



Scott Walker, Governor
Laura Gutiérrez, Secretary

HEARING AND SPEECH EXAMINING BOARD
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Tom Ryan (608) 266-2112
October 8, 2018

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

1:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of July 9, 2018 (4-5)

C. Administrative Matters

- 1) Board and Staff Updates
- 2) Board Member Status
 - a. Robert Broeckert – 7/1/2020 (*Appointed, not yet confirmed*)
 - b. Barbara Johnson – 7/1/2021 (*Reappointed, not yet confirmed*)
 - c. Steven Klapperich – 7/1/2019 (*Reappointed, not yet confirmed*)
 - d. Thomas Krier – 7/1/2021 (*Reappointed, not yet confirmed*)
 - e. Scott Larson – 7/1/2017
 - f. Thomas Sather – 7/1/2015
 - g. Patricia Willis – 7/1/2018
 - h. Public Member (Hearing Aid User) – Vacant
 - i. Public Member – Vacant
 - j. Otolaryngologist Member – Vacant

D. Legislative and Administrative Rule Matters – Discussion and Consideration (6-57)

- 1) Trainee Permit Discussion, § 459.07, Stats. (7-9)
- 2) Act 108, Report Due March 31, 2019 (10-12)
- 3) Clearinghouse Rule 17-093, Proposed Order of the State Superintendent of Public Instruction (13-57)
- 4) Update on Legislation and Pending or Possible Rulemaking Projects

E. Deliberation on Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates

- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Legislation and Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Proposed Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

F. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.)

G. DLSC Matters

- 1) Proposed Stipulations, Final Decisions and Orders
 - a. 17 HAD 003 – Julie T. Van Dyck (**58-63**)

H. Deliberation of Items Added After Preparation of the Agenda:

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders

- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

I. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

J. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

K. Open Session Items Noticed Above not Completed in the Initial Open Session

L. APPEARANCE: Ryan Zeinert, DSPS Licensing Examination Specialist - License Ratification

ADJOURNMENT

NEXT SCHEDULED MEETING: JANUARY 7, 2019

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**HEARING AND SPEECH EXAMINING BOARD
MEETING MINUTES
July 9, 2018**

PRESENT: Barbara Johnson, Steven Klapperich, Thomas Krier, Scott Larson, Thomas Sather
(*via GoToMeeting*), Patricia Willis (*via GoToMeeting*)

EXCUSED: Robert Broeckert

STAFF: Tom Ryan, Executive Director; Helen Leong, Administrative Rules Coordinator;
Pete Anderson, Bureau Assistant; and other Department Staff

CALL TO ORDER

Barbara Johnson, Chair, called the meeting to order at 1:00 p.m. A quorum of Six (6) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

MOTION: Scott Larson moved, seconded by Thomas Krier, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 9, 2018

Amendments to the Minutes:

MOTION: Steven Klapperich moved, seconded by Patricia Willis, to approve the minutes of April 9, 2018 as published. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

Act 108, Report Due March 31, 2019

MOTION: Scott Larson moved, seconded by Thomas Krier, to designate Barbara Johnson for audiology and hearing instrument specialist related matters and Thomas Sather for speech language pathology related matters to serve as liaisons to DSPS staff for drafting the Act 108 Report, reviewing the HAS administrative rules. Motion carried unanimously.

CLOSED SESSION

MOTION: Steven Klapperich moved, seconded by Thomas Sather, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Barbara Johnson, Chair read the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Barbara Johnson-yes; Steven Klapperich-yes; Thomas Krier-yes; Scott Larson-yes; Thomas Sather-yes; and Patricia Willis-yes. Motion carried unanimously.

The Board convened to Closed Session at 1:31 p.m.

RECONVENE TO OPEN SESSION

MOTION: Thomas Krier moved, seconded by Steven Klapperich, to reconvene to open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:02 p.m.

APPEARANCE: RYAN ZEINERT, DSPS LICENSING EXAMINATION SPECIALIST – LICENSE RATIFICATION

MOTION: Steven Klapperich moved, seconded by Barbara Johnson, that the Board ratify the scores from the July 9, 2018 examinations and grant the licenses once requirements are met. Motion carried unanimously.

ADJOURNMENT

MOTION: Scott Larson moved, seconded by Thomas Krier, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:05 p.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Helen Leong, Administrative Rules Coordinator		2) Date When Request Submitted: September 25, 2018 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Hearing and Speech Examining Board			
4) Meeting Date: October 8, 2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Administrative Rule Matters – Discussion and Consideration 1) Trainee Permit Discussion, s. 459.07, Stats. 2) Act 108, Report Due March 31, 2019 3) Updated on Legislation and Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
Signature of person making this request <i>Helen Leong</i>		Date <i>September 25, 2018</i>	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

(1m) Whenever the examining board determines that another state or jurisdiction has requirements equivalent to or higher than those in effect in the state for the practice of fitting and selling hearing aids, and that such state or jurisdiction has a program equivalent to or stricter than the program for determining whether applicants in this state are qualified to fit and sell hearing aids, the department may issue a license by reciprocity to applicants who hold valid licenses to deal in or fit hearing aids in such other state or jurisdiction, who pay the fee specified in s. 440.05 (2) and who are otherwise qualified for licensure. No applicant for a license by reciprocity under this subsection shall be required to submit to or undergo a qualifying examination, if the applicant personally appears at the next meeting of the examining board after filing the application to answer any questions the examining board has.

History: 1975 c. 224; 1977 c. 29, 418; 1979 c. 162 s. 38 (4); 1991 a. 39; 2003 a. 270.

Cross-reference: See also ch. HAS 7, Wis. adm. code.

459.06 License by examination. (1) Applicants may obtain a license by successfully passing a qualifying examination, provided the applicant is 18 years of age or older, does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and has an education equivalent to a 4–year course in an accredited high school.

(2) The examination shall include but not be limited to:

(a) Tests of knowledge in the following areas as they pertain to the fitting of hearing aids:

1. Basic physics of sound.
2. The anatomy and physiology of the ear.
3. The function of hearing aids.

(b) Practical tests of proficiency in the following techniques as they pertain to the fitting of hearing aids:

1. Pure tone audiometry, including air conduction testing and bone conduction testing.
2. Live voice or recorded voice speech audiometry including speech reception threshold testing and most comfortable loudness measurements and measurements of tolerance thresholds.
3. Masking when indicated.
4. Recording and evaluation of audiograms and speech audiometry to determine proper selection and adaptation of a hearing aid.
5. Taking ear mold impressions.

(3) The applicant for license by examination shall appear at a time and place as the examining board designates, to be examined by means of written and practical tests in order to demonstrate that he or she is qualified to practice the fitting of hearing aids. Such examinations shall be conducted at least twice a year and at such other times and places designated by the examining board.

(4) Applications for examinations shall be submitted to the examining board at least 30 days before the date set for the examination and shall be accompanied by the examination fee specified under s. 440.05 (1).

History: 1975 c. 224; 1977 c. 29; 1979 c. 162 s. 38 (4); 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 229.

459.07 Temporary trainee permit. (1) An applicant who fulfills the requirements regarding age, character and high school education as set forth in s. 459.06, may obtain a trainee permit upon application to the examining board. The name of the licensee who is supervising the trainee shall appear on the face of the permit.

(2) Upon receiving an application under this section, accompanied by the fee under s. 440.05 (6), the examining board may grant a trainee permit which may entitle the applicant to practice fitting of hearing aids for a period of one year. A person holding a valid hearing instrument specialist license issued under this subchapter or a valid license to practice audiology issued under s. 459.24 (3) shall be responsible for the direct supervision and training of the applicant and shall be liable for all negligent acts and omissions of the trainee in the fitting of hearing aids.

(3) A trainee permit may be renewed or regranted once if the trainee shows that he or she had sufficient cause for being unable to complete the requirements for permanent licensure.

(4) The examining board shall encourage the establishment of educational courses for the training of all persons wishing to become licensed hearing instrument specialists.

History: 1977 c. 29; 1979 c. 162 s. 38 (4); 1995 a. 170; 2003 a. 270.

459.08 Notice to department of place of practice; notice to holders of license; how given. (1) A person who holds a license shall notify the department in writing or in accordance with other notification procedures approved by the department of the regular address of the places where he or she engages or intends to engage in the practice of fitting or selling hearing aids. The licensee shall inform the board of any changes in these addresses within 30 days of the change.

(2) The department shall keep a record of the places of practice of persons who hold licenses.

(3) Any notice required to be given by the department to a person who holds a license shall be mailed to the person by registered or certified mail at the address of the last place of practice of which he or she has notified the department.

History: 1979 c. 162 ss. 37, 38 (4); 1983 a. 289; 1997 a. 27.

459.085 Calibration of audiometric equipment. Audiometric equipment used in the evaluation of hearing sensitivity for the fitting and sale of hearing aids shall be calibrated periodically, as specified by rule by the examining board.

History: 1995 a. 170; 2003 a. 270; 2009 a. 356.

459.09 Renewal and posting of license. (1) Each person issued a license under this subchapter shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), do all of the following:

(a) Pay to the department the applicable renewal fee determined by the department under s. 440.03 (9) (a).

(b) Submit with the renewal application proof that he or she completed, within the 2 years immediately preceding the date of his or her application, 20 hours of continuing education programs or courses of study approved or required under rules promulgated under s. 459.095. This paragraph does not apply to an applicant for renewal of a license that expires on the first renewal date after the date on which the examining board initially granted the license.

(2) A licensee shall keep a license issued under this subchapter conspicuously posted in his or her office or place of business at all times. Where more than one office is operated by the licensee, duplicate licenses shall be issued by the department for posting in each location.

History: 1977 c. 29; 1991 a. 39; 1997 a. 49; 1999 a. 9; 2003 a. 270; 2007 a. 20.

