



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 24-026

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

2. Form, Style and Placement in Administrative Code

a. The department’s plain language analysis for the proposed rule should be revised to include an explanation of the changes made to the rule relating to unforeseen events and the deadline for submitting a request. Consider, also, providing more detail, overall, that is sufficient to enable a reader to understand the content of the proposed rule and the changes made from the existing rule. [s. 1.01 (2) (a) 5. and (b), Manual.]

b. In SECTION 3 of the proposed rule, amending s. PI 27.03 (2) (d), the final period should not be underscored.

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

In SECTION 4 of the proposed rule, under s. PI 27.03 (5) (f) 2., the department should consider referring to s. 118.016, Stats., when referring to reading readiness scores.

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

a. In SECTION 4 of the proposed rule, under s. PI 27.03 (5) (f) (intro.), the department could consider defining or further clarifying what “content areas” are. [This comment applies if the phrase is not removed in response to the second part of the next comment.]

b. In SECTION 4 of the proposed rule, under s. PI 27.03 (5) (f) (intro.), the department could consider clarifying the language of the proposed rule in two ways. First, the department could consider revising the word “determination” to something like “finding”, “demonstration”, or “report”, so as to not conflict with the language of s. PI 27.03 (5) (intro.) which provides that “[t]he department may grant a request only if **it determines** that there are extraordinary reasons for granting the request”. [Bold added for emphasis.]

Second, the department could consider clarifying s. PI 27.03 (5) (f) (intro.) of the proposed rule by removing the following phrase: “student achievement across content areas or address academic needs, which includes”. Removing this language would increase the readability and

grammatical congruence of the introduction with the subunits and would make it clearer that a school board must demonstrate that an earlier commencement date would or could improve one or more of the listed metrics of student achievement or academic needs.

c. In SECTION 4 of the proposed rule, under s. PI 27.03 (5) (f) 1. to 7., the department could consider setting a threshold for each metric (e.g., reading readiness scores below the statewide average) or otherwise requiring each school district to demonstrate that its need to improve a metric of student achievement or academic needs is sufficiently extraordinary so as to require an earlier commencement date.

d. In SECTION 4 of the proposed rule, under s. PI 27.03 (5) (f) 5., there appears to be a typo; it seems that “student” should be “students”.