



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-029

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 format of the newly created section is inconsistent with the format of other provisions in subch. V of ch. PI 34. To maintain consistency, the section should include provisions for eligibility, duration, and renewal. For example, the proposed rule could be revised as follows:

PI 34.405 Tier II military spouse license.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to teach or work in the license area specified under subch. VI, VII, or VIII.
- (2) ELIGIBILITY. The state superintendent may issue a Tier II license to an applicant who meets all of the following:
 - (a) The applicant is the spouse of an individual who is active duty military personnel.
 - (b) The applicant holds a valid teacher, pupil services, or administrator license from another state.
 - (c) The applicant provides verification of the applicant’s spouse’s current military orders and a copy of one of the following:
 1. The applicant’s marriage license.
 2. The military ID card for the applicant’s spouse.

(3) DURATION. A license issued under this section is valid for 3 years.

(4) RENEWAL. A license issued under this section is nonrenewable.

b. The requirements currently listed under sub. (2) require an applicant for a military spouse license to provide a copy of either: (1) the applicant's marriage license; or (2) the military ID card for the applicant's spouse.

Does a military ID card prove that the applicant and the ID cardholder are married? If not, will the applicant be required to affirm that he or she is married to the ID cardholder or otherwise establish that he or she is married to an individual who is active duty military? Alternatively, is the intention for the applicant to provide a copy of his or her own ID (e.g., dependent military ID card)? If so, the language needs to be changed to reflect this intent.

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

The existing type of Tier II license under s. PI 34.040 (5) imposes requirements on school districts employing a Tier II license holder who has less than three years of full-time teaching experience. The district must provide the license holder with orientation, support, and a mentor. The same requirements for school district support are not included in proposed s. PI 34.0405 for teachers with a Tier II military spouse license who have less than three years of teaching experience. Was this intentional?