459.095 Continuing education. The examining board shall do all of the following:

(1) Promulgate rules establishing the criteria for approval of continuing education programs or courses of study required for renewal of a license under s. 459.09 and for approval of the sponsors and cosponsors of continuing education programs or courses of study.

(2) Approve continuing education programs and courses of study in accordance with the criteria established under sub. (1).

(3) In consultation with the department, promulgate rules that require each person issued a license under this subchapter to whom s. 459.09 (1) (b) applies to complete a specified continuing education program or course of study to ensure competence with respect to a matter related to the practice of fitting and dealing in hearing aids if the examining board has received a significant number of consumer complaints about the matter or if the examining board otherwise determines that there is a need for such a requirement. Rules promulgated under this subsection shall establish criteria for the examining board's approval of the continuing education program or course of study and of sponsors and

(iii) the function of hearing instruments; and

(iv) the principles of hearing instrument selection.

(2) Practical tests of proficiency in the following techniques as they pertain to hearing instrument selling:

(i) pure tone audiometry, including air conduction testing and bone conduction testing;

(ii) live voice or recorded voice speech audiometry including speech recognition (discrimination) testing, most comfortable loudness level, and uncomfortable loudness measurements of tolerance thresholds;

(iii) masking when indicated;

(iv) recording and evaluation of audiograms and speech audiometry to determine proper selection and fitting of a hearing instrument;

(v) taking ear mold impressions;

(vi) using an otoscope for the visual observation of the entire ear canal; and

(vii) state and federal laws, rules, and regulations.

(b) The practical examination shall be administered by the commissioner at least twice a year.

(c) An applicant must achieve a passing score on all portions of the examination within a two-year period. An applicant who does not achieve a passing score on all portions of the examination within a two-year period must retake the entire examination and achieve a passing score on each portion of the examination. An applicant who does not apply for certification within one year of successful completion of the examination must retake the examination and achieve a passing score on each portion of the examination. An applicant may not take any part of the practical examination more than three times in a two-year period.

Subd. 2i. **Continuing education requirement.** On forms provided by the commissioner, each certified dispenser must submit with the application for renewal of certification evidence of completion of ten course hours of continuing education earned within the 12-month period of November 1 to October 31, between the effective and expiration dates of certification. Continuing education courses must be directly related to hearing instrument dispensing and approved by the International Hearing Society, the American Speech-Language-Hearing Association, or the American Academy of Audiology. Evidence of completion of the ten course hours of continuing education must be submitted by December 1 of each year. This requirement does not apply to dispensers certified for less than one year.

Subd. 2j. **Required use of certification number.** The certification holder must use the certification number on all contracts, bills of sale, and receipts used in the sale of hearing instruments.

Subd. 3. **Nontransferability of certificate.** A certificate may not be transferred.

Subd. 4. **Dispensing of hearing instruments without certificate.** Except as provided in subdivisions 4a and 4c, and in sections 148.512 to 148.5198, it is unlawful for any person not holding a valid certificate to dispense a hearing instrument as defined in section 153A.13, subdivision 3. A person who dispenses a hearing instrument without the certificate required by this section is guilty of a gross misdemeanor.

Subd. 4a. Trainees. (a) A person who is not certified under this section may dispense hearing instruments as a trainee for a period not to exceed 12 months if the person:

(1) submits an application on forms provided by the commissioner;

(2) is under the supervision of a certified dispenser meeting the requirements of this subdivision;

(3) meets all requirements for certification except passage of the examination required by this section; and

(4) uses the title "dispenser trainee" in contacts with the patients, clients, or consumers.

(b) A certified hearing instrument dispenser may not supervise more than two trainees at the same time and may not directly supervise more than one trainee at a time. The certified dispenser is responsible for all actions or omissions of a trainee in connection with the dispensing of hearing instruments. A certified dispenser may not supervise a trainee if there are any commissioner, court, or other orders, currently in effect or issued within the last five years, that were issued with respect to an action or omission of a certified dispenser or a trainee under the certified dispenser's supervision.

Until taking and passing the practical examination testing the techniques described in subdivision 2h, paragraph (a), clause (2), trainees must be directly supervised in all areas described in subdivision 4b, and the activities tested by the practical examination. Thereafter, trainees may dispense hearing instruments under indirect supervision until expiration of the trainee period. Under indirect supervision, the trainee must complete two monitored activities a week. Monitored activities may be executed by correspondence, telephone, or other telephonic devices, and include, but are not limited to, evaluation of audiograms, written reports, and contracts. The time spent in supervision must be recorded and the record retained by the supervisor.

Subd. 4b. **Hearing testing protocol.** (a) A dispenser when conducting a hearing test for the purpose of hearing instrument dispensing must:

(1) comply with the United States Food and Drug Administration warning regarding potential medical conditions required by Code of Federal Regulations, title 21, section 801.420;

(2) complete a case history of the client's hearing;

(3) inspect the client's ears with an otoscope; and

(4) conduct the following tests on both ears of the client and document the results, and if for any reason one of the following tests cannot be performed pursuant to the United States Food and Drug Administration guidelines, an audiologist shall evaluate the hearing and the need for a hearing instrument:

(i) air conduction at 250, 500, 1,000, 2,000, 4,000, and 8,000 Hertz. When a difference of 20 dB or more occurs between adjacent octave frequencies the interoctave frequency must be tested;

(ii) bone conduction at 500, 1,000, 2,000, and 4,000 Hertz for any frequency where the air conduction threshold is greater than 15 dB HL;

(iii) monaural word recognition (discrimination), with a minimum of 25 words presented for each ear; and

(iv) loudness discomfort level, monaural, for setting a hearing instrument's maximum power output; and

(5) include masking in all tests whenever necessary to ensure accurate results.

Subd. 4c. **Reciprocity.** (a) A person who has dispensed hearing instruments in another jurisdiction may dispense hearing instruments as a trainee under indirect supervision if the person:

(1) satisfies the provisions of subdivision 4a, paragraph (a);

HAS Chapter	Most Recent Project Status	s. 227.29 , Stats., Review	Section Notes / Comments
HAS 1, Licensure of Hearing Instrument Specialists	Last updated in 2012 to change the name of the department to DSPS.		
HAS 2, Hearing Instrument Specialists Temporary Trainees	Last updated: Amended 2.01 (2) to allow audiologists to provide direct supervision to trainees, CR 05-026 .		2.01 (1) Note: Update address <i>HL</i>
HAS 3, Hearing Instrument Specialists Examinations	Last Updated: Clean-up measure after adoption of the IHS test in CR 15-097 , CR 16-080 .		3.03 (2) (d) A topic the Board may use for the practical examination shown is use of master hearing instrument, this is obsolete. <i>BJ</i>
HAS 4, Hearing Instrument Specialists Measurement of Human Hearing	Last updated in 1998 , updated the ANSI standard.		4.03 (1): ANSI standard adopted is 1996 version, and was updated most recently in 2010. <i>HL</i>
HAS 5, Hearing Instrument Specialists Unprofessional Conduct	Last updated: Amended 5.02 (2) (g) (intro.) and 2. to add failure to comply with the terms of sale on a receipt as an act of unprofessional conduct, CR 05-026		
HAS 6, Licensure of Speech-Language Pathologists, Audiologists, and Temporary Licensees	Last updated: Amended subchapters I and II in chapter 6, to update the chapter for NESPA requirements, CR 15-096 .		Barbara Johnson: 6.04 (6) (a) and (b) Applicants for licensure need to either pass the Praxis Audiology exam or a certificate of clinical competence in audiology from ASHA is considered to be equivalent. This is redundant, an Audiologist needs to pass the Praxis Audiology exam in

HAS Chapter	Most Recent Project Status	s. 227.29 , Stats., Review	Section Notes / Comments
			<p>order to get the CCC in Audiology from ASHA. I suggest having the requirement just be passing the Praxis Audiology exam. ASHA certification used to be a requirement for licensing before the minimum education for Audiologists was changed from a master's to a doctoral degree so I think we have some "left over" language from that time.</p> <p>6.07 (2) (b) (2) The applicant has completed a supervised clinical practicum and received a master's degree should be changed to a doctoral degree to be consistent with 6.07 (2) (b) (1) which states the requirements for licensure in the other state or territory need to be substantially equivalent to Wisconsin's requirements. There is still wording for the Board to determine if an applicant's education is substantially equivalent for the more experienced Audiologists who have master's degrees instead of doctoral degrees. A master's degree is still valid if it was earned before the graduation requirements changed to the doctoral degree.</p> <p>6.03 (1); 6.04 (1): Update address <i>HL</i></p>
HAS 7, Requirements for Renewal	Last updated: Repealed and recreated 7.03, amended 7.04, and created 7.06, CR 15-096 .		7.03 (3) (b) 2.: referenced section repealed <i>HL</i>

HAS Chapter	Most Recent Project Status	s. 227.29, Stats., Review	Section Notes / Comments
HAS 8, Continuing Education Requirements	Last updated: Added a requirement for ethics CE and expands types of activities allowed for CE, CR 11-017 .		Helen Leong: 8.03 (2); 8.03 (4): referenced section repealed 8.04 (1): Update address 8.04 (7): Update note to refer to website.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv. On behalf of Thomas Sather		2) Date When Request Submitted: 9/28/2018 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Hearing and Speech Examining Board			
4) Meeting Date: 10/08/2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative/Administrative Rule Matters 1) Clearinghouse Rule 17-093, Proposed Order of the State Superintendent of Public Instruction	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Thomas Sather will lead discussion.			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Modifications From Agency

Clearinghouse Rule 17-093

PROPOSED ORDER OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION REVISING PERMANENT RULES

The scope statement for this rule, SS 020-17, was published in Register No. 734B, on February 27, 2017, and approved by State Superintendent Tony Evers on March 10, 2017. Pursuant to *Coyne v. Walker*, the Department of Public Instruction is not required to obtain the Governor's approval for this rule. *Coyne v. Walker*, 368 Wis. 2d 444.

