster Street, P.O. Box 7841, in the city of Madison, this 11th day of August, 1998.


John T. Benson
State Superintendent
State Department of Public Instruction



18-1298

**ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
AMENDING RULES**

The state superintendent of public instruction hereby amends PI 2.05(2)(a), relating to the school district boundary appeals board.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statutory authority: s. 227.11(2)(a), Stats.
Statute interpreted: ss. 15.375(2) and 117.05(2), Stats.

Section 15.375(2), Stats., requires the state superintendent to appoint 12 school board members to serve on the school district boundary appeal board (SDBAB). The statute also states that 4 members of the SDBAB shall be school board members from small school districts, 4 members shall be school board members from medium school districts and 4 members shall be school board members from large school districts.

Chapter PI 2, Wis. Admin. Code, establishes the criteria used in determining whether a school district is considered to be small, medium or large. The proposed rule amendment changes the criteria used in determining whether a school district is small, medium or large to more accurately reflect the representation of such school districts on the SDBAB.

SECTION 1. PI 2.05(2)(a) is amended to read:

PI 2.05(2)(a) ~~The total number of school districts shall be divided into thirds, grouped by enrollment~~ All school districts in the state shall be ranked in descending order by enrollment and shall be divided into thirds based on enrollment. ~~The~~ School districts in the top third, by enrollment, shall be designated large school districts; school districts in the middle third, by enrollment, shall be designated medium school districts; and school districts in the bottom third, by enrollment, shall be designated small school districts. ~~If the number of districts state's enrollment is not evenly divisible by 3, the state superintendent shall determine, from the enrollments, in which group the remaining districts should be included.~~

SECTION 2. Initial applicability. The requirements under s. PI 2.05(2)(a) will affect school district size designation for board membership on May 1, 1999.

The rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.), Stats.

Dated this 11th day of August, 1998

John T. Benson
State Superintendent

