

Modifications From Agency

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FINAL REPORT CLEARINGHOUSE RULE 19-111 CHAPTER PI 34 EDUCATOR LICENSES

Analysis by the Department of Public Instruction

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

Statute interpreted: s. 115.76 (14), Stats.

The proposed rule amends chapter PI 34 of the Wisconsin Administrative Code with respect to creating flexibility for licensing educational interpreters. The proposed rule eliminates the requirement for certain educational interpreters to complete the educational interpreter performance assessment (EIPA) as a condition of their renewal once the licensee passes the EIPA with a score of 3.5 or above.

The hearing notice was published in the September 3, 2019 edition of the Wisconsin Administrative Register. A public hearing was held on October 3, 2019.

The following persons testified at the October 3, 2019 hearing (some also provided written testimony as well):

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Keith Burisek	Representing Self	X		

Summary of public comments relative to the rule and the agency's response to those comments:

- The respondent indicated support for the proposed rule and argued that it puts educational interpreters on a similar level as educators with a lifetime license; i.e., that educational interpreters who pass the EIPA with a score of 3.5 or above would not be subject to taking the test anymore as a condition for renewal of their license, just as lifetime educators are not subject to regular professional development requirements under the current rule. He also argued that the renewal requirements for educational interpreter licenses are much more stringent when compared to renewal requirements in other states and taking the EIPA every five years as a condition for renewal has become a big financial burden for licensees. While the respondent supports the idea of creating flexibility for educational interpreters in renewing their license, he requested consideration for increasing the score in which licensees would no longer need to take the EIPA for renewal to 4.0 on the exam.

Agency response: The proposed rule was based on recommendations issued by the State Superintendent's Advisory Council on Deaf and Hard of Hearing Programs. The Department and the Advisory Council believe that establishing the minimum score of 3.5, in which licensees would no longer take the EIPA as a condition for renewal, is necessary to provide flexibility in the renewal process while addressing the supply and demand of quality educational interpreter services in the state. As such, the suggestion to increase the minimum score is outside the scope of the proposed rule and no changes will be made at this time. However, the Department will

continue to consult with the Advisory Council to identify issues of concern related to the licensing of educational interpreters and the State Superintendent will consider Council recommendations when establishing minimum scores on the EIPA.

Changes made as a result of oral or written testimony:

- No changes were made.

Changes to the analysis or the fiscal estimate:

- A technical error was corrected per the response to the Clearinghouse report given below.

Responses to Clearinghouse Report:

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

- The duplicate references to Iowa Administrative Code in the “comparison with rules in adjacent states” section of the analysis was done in error and has been corrected. This was also corrected in the economic impact analysis of the proposed rule.

Changes deemed necessary by the Department to improve implementation of the rule:

- Made a technical revision to s. PI 34.086 (3) (a) 1. to recognize changes to licensure of sign language interpreters made by the Wisconsin Department of Safety and Professional Services (DSPS). This modification will allow the Department of Public Instruction to continue to recognize sign language interpreters licensed by DSPS in this area as an alternative condition for receiving an educational interpreter license issued by the State Superintendent.