The State Superintendent of Public Instruction hereby proposes to repeal and recreate ch. PI 34; relating to stakeholder workgroup revisions to licensure.

ANALYSIS BY THE DEPARTMENT OF PUBLIC INSTRUCTION

Statute interpreted: s. 115.28 (7) (a), Stats.

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

Explanation of agency authority:

115.28 General duties. The state superintendent shall:

(7) Licensing of teachers.

(a) License all teachers for the public schools of the state; make rules establishing standards of attainment and procedures for the examination and licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.191, 118.192, 118.193, 118.194, and 118.195; prescribe by rule standards, requirements, and procedures for the approval of teacher preparatory programs leading to licensure, including a requirement that, beginning on July 1, 2012, and annually thereafter, each teacher preparatory program located in this state shall submit to the department a list of individuals who have completed the program and who have been recommended by the program for licensure under this subsection, together with each individual's date of program completion, from each term or semester of the program's most recently completed academic year; file in the state superintendent's office all papers relating to state teachers' licenses; and register each such license.

Related statute or rule:

PI 34 contains the current administrative rules governing the licensure of school personnel. Clearinghouse Rule 16-086 relating to flexible licensure options under PI 34, which became effective on June 1, 2017, made several changes to the existing rule to make teacher licensing more responsive to school district staffing needs, which includes increasing the number of pathways to licensure, reducing the regulatory burden on license applicants, and reducing the time it takes to obtain a license.

Additionally, through its work with stakeholder groups, the Department advanced an emergency rule, Emergency Rule 1711, to help school districts address teacher shortages and provide flexibility and clarity around the teacher licensing process by doing the following:

- Creating a one-year License with Stipulations (replacing emergency licenses and permits) for:
 - Teachers and pupil services professionals from another state who have not met Wisconsin testing requirements;
 - Speech Language Pathologists who hold a valid license from DSPS; and

- If a district cannot find a fully licensed teacher or pupil services professional, an individual with a bachelor's degree.
- Creating a three-year License with Stipulations as part of a district-sponsored pathway for experienced teachers to receive another teacher license in a new subject or developmental level.
- Issuing licenses to teachers from another state who have successfully completed the edTPA or the National Board process (*Foundations of Reading Test still required*).
- Starting January 1, 2018, allowing Initial and Professional Educators to use professional growth goals and work in Educator Effectiveness as another option to renew or advance their license.
- Allowing educator preparation programs flexibility in their admissions policies by removing specific testing (Praxis CORE) and GPA requirements from rule.
- Allowing teacher and pupil services candidates to demonstrate content knowledge with a 3.0 or higher GPA in license area or by successfully completing a content-based portfolio.
- Removing the master's degree requirement for the Library Media Specialist License and make it a stand-alone license based on completion of a major.
- Creating a Junior Reserve Officer Training Corps teaching license allowing someone who has been certified as a JROTC instructor by a branch of the military to teach JROTC courses in a high school.

Since Emergency Rule 1711 became effective, 2017 Wisconsin Act 59, the 2017-19 biennial budget, made several changes to the teacher licensure process, including provisions that are not consistent with Emergency Rule 1711. Among these changes were eliminating renewal requirements for licenses and creating lifetime licenses without an expiration date. The Department issued a related emergency rule, Emergency Rule 1802, which continued most changes in Emergency Rule 1711 with the exception for the provision allowing educators to use professional growth goals and work in educator effectiveness as an option to renew or advance their license, since this provision is no longer consistent with statute. The emergency rule is currently in effect at the time of the filing of this permanent rule and will ensure consistency between rule and statute while this permanent rule completes promulgation.

Finally, Section 9135 (5p) of 2017 Wisconsin Act 59, nonstatutory provisions, requires the Department to promulgate rules to revise Chapter PI 34 of the Wisconsin Administrative Code, and to simplify the teacher licensure system by doing at least all of the following:

1. Simplifying the grade levels that a licensee is authorized to teach under his or her license.
2. Creating broad field subject licenses.
3. Allowing school boards to increase the number of teachers in a school district by offering internships and residency opportunities.
4. Creating a permit that authorizes an individual who is enrolled in a teacher preparatory program to teach in public schools as part of an internship, residency program, or other equivalent training program.
5. Simplifying licensure reciprocity for individuals who hold a license in another state.
6. Expanding pathways for individuals who hold a license issued by the department to obtain additional licenses to fill positions in geographic areas and subject areas that are in need of educational personnel.

2017 Wisconsin Act 59 also prohibits the Department from promulgating the rules required in a manner that decreases the quality standards for obtaining a license to teach from the Department. In addition to building upon the changes set forth in Emergency Rules 1711 and 1802, this permanent rule is meant to address the changes in statute related to teacher licensure under 2017 Wisconsin Act 59 and fulfill the nonstatutory requirement that the Department promulgate rules related to teacher licensure in the manner described above.

Plain language analysis:

Changes to the administrative rule that governs educator licensing, PI 34, are the result of significant input from a diverse set of stakeholders throughout the state. The changes also implement new statutory language related to licensure as a result of the most recent biennial budget (2017 Wisconsin Act 59). The proposed rule changes are meant to make the licensing process more understandable and increase flexibility, while maintaining high-quality staff in Wisconsin schools. Key aspects of the proposed rule are:

- **Updates, clarifies and makes consistent the program approval process for both traditional and alternative route programs.** The new rule creates a standard, streamlined approach to approving educator preparation programs, while ensuring these programs provide our educators with high quality, rigorous training. (Subchapters II-IV).
- **Simplifies the licensing process.** The new rule creates a tiered approach to educator licensing, which will allow educators to obtain a license fitting their unique training and experience. (Subchapter V). Under this approach:
 - Tier I licenses are of limited duration and authorization, allowing school districts to meet short-term or specialized needs.
 - Tier II licenses are provisional licenses which allow new educators, out-of-state license holders, and other highly qualified individuals to start the progression to a life license.
 - Tier III licenses are life licenses for long-term educators.
 - Tier IV licenses are optional master educator life licenses for educators who meet additional rigorous requirements for quality and effectiveness.
- **Consolidates subject areas.** The new rule will provide districts more flexibility in staffing their schools by preparing educators to teach entire subject areas rather than just specialized subjects (e.g., science, social studies, music – Subchapter VI)
- **Adds flexibility.** The new rule allows highly-qualified license holders to add additional license areas, giving them access to new opportunities and helping school districts fill high demand assignments. (Subchapter IX)
- **Creates clarity.** The new rule uses standardized, simplified language and structure to make the rule clearer, more understandable, and shorter. As a result, the new rule is approximately two-thirds as long as the old rule.

Summary of, and comparison with, existing or proposed federal regulations:

Because education in the United States is typically governed by each state and local government, federal regulations are generally silent with respect to teacher licensure. As a result, the requirements for teacher licensure are regulated by and vary by state. However, under 34 CFR 300.156 (c), a special education teacher in the state who teaches elementary school, middle school, or secondary school must have obtained full state certification as a special education teacher, or passed the state special education teacher licensing examination and holds a license to teach in the state as a special education teacher, has not had licensure requirements waived on an emergency, temporary, or provisional basis, and holds at least a bachelor's degree. "Full state certification," according to federal regulations for the purpose of special education teachers, includes participating in an alternate route to certification as a special education teacher if the alternate route includes: 1) high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching; 2) participation in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher monitoring program; 3) functions as a teacher only for a specified period of time not to exceed three years; and 4) satisfactory progress toward full certification. The proposed rule makes necessary changes to make the teacher licensing process more flexible and efficient while complying with existing federal regulations related to the qualifications of special education teachers.

Comparison with rules in adjacent states:

- **Illinois** (Illinois Compiled Statutes 105 ILCS 5/21B-5): The Illinois State Board of Education expects all of its certified teachers to complete a state-approved teacher preparation program and have at least a bachelor's degree. While the minimum degree requirement for Illinois teachers is a bachelor's degree, some of these programs are at the graduate level. License applicants graduated from an out-of-state teacher preparation program are recognized by the Illinois Department of Education if it has been approved by that state's Department of Education, or if it leads to a teaching certificate or license in that state. License applicants who graduated from a foreign college or university must have their foreign credentials evaluated and converted to fit the American credits/courses standard to receive licensure.
- **Iowa** (Iowa Administrative Code Chapter 282.13): The Iowa Board of Educational Examiners requires that, in order to be eligible for a teaching license in Iowa, graduates from Iowa institutions must meet the following requirements: 1) A baccalaureate degree from a regionally-accredited institution; 2) Completion of a state-approved teacher preparation program in Iowa, including the required assessments; and 3) Recommendation for licensure from the designated recommending official where the program was completed. Graduates from out-of-state institutions must meet the following requirements: 1) A baccalaureate degree from a regionally-accredited

institution; 2) completion of a state-approved teacher preparation program, including the coursework requirements for a content area teaching endorsement, coursework in pedagogy, and a student teaching or internship placement, completed for college semester credit through a regionally-accredited institution; 3) Recommendation for licensure from the designated recommending official where the program was completed; 4) Valid or expired license from another state; and 5) Completion of the required Iowa assessments (not required if the applicant completed their teacher preparation program prior to January 1, 2013, or if the applicant has three years or more teaching experience on a valid license in another state). Applicants who have completed certain nontraditional programs may or may not be eligible for licensure in Iowa.

