PROPOSED ORDER OF THE
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
REVISING PERMANENT RULES

The scope statement for this rule, SS 120-13, was published in Register No. 693, on September 30, 2013, and approved by State Superintendent Evers, on October 14, 2013. Per the Dane County Circuit Court order issued in Coyne, et al. v. Walker, et al., Case No. 11-CV-4573, the Department of Public Instruction is not required to obtain the Governor's approval for the statement of scope or this rule.

The State Superintendent of Public Instruction hereby proposes an order to create PI 34.165, relating to technical changes needed to PI 34 as a result of the 2013-15 budget.

The rules are being adopted under s. 227.16 (2) (b), Stats., which provides that rulemaking does not need to be preceded by notice and public hearing if the proposed rule brings an existing rule into conformity with a statute that has been changed.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statute interpreted: ss. 115.28 (7) (h) and 118.19 (13), Stats.

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

Explanation of agency authority:

The authority for PI 34 is found in s. 115.28 (7) (a), Stats.

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), 118.192, and 118.195; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including 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: None.

Plain language analysis:

The proposed rule change makes a change to PI 34 as a result of the 2013-15 budget, 2013 Wisconsin Act 20. 2013 Wisconsin Act 2013 created s. 115.28 (7) (h), Stats., which provides that the Department of Public Instruction (DPI) must promulgate a rule requiring an applicant for a license to provide his or her home address. PI 34 is modified to add a requirement that an applicant for a license must provide his or her home address.

Summary of, and comparison with, existing or proposed federal regulations: N/A.

Comparison with rules in adjacent states: N/A.

Summary of factual data and analytical methodologies: N/A.

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 economic impact on small businesses, as defined in s. 227.114 (1), Stats.

Agency contact person: (including email and telephone)

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

Comments can be submitted to Carl Bryan using the contact information above. Comments must be submitted no later than 15 days after publication of the Notice of Submittal of Rules to the Legislative Council Rules Clearinghouse in the Administrative Register.

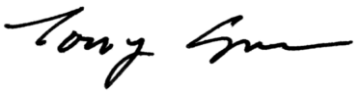
SECTION 1. PI 34.165 is created to read:

PI 34.165 **License application requirements.** An applicant for a license shall provide the applicant's home address.

SECTION 2. EFFECTIVE DATE:

The proposed 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 22nd day of June, 2015



Tony Evers, PhD
State Superintendent