



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 17-056

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.]

1. Statutory Authority

Section 120.14, Stats., applies audit requirements to common or union high school districts. Chapter PI 14 appears to apply the requirements to all school districts. Consider clarifying the scope of the rule, for instance by adding “each common or union high school district” to s. PI 14.03 (2) in place of “each school district”.

2. Form, Style and Placement in Administrative Code

a. In the introductory clause for the proposed rule, the following formatting changes could be made in order to follow the style shown in s. 1.02 (1) (Example) of the Manual:

- (1) Each instance of the abbreviation “ss.” could be removed.
- (2) The identification “PI” could be listed just once at the beginning of each type of treatment; it does not need to be repeated for each subsequent section within PI that is affected by the same treatment.

b. In the rule summary, an entry should be inserted for the heading “Summary of, and comparison with, existing or proposed federal regulations”. If there is no information under this heading, an entry should be inserted to state that there is no information. [s. 1.02 (2) (a) (intro.), Manual.]

c. In the rule summary, each reference to ch. “PI 02” or “PI 09” should be revised to ch. “PI 2” or “PI 9”, respectively.

d. SECTION 1 of the proposed rule should be divided into two SECTIONS to separately address the affected subunits of ss. PI 2.02 and 2.03. Separate rule **sections** can be combined in one SECTION of the proposed rule only if the rule sections are affected in their entirety while separate **subunits** can be combined in one SECTION if the affected subunits are from within the same rule section. [s. 1.04 (2) (a) 1. and 4., Manual.]

e. SECTION 4 of the proposed rule should likewise be divided into three SECTIONS to separately address the affected provisions of ss. PI 9.01, 9.02, and 9.04. Also, the treatment of s. PI 9.04 (2) (intro.) and (a) should be corrected to “consolidate, renumber, and amend”. [s. 1.068, Manual.]

f. The treatment of s. PI 14.03 (2) (d) 6. should be removed from SECTION 8 of the proposed rule and, instead, be placed to follow SECTION 9, to follow sequentially from the treatment of s. PI 14.03 (2) (d) 3m. in SECTION 9. When subunits are affected by a different treatment, they must be treated separately in numerical order of the provision being treated. [s. 1.04 (1) (a) and (2) (b), Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

In s. PI 14.03 (1) (c), the citation to the Code of Federal Regulations (C.F.R.) is incomplete. The C.F.R. title number should be inserted.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In the plain language analysis, the description of ch. PI 2 contains a plural/singular error. The word “changes” should be revised to “change”.

b. In the rule summary’s comparison with adjacent state regulations on the subject matter of ch. PI 9 (Pupil Nondiscrimination), the Illinois description uses an awkward sentence structure. See, in particular, the phrase “has been questioning concerning”. The department could consider revising this sentence.