- **Michigan** (Michigan Administrative Code Section R 390.1101-390.1216): The Michigan Department of Education Office of Professional Preparation Services requires that applicants pursuing certification via a traditional route should hold a bachelor's degree, complete a state-approved teacher preparation program, and earn passing scores on the state-required tests. The traditional route to certification leads to the issuance of a provisional certificate, Michigan's initial teaching certificate for new teachers. After successfully completing three years of teaching experience and continuing education, those holding an initial certificate may upgrade to a Professional Education Certificate. Highly effective and qualified teachers may then move up to the third tier of certification, the Advance Professional Education Certificate. Provisional and interim certificates to teach are available for applicants who are pursuing alternative pathways to licensure.
- **Minnesota** (Minnesota Administrative Rules Chapter 8710): The Minnesota Board of Teaching requires all applicants for teacher licensure in the state to graduate from a state-approved teacher preparation program and hold a minimum of a bachelor's degree, as well as demonstrated completion of a human relations course, which is included in all Minnesota approved teacher preparation programs. Teacher preparation programs completed outside of Minnesota may count if the program is equivalent to that of an approved Minnesota teacher preparation program. If the applicant did not complete a teacher preparation program in one of the states with a reciprocal licensing agreement, the applicant must also complete an approved human relations course in order to be licensed in the state. Applicants who have completed an online teacher preparation program will be recognized as long as the program is regionally accredited, approved by the state in which it is offered, be a field for which Minnesota offers licenses, and include a supervised practicum and student teaching. Graduates of foreign teacher preparation programs must have their credits evaluated by a member agency of the National Association of Credential Evaluation Services.

Summary of factual data and analytical methodologies:

PI 34 contains the current administrative rules governing the licensure of school personnel. Section 115.425, Wis. Stats., and PI 34.36, Wis. Admin. Code, provide the duties of the Professional Standards Council for Teachers, which advises the State Superintendent of Public Instruction on matters pertaining to the licensure of teachers. In its advisory capacity, the Professional Standards Council reviews and makes recommendations for administrative rules related to teacher preparation, licensure and regulation. Beginning in April 2015, the PSC conducted a review and began the development of a strategic plan for addressing school staffing challenges in Wisconsin with the goal of developing, supporting, and retaining teachers.

A leadership group was convened by the Department to address school staffing challenges and was composed of a diverse set of stakeholders throughout the state to provide feedback and policy recommendations. This group was represented by individuals from various groups, including the Wisconsin Association of School Boards, the Wisconsin Association of School District Administrators, the Wisconsin Association of School Personnel Administrators, the Association of Wisconsin School Administrators, the Wisconsin Education Association Council, the Wisconsin Council of Administrators of Special Services, the University of Wisconsin System, the Wisconsin Association of Colleges for Teacher Education, and the Wisconsin Association of Independent Colleges and Universities. The leadership group recommended strategies to address school staffing needs, including fewer licenses with greater flexibility, easing the licensing process for out-of-state license holders, reducing the testing burden, and expanding pathways into the profession. Some of their recommendations were used in the development of this rule.

2017 Wisconsin Act 59, the 2017-19 biennial budget act, became effective September 23, 2017, made several changes to the licensure process, including the elimination of renewal requirements for licenses and creating lifetime licenses without an expiration date. The proposed permanent rule will build upon recommendations issued by the Department in its consultation with stakeholder groups, while implementing changes in statute as a result of 2017 Wisconsin Act 59 and

meeting the nonstatutory requirement that the Department promulgate rules to revise and simplify Chapter PI 34 of the Wisconsin Administrative Code. Without a rule, statute and rule will not be consistent and the Department will not be in compliance with its requirement under Act 59 to promulgate rules related to licensure.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report: N/A

Anticipated costs incurred by private sector: N/A

Effect on small business:

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1), Stats.

Agency contact person (including email and telephone):

Carl Bryan
Budget and Policy Analyst
Wisconsin Department of Public Instruction
Carl.Bryan@dpi.wi.gov
(608) 267-9127

Place where comments are to be submitted and deadline for submission:

Comments should be submitted to Carl Bryan, Department of Public Instruction, 125 S. Webster Street, P.O. Box 7841, Madison, WI 53707-7841 or at adminrules@dpi.wi.gov. The Department will publish a hearing notice in the *Administrative Register* which will provide information on the deadline for the submission of comments.

SECTION 1. Chapter PI 34 is repealed and recreated to read:

Chapter 34

EDUCATOR LICENSES

Subchapter I – Definitions

PI 34.001 Definitions. In this chapter:

- (1) “Accredited” means that an institution of higher education meets accepted criteria of quality, as established by a regional institutional accrediting agency, a national institutional accrediting agency, or a programmatic accrediting organization recognized by the U.S. department of education, and the institution of higher education is listed in the U.S. department of education’s database of accredited postsecondary institutions and programs.
- (2) “Approved program” means an educator preparation program approved by the state superintendent under subch. III.
- (3) “Baccalaureate or bachelor’s degree” means a degree awarded by an accredited college or university to a person who has completed undergraduate studies.
- (4) “CESA” means a cooperative educational service agency.
- (5) “Clinical program” means supervised experiences in a school setting which provide practical experience for students, including pre-student teaching, student teaching, practicum, and internships.
- (6) “Department” means the department of public instruction.
- (7) “Educational interpreter” means an individual who interprets for pupils who are deaf or hard of hearing.
- (8) “Educator preparation program” means the sequence of courses included in a baccalaureate or bachelor’s degree program or post baccalaureate program for preparing professional school personnel for licensure.
- (9) “Full-time” means employment under contract with a school district as a teacher, administrator, pupil services professional, or related services professional for the duration of the school year.
- (10) “Institution” means one or more accredited, four-year, baccalaureate or bachelor’s degree granting institutions of higher education offering an educator preparation program.

- (11) “Institutional endorsement” means written verification from an accredited approved program that an individual has satisfactorily completed the program or its equivalent and is recommended for a specific license.
- (12) “License” means a license, permit, or certificate issued by the state superintendent under s. 115.28 (7), Stats., or ch. 118, Stats.
- (13) “License area” means the subject matter and grade, or the position a license authorizes an individual to teach or work in.
- (14) “License program content guidelines” means the knowledge and skill requirements for a particular license type.
- (15) “Master’s degree” means a degree awarded by an accredited graduate school or institution to a person who has completed at least one year of graduate study.
- (16) “Post-baccalaureate” means a sequence of graduate courses that lead to endorsement for licensure but not a graduate degree.
- (17) “Pupil” means a minor child or an individual enrolled in an elementary or secondary education program.
- (18) “School district” has the meaning given in s. 115.01 (3), Stats.
- (19) “State superintendent” means the state superintendent of public instruction or a designee.
- (20) “Student” means an individual enrolled in an educator preparation program.

Subchapter II – Educator Standards

PI 34.002 Teacher standards. Except as otherwise provided in this chapter, to receive a license to teach under subch. VI, an applicant shall complete an approved program and demonstrate proficient performance in the knowledge, skills, and dispositions in all of the following:

- (1) PUPIL DEVELOPMENT. The teacher understands how pupils grow and develop, recognizing that patterns of learning and development vary individually within and across the cognitive, linguistic, social, emotional, and physical areas. The teacher designs and implements developmentally appropriate and challenging learning experiences for pupils.
- (2) LEARNING DIFFERENCES. The teacher uses his or her understanding of individual pupil differences and diverse cultures and communities to ensure inclusive learning environments that enable each pupil to meet high standards.
- (3) LEARNING ENVIRONMENTS. The teacher works with others to create environments that support individual and collaborative learning, and that encourage positive social interaction, active engagement in learning, and self-motivation.
- (4) CONTENT KNOWLEDGE. The teacher understands the central concepts, tools of inquiry, and structures of each discipline he or she teaches. The teacher creates learning experiences that make the discipline accessible and meaningful for pupils to assure mastery of the content.
- (5) APPLICATION OF CONTENT. The teacher understands how to connect concepts and use differing perspectives to engage pupils in critical thinking, creativity, and collaborative problem solving related to authentic local and global issues.
- (6) ASSESSMENT. The teacher understands and uses multiple methods of assessment to engage pupils in their own growth, to monitor pupil progress, and to guide the teacher’s and pupil’s decision making.
- (7) PLANNING FOR INSTRUCTION. The teacher plans instruction that supports every pupil in meeting rigorous learning goals by drawing upon knowledge of content areas, curriculum, cross-disciplinary skills, pedagogy, pupils, and pupils’ communities.
- (8) INSTRUCTIONAL STRATEGIES. The teacher understands and uses a variety of instructional strategies to encourage pupils to develop a deep understanding of content areas and their connections, and to develop skills to apply knowledge in a meaningful way.
- (9) PROFESSIONAL LEARNING AND ETHICAL PRACTICE. The teacher engages in ongoing professional learning. The teacher uses evidence to continuously evaluate the teacher’s practice, including the effects of the teacher’s choices and actions on pupils, their families, other educators, and the community. The teacher adapts the teacher’s practice to meet the needs of each pupil.
- (10) LEADERSHIP AND COLLABORATION. The teacher seeks appropriate leadership roles and opportunity in order to take responsibility for pupil learning, to collaborate with pupils, their families, educators, and the community, and to advance the profession.

PI 34.003 Administrator standards. Except as otherwise provided in this chapter, to receive a school administration license under subch. VIII, an applicant shall complete an approved program in school administration and demonstrate proficient performance in all of the following knowledge, skills, and dispositions under all of the following standards:

- (1) MISSION, VISION, AND CORE VALUES. Effective educational leaders develop, advocate, and enact a shared mission, vision, and core values of high-quality education, academic success, and well-being of each pupil.

