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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 15-018

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]**

#### 2. Form, Style and Placement in Administrative Code

a. The rule summary’s listing of the place to submit comments should provide the specific date by which comments should be submitted.

b. In the treatment clauses for SECTIONS 1 and 5 of the proposed rule, the introductory material for the subunits should be designated as “(intro.)”, with a period after the abbreviation. [s. 1.03 (3), Manual.]

c. SECTIONS 2 and 3 of the proposed rule should be combined in a single SECTION to renumber and amend the affected rule section. The treatment clause would appear as follows: “PI 11.36 (1) (b) 1. a. is renumbered 11.36 (1) (b) 1., and, as renumbered, is amended to read:”.

d. In SECTION 5, the text of subd. 2. (intro.) should be revised to accurately show the current rule language. The proposed rule is shown with the phrase “, including at least one of the following”. However, the current rule uses the phrase “, such as”. Therefore, the proposed rule language should either be corrected to mirror the current rule language, or should be amended with a strike-through of the current language and underlining of the new language.

e. In SECTIONS 7, 8, and 10, the subdivision numbers that appear by themselves on individual lines of the proposed text should be removed. The text of a rule provision should include only the specific subunits that are treated in the SECTION, and should not include untreated subunits. Therefore, in these SECTIONS the subdivision numbers should not appear in the proposed text. [s. 1.04 (1) (b) 2., Manual.]

f. In SECTION 10, the subunits that are created should be reviewed and revised to form a complete sentence with par. (b) (intro.). [s. 1.03 (3), Manual.] For a more logical placement, consider placing these provisions in new paragraphs under sub. (1), rather than subunits under par. (b). Also, in par. (b) 4. of this section, the phrasing is confusing. Is it intended that a child who met identification criteria for a “cognitive disability” in the past and continues to demonstrate a need for special education when re-evaluated has an “intellectual disability” within the meaning of the section? This subunit should be reworded for clarity.

g. The introductory clause that enumerates the rule provisions treated by the proposed rule should be updated to reflect any revisions made in accordance with these comments and should be carefully reviewed to ensure that it accurately reflects the sections affected by the proposed rule.