- (2) **ETHICS AND PROFESSIONAL NORMS.** Effective educational leaders act ethically and according to professional norms to promote each pupil’s academic success and well-being.
- (3) **EQUITY AND CULTURAL RESPONSIVENESS.** Effective educational leaders strive for equity of educational opportunity and culturally responsive practices to promote each pupil’s academic success and well-being.
- (4) **CURRICULUM, INSTRUCTION, AND ASSESSMENT.** Effective educational leaders develop and support intellectually rigorous and coherent systems of curriculum, instruction, and assessment to promote each pupil’s academic success and well-being.
- (5) **CARE AND SUPPORT.** Effective educational leaders cultivate an inclusive, caring, and supportive school community to promote each pupil’s academic success and well-being.
- (6) **PROFESSIONAL CAPACITY OF SCHOOL PERSONNEL.** Effective educational leaders develop the professional capacity and practice of school personnel to promote each pupil’s academic success and well-being.
- (7) **PROFESSIONAL COMMUNITY.** Effective educational leaders foster a professional community of teachers and other professional staff to promote each pupil’s academic success and well-being.
- (8) **MEANINGFUL ENGAGEMENT.** Effective educational leaders engage families and the community in meaningful, reciprocal, and mutually beneficial ways to promote each pupil’s academic success and well-being.
- (9) **OPERATIONS AND MANAGEMENT.** Effective educational leaders effectively manage school operations and resources to promote each pupil’s academic success and well-being.
- (10) **SCHOOL IMPROVEMENT.** Effective educational leaders act as agents of continuous school improvement to promote each pupil’s academic success and well-being.
- (11) **TEACHER STANDARDS.** Effective educational leaders understand and demonstrate competence in the teacher standards under s. PI 34.002.

PI 34.004 Pupil services standards. Except as otherwise provided in this chapter, to receive a license in a pupil services category under subch. VII, an applicant shall complete an approved program and demonstrate proficient performance in the knowledge, skills, and dispositions in all of the following:

- (1) **TEACHER STANDARDS.** The pupil services professional understands the teacher standards under s. PI 34.002.
- (2) **PUPIL LEARNING AND WELL-BEING.** The pupil services professional understands the complexities of learning and has knowledge of comprehensive, coordinated practice strategies that support pupil learning, health, safety and development.
- (3) **RESEARCH.** The pupil services professional can use research, research methods, and knowledge about issues and trends to improve practice in schools and classrooms.
- (4) **PROFESSIONAL ETHICS.** The pupil services professional understands and represents professional ethics and social behaviors appropriate for schools and the community.
- (5) **PUPIL SERVICE PROGRAMS.** The pupil services professional understands the organization, development, management and content of collaborative and mutually supportive pupil services programs within educational settings.
- (6) **POSITIVE LEARNING OUTCOMES.** The pupil services professional is able to address comprehensively the wide range of social, emotional, behavioral, and physical issues and circumstances which may impact pupils' abilities to achieve positive learning outcomes through development, implementation and evaluation of system-wide interventions and strategies.
- (7) **SUCCESSFUL INTERACTIONS.** The pupil services professional is able to interact successfully with pupils, parents, professional educators, employers, and community support systems such as juvenile justice, public health, human services and adult education.

Subchapter III – Program Approval and Standards

PI 34.005 Applicability. This subchapter governs the state superintendent’s review and approval of educator preparation programs under ss. 115.28 (7) and 118.19 (3), Stats., beginning on the effective date of this chapter.

PI 34.006 Definitions. In this subchapter:

- (1) “Institution” means one or more accredited colleges or universities offering an educator preparation program.
- (2) “Student” means an individual enrolled in an educator preparation program.
- (3) “Entity” means one of the following or a consortium of the following:
 - (a) CESA.
 - (b) Community-based organization.
 - (c) Institution.

- (d) Non-profit organization.
- (e) Private enterprise.
- (f) School.
- (g) School district.

PI 34.007 Program approval.

- (1) **ELIGIBILITY.** An entity may apply under sub. (2) for the state superintendent's approval of its educator preparation program if all of the following applies:
- (a) The entity's educator preparation program is headquartered and physically located in the state of Wisconsin.
 - (b) If the entity does not have its principal campus in the state of Wisconsin, the entity is approved by department of safety and professional services under s. 440.52, Stats.
- (2) **SUBMISSION OF EVIDENCE.** An entity seeking the state superintendent's approval of its educator preparation program shall submit to the department written evidence of all of the following:
- (a) The entity's relevant policies and practices affecting the preparation of professional school personnel under ss. PI 34.013 through 34.018.
 - (b) The entity's conceptual framework under ss. PI 34.019 through 34.024.
 - (c) The entity's assessment system used to evaluate candidate quality as measured against the standards under subch. II and how the assessments are used to evaluate and improve the educator preparation program.
 - (d) The entity's systematic, ongoing collaboration with employing schools and school districts.
- (3) **INITIAL APPROVAL.** The state superintendent shall make a decision within 60 days of receiving an entity's submission of evidence under sub (2). The state superintendent shall grant initial approval if the educator preparation program meets all of the requirements under subchs. III and IV. If approved, the term of initial approval shall be for 5 years.
- (4) **MAINTAINING INITIAL APPROVAL.** If the state superintendent grants initial approval under sub. (3), the state superintendent shall conduct an onsite annual review of the educator preparation program at the end of each of the first four years. Based on the onsite annual reviews, the state superintendent shall do one of the following if the educator preparation program does not meet all of the requirements under subchs. III and IV:
- (a) Require the educator preparation program to complete a program improvement plan under s. PI 34.008.
 - (b) Conduct an onsite comprehensive review.
- (5) **COMPREHENSIVE REVIEW.**
- (a) *When conducted.* The state superintendent shall conduct an onsite comprehensive review of an educator preparation program if any of the follow occurs:
 1. The state superintendent determines during a review under sub. (4) or (6) that an educator preparation program is not in compliance with all of the requirements under subchs. III and IV.
 2. An educator preparation program reaches the end of the fifth year of initial approval.
 - (b) *Scope of review.* The comprehensive review shall determine whether the educator preparation program successfully prepares candidates for licensure and meets all of the requirements of this subchapter.
 - (c) *Outcome.* Based on the onsite comprehensive review, the state superintendent shall do one of the following:
 1. Allow the educator preparation program to maintain its current status if the educator preparation program meets all of the requirements of under subchs. III and IV.
 2. Grant full approval if the educator preparation program is being reviewed under par. (a) 2 and the program meets all of the requirements under subchs. III and IV.
 3. Require the educator preparation program to complete a program improvement plan under s. PI 34.008.
 4. Deny approval if the educator preparation program is being reviewed under s. PI 34.008 and the program does not meet all of the requirements under subchs. III and IV.
- (6) **MAINTAINING APPROVAL.** If an educator preparation program is approved under sub. (5) (c), the state superintendent shall annually extend approval for one year if all of the following occur:
- (a) An onsite continuous review process visit demonstrates that the educator preparation program successfully prepares candidates for licensure.
 - (b) The educator preparation program is in compliance with all of the requirements of this chapter.
- (7) **PROFESSIONAL STANDARDS COUNCIL.** The state superintendent may consider any comments or recommendations submitted by the professional standards council prior to making a decision under sub. (3) or (5) (c).
- (8) **PROGRAM CHANGES.** An entity shall seek the state superintendent's approval under sub. (3) prior to implementing a new educator preparation program or making substantive changes in an approved program. Substantive changes include changes to any of the following:
- (a) The assessment system.

- (b) The entity's ownership.
- (c) The content guidelines or standards.

PI 34.008 Program improvement plan. If the state superintendent determines that a program improvement plan is required under s. PI 34.007 (4) (a) or (5) (c) 3., the state superintendent shall provide written notice to the educator preparation program. The notice shall include all of the following:

- (1) A description of the specific areas of noncompliance.
- (2) A description of the program improvement plan, including the specific improvements the educator preparation program is required to submit to the department and the deadline for submission.
- (3) Notification that the entity's plan to address the areas in need of improvement shall be submitted to the department within 30 days of the date of the notice.
- (4) Notification of the date that the state superintendent will conduct an onsite comprehensive review to determine whether the educator preparation program corrected the areas of noncompliance. The onsite review date shall occur within 90 calendar days of the written notification.
- (5) Notification of whether the educator preparation program may continue to admit students or provide institutional endorsement or both while on the program improvement plan.

PI 34.009 Denials and appeal rights.

- (1) DENIALS. If the state superintendent determines that an educator preparation program does not meet the requirements under this subchapter or subch. IV or that an educator preparation program did not correct the areas of noncompliance within the specified time period under PI 34.008, the state superintendent shall deny approval. The denial letter shall include all of the following:
 - (a) The legal and factual basis for the denial, including the specific areas of noncompliance.
 - (b) The educator preparation program's appeal rights under sub. (2).
- (2) APPEAL RIGHTS. An educator preparation program may appeal a denial under sub. (1) by filing a written request for a hearing within 30 days of the date of the notice. The written request shall include all of the following:
 - (a) The specific grounds for the hearing request, including each of the specific material facts or legal issues that are in dispute. Any material fact or legal issue that is not disputed shall be deemed admitted.
 - (b) If the educator preparation program asserts that a mistake of fact was made, the program shall include a concise statement of the essential facts which the program intends to prove at the hearing.
 - (c) If the educator preparation program asserts a mistake of law, the program shall include a concise statement of the law upon which the program relies.
 - (d) Any affirmative defense the educator preparation program intends to assert. The program's failure to raise an affirmative defense shall constitute a waiver of that defense.
- (3) GRANTING OR DENYING REQUEST. The state superintendent may only grant a request for a hearing if all of the following apply:
 - (a) The request complies with all of the requirements under sub. (2).
 - (b) The appellant is entitled to a hearing under s. 227.42, Stats.
- (4) NOTIFICATION TO STUDENTS. If an educator preparation program does not submit an appeal under sub. (2) or the state superintendent denies an appeal under sub. (3), the educator preparation program shall provide written notice to each prospective and currently enrolled student in the program of the denial. Within 15 days of receiving notice of denial, the educator preparation program shall submit to the department the names of all students currently enrolled in the educator preparation program and the program's plan to assist currently enrolled students in completing the program.

PI 34.010 Hearings and final decision.

- (1) HEARING EXAMINER. If the state superintendent grants a hearing request for a hearing under s. PI 34.009 (3), the state superintendent shall nominate an independent hearing examiner. The independent hearing examiner shall do all of the following:
 - (a) Schedule a hearing within 60 days of the date the hearing request was received by the state superintendent.
 - (b) Not admit any evidence of educator preparation program changes implemented after the date specified in s. PI 34.008 (2).
 - (c) Within 60 days of the date of the hearing, issue a proposed decision for the state superintendent.
- (2) FINAL DECISION. The state superintendent shall issue a final decision and order to approve, reverse, or modify the proposed decision issued under sub. (1) (c).

- (3) NOTIFICATION TO STUDENTS. If the state superintendent issues a final decision and order which denies approval of the educator preparation program, the program shall comply with all of the requirements under s. PI 34.009 (4).

PI 34.011 Experimental or innovative programs.

- (1) REQUEST FOR APPROVAL. An entity may request the state superintendent's approval of an experimental or innovative educator preparation program that does not comply with one or more requirements contained in this subchapter or subch. IV by submitting the written evidence required under s. PI 34.007(2). The written evidence shall be submitted to the state superintendent prior to experimental or innovative educator preparation program's implementation. The written evidence shall indicate how the experimental or innovative educator preparation program does one or more of the following:
- (a) Develops new approaches, arrangements, or contexts for the preparation of school personnel.
 - (b) Meets the special needs of particular segments of society, such as students of color, disadvantaged, or nontraditional students.
 - (c) Prepares school personnel for new types of positions that are emerging at the elementary, middle, or high school level.
 - (d) Improves the pool of candidates for a school districts by fostering cooperation between entities.
- (2) APPROVAL. The state superintendent shall grant initial approval under s. PI 34.007 (3) if the state superintendent determines that the experimental or innovative educator preparation program meets the requirements under sub. (1). A professional educator preparation program approved under this subsection shall maintain approval by meeting the requirements under s. PI 34.007 (6).

Subchapter IV – Program Support

PI 34.012 Definitions. In this subchapter:

- (1) "Entity" means one of the following or a consortium of the following:
- (a) CESA.
 - (b) Community-based organization.
 - (c) Institution.
 - (d) Non-profit organization.
 - (e) Private enterprise.
 - (f) School.
 - (g) School district.
- (2) "SCD" means a subunit of an institution, such as a school, college, division, or department, which is responsible for overseeing the institution's educator preparation programs.

PI 34.013 Organization and administration of educator preparation programs.

- (1) SCD AUTHORITY. If an entity is an institution, it shall ensure the SCD is clearly identified and has the responsibility, authority, and personnel to develop, administer, evaluate, and revise each educator preparation program at the entity.
- (2) WRITTEN POLICIES. An entity shall have policies on all of the following:
- (a) Faculty selection, promotion, and tenure.
 - (b) Faculty teaching loads.
 - (c) Faculty professional development opportunities.
 - (d) Community service expectations.
- (3) RESOURCES AND FACILITIES. If an entity is an institution, it shall do all of the following:
- (a) Ensure the SCD has adequate resources to support teaching by faculty and scholarship by students.
 - (b) Ensure the SCD has sufficient facilities, equipment, and budgetary resources to fulfill its mission and offer quality programs.
 - (c) Ensure that the SCD involves constituent groups from the local community in the development, evaluation, and revision of any educator preparation program.

PI 34.014 Faculty.

- (1) RECRUITMENT OF FACULTY. The entity shall recruit, hire, and retain a diverse educator preparation faculty.
- (2) FACULTY QUALIFICATIONS. An entity's faculty who teach in educator preparation programs shall meet all of the following requirements:

- (a) Have preparation specifically related to their assignment, hold an advanced degree, and demonstrate expertise in their assigned area of responsibility.
 - (b) Be knowledgeable about the current elementary, middle, and secondary curriculum, Wisconsin academic standards, practices, requirements, technology, and administrative practices that are appropriate to their assignment.
 - (c) Be actively engaged in professional practice with prekindergarten through grade 12 schools, professional organizations, and other education-related endeavors at the local, state, or national level.
 - (d) If the faculty member supervises pre-student teachers, practicum students, student teachers, or interns, the faculty member shall have at least 3 years of teaching, pupil services, or administrative experience or the equivalent, as approved by the state superintendent, in prekindergarten through grade 12 settings.
 - (e) If the faculty member is responsible for the leadership or coordination of the educator preparation program, the faculty member shall hold a minimum of a master's degree, its equivalent, or higher degree in the principal discipline of the program, as determined by the state superintendent.
- (3) **WORK LOAD.** The entity shall have workload policies which ensure faculty in educator preparation program have the time and resources to promote effective teaching and promote student learning, including advising, scholarship, and service.
- (4) **PROFESSIONAL DEVELOPMENT.** The entity shall provide the resources, time, and opportunities for all faculty to engage in professional development to enhance intellectual and professional vitality.
- (5) **STAFFING.** The SCD shall have sufficient numbers of full-time faculty to teach in educator preparation programs to ensure consistent quality and delivery of programs.

PI 34.015 Facilities, technology, instruction resources, and support. If an entity is an institution, it shall ensure the SCD has the following:

- (1) **FACILITIES.** Adequate classrooms, laboratories, offices, and workspace with current technology, equipment, and supplies necessary to fulfill the mission of the SCD.
- (2) **INSTRUCTIONAL RESOURCES.** Adequate instructional resources to support the teaching and learning needs of each educator preparation program.
- (3) **TECHNOLOGY.** Sufficient current educational technology to ensure students have access to and can use current educational technology in instructional settings. Education technology includes specialized equipment used for teaching.

PI 34.016 Student services.

- (1) **ADVISING RESOURCES.** The entity shall ensure all students have access to and are provided sufficient information and resources on student services to allow each student to successfully complete the educator preparation program. The information and resources shall include all of the following:
 - (a) Personal, professional, and career counseling.
 - (b) Career information.
 - (c) Tutoring.
 - (d) Job placement assistance.
- (2) **STUDENT SUPPORT SERVICES.** The entity shall provide each student, upon entry and throughout the educator preparation program, with an advisor and written information describing the requirements of the educator preparation program.
- (3) **STUDENT RECORDS.** The institution shall maintain a cumulative record of each student enrolled in an educator preparation program. The record shall contain all of the following:
 - (a) A transcript.
 - (b) A written evaluation of each field experience completed by the student during the clinical program.
 - (c) Documentation that the student met the standards under subch. II.

PI 34.017 Program performance. The entity shall annually evaluate and report to the department all of the following:

- (1) The pass rate of individuals who completed the educator preparation program in the previous school year on the teacher licensure assessments required under ch. 118, Stats.
- (2) Program modifications related to content or assessments.
- (3) The performance of individuals who completed the educator preparation program in the previous school year in obtaining employment with a Wisconsin school or school district.

PI 34.018 Student recruitment, admission, and retention.

- (1) DIVERSITY. The entity shall create, submit to the department, and implement a written plan and provide sufficient resources to recruit, admit, and retain a diverse student body.
- (2) ADMISSIONS. The entity shall establish standards for admission, including requiring a background check prior to admission to an educator preparation program.
- (3) GENERAL EDUCATION PROGRAM. The entity shall require a general education program as part of a bachelor's degree program or higher.
- (4) COMPLETION STANDARDS. The entity shall establish standards for completing each educator preparation program as follows:
 - (a) For educator preparation programs that do not require a master's degree, one of the following:
 1. A minimum cumulative grade point average of 2.75 on a 4.0 scale.
 2. Evidence other than grade point average by entities that use alternative measures of performance are in place. The measures shall be approved by the state superintendent. No more than 10 percent of the cohort of students completing the educator preparation program may be measured using this subdivision.
 - (b) For educator preparation programs at the post-baccalaureate level, one of the following:
 1. A minimum cumulative grade point average of 3.0 on a 4.0 scale.
 2. Evidence other than grade point average by entities that use alternative measures of performance are in place. The measures shall be approved by the state superintendent. No more than 10 percent of the cohort of students completing the educator preparation program may be measured using this subdivision.
 - (c) For all educator preparation programs, the proficiency level for the knowledge, dispositions, and performances that substantiate competence in the standards under subch. II. Student proficiency levels shall be assessed through multiple measures over time and culminate in assessment during student teaching, internships, or practicums.

PI 34.019 Conceptual framework. Each educator preparation program shall have a conceptual framework. The conceptual framework shall describe how the educator preparation program meets the requirements under ss. PI 34.020 through 34.024.

PI 34.020 Performance based program.

- (1) EDUCATOR STANDARDS. An educator preparation program's conceptual framework shall be performance-based and identify how the educator preparation program will meet the educator standards under subch. II by doing one of the following:
 - (a) Adopting the educator standards under subch. II as written or modify the standards to reflect the missions, vision, and philosophy of the educator preparation program. The entity may adopt additional standards beyond the standards under subch. II.
 - (b) Identifying where the standards under subch. II are integrated within the educator preparation program if the entity chooses to develop its own program approval standards.
- (2) PERFORMANCE TASKS. The conceptual framework shall identify the performance tasks within the educator preparation program. The performance tasks shall do all of the following:
 - (a) Be specific and based on research of best practices in education.
 - (b) Include the content of each standard adopted under sub. (1).
 - (c) Demonstrate mastery of each standard.
 - (d) Be measurable over time.

PI 34.021 Assessment system. An educator preparation program's conceptual framework shall contain a system to assess the knowledge, skills, and dispositions of students based on the standards under subch. II. The assessments shall meet all of the following requirements:

- (1) Be measured using each of the following categories:
 - (a) Communication skills.
 - (b) Human relations and professional dispositions.
 - (c) Content knowledge for subject area programs. The content knowledge shall be assessed by the student meeting one of the following requirements:
 1. Having a cumulative grade point average of not less than 3.0 on a 4.0 scale for courses in the subject area or position.
 2. Having a passing score on a standardized test approved by the state superintendent.
 3. Completing a content-based portfolio designed by the educator preparation program.

- (d) Pedagogical knowledge. The assessment of pedagogical knowledge shall include a passing score on a research-based performance assessment approved by the state superintendent.
- (e) Performance in clinical program.
- (2) Be developmental, multiple, measurable over time, and grounded in research based on best practices in education.
- (3) Identify levels of proficiency or other benchmarks that demonstrate student success.

PI 34.022 Statutory requirements. The conceptual framework shall identify how students meet the requirements under s. 118.19, Stats., and demonstrate knowledge and understanding of all of the following:

- (1) COOPERATIVES. Cooperative marketing and consumer cooperatives for licenses in agriculture, economics, and social studies.
- (2) ENVIRONMENT. Environmental education, including the conservation of natural resources, for licenses in early childhood regular education, elementary and middle school regular education, science, and social studies.
- (3) EQUITY. Minority group relations, including all of the following:
 - (a) The history, culture, and tribal sovereignty of American Indian tribes and bands located in Wisconsin.
 - (b) The history, culture, and contributions of women and various racial, cultural, language, and economic groups in the United States.
 - (c) The philosophical and psychological bases of attitude development and change.
 - (d) The psychological and social implications of discrimination, especially racism and sexism in the United States.
 - (e) Evaluation and assessment of the forces of discrimination, especially racism and sexism on administrators, teachers, pupils, assessment, curriculum, and instruction in schools.
 - (f) Minority group relations through direct involvement with various racial, cultural, language, and economic groups in the United States.
- (4) CONFLICT RESOLUTION. Conflict resolution, including all of the following:
 - (a) Resolving conflicts between pupils and between pupils and school staff.
 - (b) Assisting pupils in learning methods of resolving conflicts between pupils, including training in the use of peer mediation, and between pupils and school staff.
 - (c) Addressing crises, including violent, disruptive, potentially violent, or potentially disruptive situations that may arise in a school or during activities supervised by school staff.
- (5) TEACHER RESPONSIBILITIES. For classroom teacher licenses, the role and responsibility of a teacher through a student teaching experience that meets all of the requirements under s. PI 34.023
- (6) READING AND LANGUAGE ARTS. Appropriate instruction methods for teaching reading and language arts, including phonics for licenses to teach reading and language arts at the early childhood and elementary and middle school levels. In this paragraph, “phonics” means a method of teaching beginners to read and pronounce words by learning the phonetic values of letters, letter groups, and syllables.
- (7) CHILDREN WITH DISABILITIES. Procedures used for identifying, assessing, and providing education for children with disabilities, including the roles and responsibilities of regular and special education providers and curriculum modifications.
- (8) PROFESSIONAL RESPONSIBILITIES. Professional ethics and responsibilities, including mandatory reporting requirements under s. 48.981, Stats.

PI 34.023 Clinical program. The educator preparation program’s conceptual frame work shall include a clinical program that meets all of the following requirements:

- (1) PRE-STUDENT TEACHING. Each student shall have onsite, supervised pre-student teaching clinical experiences which meet all of the following requirements:
 - (a) Are developmental in scope and sequence.
 - (b) Occur in a variety of variety of school settings.
 - (c) Result in the student being able to demonstrate knowledge and understanding of the standards under s. PI 34.002, as demonstrated by the assessments required under s. PI 34.021.
 - (d) Evaluates each student’s performance by using at least 2 written evaluations based upon observations by the cooperating teacher or the program supervisor. The written evaluations shall be kept as part of the student file required under s. PI 34.016 (3) (b).
- (2) STUDENT TEACHING. For educator preparation programs leading to a teaching license, each student shall have student teaching experience which meets all of the following requirements:
 - (a) Is developmental in scope and sequence.
 - (b) Occurs in school settings.

- (c) Meets the statutory requirements under s. 118.19 (3) (a), Stats.
- (d) Provides the student opportunities to interact with and adapt instruction for children with disabilities.
- (e) Assigns the student a cooperating teacher or team of cooperating teachers.
- (f) Has one of the following durations:
 1. For educator preparation programs leading to the student's first license, the student teaching shall be for full school days for a full semester of the cooperating school.
 2. For educator preparation programs leading to the student obtaining an additional teacher license, the student teaching shall be for a duration determined by the educator preparation program to be necessary for the student to gain the necessary clinical experience for the additional license.
- (g) Results in the student being able to demonstrate greater knowledge and understanding of the standards under s. PI 34.002, as demonstrated by the assessments required under s. PI 34.020.
- (h) Evaluates each student's performance using all of the following:
 1. A minimum of 3 classroom observations, either in person or real-time virtual, by a program supervisor with relevant teaching experience. At least one observation shall be in person.
 2. At least 3 written evaluations of each student based upon classroom observations by the cooperating teacher or a supervisor approved by the educator preparation program. At least one written evaluation shall be done by the cooperating teacher. The procedures for the written evaluations shall include conferences with the student, cooperating teacher, and program supervisor. The student shall determine which evaluations are available to prospective employers. The written evaluations shall be kept as part of the student file required under s. PI 34.016 (3) (b).
- (3) PRACTICUM PROGRAM. For educator preparation programs leading to a pupil services or administrative license, the clinical program shall include supervised practicums in the area of licensure that meets all of the following requirements:
 - (a) Are developmental in scope and sequence
 - (b) Results in the student being able to demonstrate knowledge and understanding of the standards under subch. II, as applicable.
 - (c) Evaluates each student's performance using all of the following:
 1. At least 2 written evaluations by the school-based supervisor for student-based observations. The written evaluations shall be kept as part of the student file required under s. PI 34.016 (3) (b).
 2. At least 2 written evaluations by the program supervisor. The written evaluations shall be kept as part of the student file required under s. PI 34.016 (3) (b).
 3. At least 2 conferences involving the school-based supervisor, the program supervisor, and the student.
- (4) COOPERATING TEACHERS AND SCHOOL-BASED SUPERVISORS. The clinical program may only use cooperating teachers and school-based supervisors who meet all of the following requirements:
 - (a) Holds a valid Wisconsin license, or an equivalent license if the clinical program is located outside of Wisconsin.
 - (b) Volunteered for an assignment as a cooperating teacher or school-based supervisor.
 - (c) Has at least 3 years of teaching experience, including one year of experience at the current place of employment, or at least 3 years of pupil services or administrator experience, including one year of experience at the current place of employment.
 - (d) Has completed training in the supervision of clinical students and the applicable standards under subch. II.

PI 34.024 Educator preparation program evaluation. An educator preparation program's conceptual framework shall include the entity's follow-up plan to evaluate the performance of individuals who completed the educator preparation program. The plan shall include all of the following:

- (1) The methods the entity will use to obtain information from individuals who completed the program, employers, teachers, and other relevant individuals.
- (2) How the entity will use the information to assess the educator preparation program.

Subchapter V – License Stages

PI 34.025 Definitions. In this subchapter:

- (1) "Applicant" means an individual applying for a license or permit under this subchapter.
- (2) "District administrator" means the district administrator of a school district or a designee.
- (3) "Out-of-state program" means an educator preparation program located in another state that is approved by the other state's education agency and leads to licensure in the state in which it is located.

PI 34.026 General provisions.

(1) EFFECTIVE DATE.

- (a) Except as provided under par. (b) and (c), a license issued under this chapter is effective on July 1 of the year of issuance.
- (b) Except as provided in par. (c), if an applicant completes an approved program after September 1, the effective date of the license is the date the applicant completed the program.
- (c) If an applicant complete an approved program in December, the effective date of the license is January 1.
- (d) A license issued under s. PI 34.028 (2) (d) shall have an effective date of January 1 if the school district requests the license for an assignment that occurs during the second semester of the school year.

(2) EXPIRATION DATE. A tier I license expires on June 30 of the last year of the license's term.

(3) TIERS. Except as otherwise provided in this chapter, the state superintendent shall issue licenses using the following tiers:

- (a) Tier I licenses, which authorize a license holder to practice in a limited area and are valid for a limited duration.
- (b) Tier II licenses, which authorize a license holder to practice in a license area under subch. VI, VII, or VIII and are valid for a limited duration.
- (c) Tier III licenses, which authorize a license holder to practice in a license area under subch. VI, VII, or VIII and have no expiration date.
- (d) Tier IV licenses, which authorize a license holder to practice in a license area under subch. VI, VII, or VIII, have no expiration date, and may qualify an individual for a grant under ch. PI 37.

PI 34.027 License application requirements; license areas. An applicant may apply for a license under this subchapter by submitting an application to the department. The applicant shall provide the applicant's home address to the department. For each license issued under this subchapter, the state superintendent shall assign a license area as follows:

- (1) For a teaching license, the state superintendent shall follow the requirements under subch. VI.
- (2) For a pupil services license, the state superintendent shall follow the requirements under subch. VII.
- (3) For an administrative license, the state superintendent shall follow the requirements under subch. VIII.
- (4) For additional or supplementary license areas, the state superintendent shall follow the requirements under subch. IX.

PI 34.028 Tier I, 1-year renewable license with stipulations.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to teach in the grade level and subject area of the license or work as a pupil services professional in the grade level and subject area of the license.
- (2) **ELIGIBILITY.** The state superintendent may issue a tier I license to an applicant who does not meet all of the requirements for a tier II, III, or IV license if the applicant meets one of the following:
 - (a) *Approved program.* The applicant has completed all of the coursework at an approved program and has a bachelor's degree but has not met all of the requirements for a tier II license.
 - (b) *Intern.* If the license is not for special education, the applicant is assigned to a school by an educator preparation program and all of the following occur:
 1. The educator preparation program recommends the applicant for licensure.
 2. The applicant is enrolled as a senior at a baccalaureate program or is enrolled in a post-baccalaureate program.
 3. The applicant will be supervised by an individual who is fully licensed in the specific license area of the internship or residency program.
 - (c) *Out-of-state program.* The applicant has completed an out-of-state program but has not met all of the requirements for a tier II license.
 - (d) *School district need.* The applicant is applying for a teaching license under this section and meets all of the following requirements:
 1. The holds a bachelor's degree or higher from an accredited college or university.
 2. The applicant's employing school district conducted a search for a fully licensed candidate and no fully licensed candidates were acceptable for the assignment.
 3. The district administrator of the employing school district submitted a written request to the state superintendent on a form provided by the department. The written request shall certify that the search under subd. 1 was conducted and provide a justification for the school district's need.
 - (e) *Speech and language pathologist.* Notwithstanding par. (d), for a tier I license in speech and language pathology, the applicant holds a master's degree and a valid speech and language pathologist license issued by the department of safety and professional services.

- (f) *Pupil services license*. For a tier I license in a pupil services area, the applicant meets all of the following requirements:
 1. The applicant holds a degree required by the pupil service category under subch. VII from an accredited college or university in the area of the license.
 2. The applicant has not met all of the requirements for a pupil services license under subch. VII.
- (3) DURATION. A license issued under this section is valid for 1 year.
- (4) RENEWAL. Subject to s. PI 34.039, a license issued under this section may be renewed as follows:
 - (a) Except as provided in par. (b), a license issued under sub. (2) (a), (c), or (f) may be renewed once if one of the following occurs during the term of the license:
 1. The license holder is enrolled in an approved program and successfully completed at least 6 semester credits or the equivalent in the program.
 2. If the license holder completed all of the coursework or its equivalent in the approved program, the license holder attempted to complete all of the tests required for licensure.
 3. If the license holder does not meet the requirements under subd. 1 or 2, the district administrator of the employing school district submits to the state superintendent a written plan that demonstrates, by clear and convincing evidence, that the license holder will complete all of the licensure requirements during the term of the renewed license.
 - (b) A license issued under sub. (2) (a), (c), or (f) may be renewed more than once if the applicant meets one of the requirements under par. (a) and the district administrator of the employing school district submits a written request for a renewal.
 - (c) A license issued under sub. (2) (d) may be renewed if the district administrator of the employing school district requests a renewal and one of the following occurs during the term of the license:
 1. The license holder is enrolled in an approved program and satisfactorily completed at least 6 semester credits or the equivalent coursework in the approved program.
 2. If the license holder completed all of the coursework or its equivalent in the approved program, the license holder attempted to complete all of the tests required for licensure.
 3. If the license holder does not meet the requirements under subd. 1 or 2, the district administrator of the employing school district submits to the state superintendent a written plan that demonstrates, by clear and convincing evidence, that the license holder will complete all of the licensure requirements during the term of the renewed license.
 - (d) A license issued under sub. (2) (e) may be renewed if the license holder continues to meet the requirements under sub. (2) (e).
 - (e) A license issued under sub. (2) (b) may not be renewed.

PI 34.029 Tier I, 3-year district sponsored license with stipulations.

- (1) AUTHORIZATION. A license issued under this section authorizes the license holder to teach in a subject area or grade level other than the subject area or grade level covered by the license holder's valid tier II, III, or IV license. A license issued under this section only authorizes the license holder to teach in the school district which requested the license under sub. (2) (c).
- (2) ELIGIBILITY. The state superintendent may issue a tier I license in a new subject area or grade level or both to an applicant who meets all of the following requirements:
 - (a) The applicant holds a valid tier II, III, or IV teaching license.
 - (b) The applicant has at least one year of full-time teaching experience in the employing school district.
 - (c) The district administrator of the employing school district submits a written request to the state superintendent to issue the license. The written request shall provide assurances that the employing school district will provide appropriate professional development and supervision to assist the applicant in becoming proficient in the license program content guidelines for the new subject area or grade level. The employing school district may partner with an approved program to ensure the applicant attains proficiency in the content guidelines.
- (3) DURATION. Except as provided under s. PI 34.039, a license issued under this section is valid for 3 years.
- (4) NONRENEWABLE. A license issued under this section may not be renewed.
- (5) ADVANCEMENT. The state superintendent may issue a tier II or III license to an individual holding a license issued under this section if all of the following occur:
 - (a) The license holder submits to the state superintendent or an approved program a written request for endorsement in the new subject area or grade level of the tier II or III license. The written request shall include evidence that the

license holder is proficient in the license program content guidelines in the new subject area or grade level of the new license.

(b) The state superintendent or the approved program determine that the applicant has demonstrated proficiency in the license program content guidelines and is eligible for endorsement.

(c) If the individual is applying for a tier III license, the individual successfully completed six semesters of teaching with a license issued under this section.

PI 34.030 Tier I, guest teacher license.

(1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to teach in the subject area and grade level of the license. The subject area and grade level of the license shall be determined by the state superintendent based on all of the following:

(a) The course work shown on the applicant's transcripts used as part of the institutional endorsement or the credential evaluation by an international credential evaluation agency. The international credential evaluation agency shall be approved by the state superintendent.

(b) The subject areas and grade levels of the license granted to the applicant by another country.

(c) The applicant's professional experience.

(2) **ELIGIBILITY.** The state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:

(a) The applicant holds the equivalent of a U.S. bachelor's degree, as verified by an international credential evaluation agency.

(b) The applicant has completed a teacher preparation program in another country, as verified by an international credential evaluation agency.

(c) The applicant's employing school district agrees to provide the applicant the mentoring required under s. PI 34.040 (5).

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

(4) **RENEWAL.** A license issued under this section may be renewed once at the request of the employing school district.

PI 34.031 Tier I, charter school license.

(1) **AUTHORIZATION.** A license issued under this section authorizations the license holder to teach in a non-virtual charter school in the subject area and grade level of the license or to be a principal in a non-virtual charter school.

(2) **ELIGIBILITY.** The state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:

(a) For a charter school teaching license, the applicant has a bachelor's degree from an accredited institution and has satisfactory content knowledge in the subject area of the license, as demonstrated by one of the following:

1. Completion of a major or minor at an accredited institution in the subject area of the license.
2. Passing a content knowledge examination approved by the state superintendent in the subject area of the license.
3. Passing an assessment process approved by the state superintendent in the subject area of the license.

(b) For a charter school principal license, the applicant meets all of the following requirements:

1. The applicant holds a principal license or a similar license from another state that is in good standing.
2. The applicant has completed at least three years of full-time classroom teaching.

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

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

PI 34.032 Tier I, short-term substitute teacher license.

(1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to teach as a short-term substitute in any subject and in any grade level.

(2) **ELIGIBILITY.** The state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:

(a) Holds an associate degree or a higher degree from an accredited college or university.

(b) Completed a substitute teacher training program approved by the state superintendent which provides training on all of the following:

1. Basic school district and school policies and procedures.
2. Age-appropriate teaching strategies.
3. Discipline, conflict resolution, and classroom management techniques.
4. Health and safety issues, including handling medical emergencies.

5. Techniques for starting a class.
 6. The culture of schools and the teaching profession.
 7. Working with lesson plans.
 8. Working with children with disabilities, including confidentiality issues.
- (3) DURATION. A license issued under this section is valid for 3 years.
- (4) RENEWAL. A license issued under this section is renewable.

PI 34.033 Tier I, long-term substitute teacher license.

- (1) AUTHORIZATION. A license issued under this section authorizes the license holder to be either a short-term substitute teacher or a long-term substitute in the subject area or position and grade level of the license, as determined by the license the applicant has held or is eligible to hold under this chapter or the equivalent license issued by another state.
- (2) ELIGIBILITY. The state superintendent may issue a tier I license under this section to an applicant who has held or is eligible to hold a license issued under this chapter or the equivalent license issued by another state.
- (3) DURATION. A license issued under this section is valid for 5 years.
- (4) RENEWAL. A license issued under this section is renewable.

PI 34.034 Tier I, professional teaching permit.

- (1) AUTHORIZATION. A license issued under this section authorizes the license holder to teach grades 9 through 12 in one of the following subject areas:
- (a) American Sign Language. A license issued under this paragraph authorizes the license holder to teach American Sign Language under s. 118.017 (2), Stats.
 - (b) Art.
 - (c) Computer science.
 - (d) Foreign language.
 - (e) Mathematics.
 - (f) Music
 - (g) Science.
 - (h) Technology education.
- (2) ELIGIBILITY. Except as provided in sub. (3), the state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:
- (a) Holds one of the following:
 1. A certificate issued by the American Sign Language Teachers Association which verifies teacher competency in instructing American Sign Language for a license sought under sub. (1) (a).
 2. A bachelor's degree in art for a license sought under sub. (1) (b).
 3. A bachelor's degree in computer science for a license sought under sub. (1) (c).
 4. A bachelor's degree in foreign language for a license sought under sub. (1) (d).
 5. A bachelor's degree in mathematics or engineering for a license sought under sub. (1) (e).
 6. A bachelor's degree in music for a license sought under sub. (1) (f).
 7. A bachelor's degree in science or engineering for a license sought under sub. (1) (g).
 8. A bachelor's degree in engineering for a license sought under sub. (1) (h).
 - (b) Meets the professional work experience requirements under s. 118.192 (2), Stats., in a subject area corresponding to the applicant's degree.
 - (c) Satisfactorily completed an alternate teacher training program consisting of approximately 100 hours of formal instruction in the application of modern curricula in the subject area sought under sub. (1).
 - (d) Received a passing score on a standardized examination under s. PI 34.021 (1) (c) 2 as determined by the state superintendent.
- (3) DURATION. Except as provided under sub. (4), a license issued under this section is valid for 2 years.
- (4) RENEWAL. A license issued under this section may be renewed for additional 5-year periods if the license holder successfully completed teaching under the initial license's 2-year term as measured by positive references from the supervising teacher and building administrator.

PI 34.035 Tier I, 1-year administrator license.

- (1) AUTHORIZATION. A license issued under this section authorizes the license holder to work as an administrator.
- (2) ELIGIBILITY. The state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:

- (a) The applicant has been admitted to an approved preparation program leading to licensure in the administrative position.
 - (b) The applicant submits a written plan to the state superintendent describing how the licensure program will be completed within two years. The plan shall be approved by an official from the approved preparation program and by the employing school board.
 - (c) The employing school board requests the license in writing.
 - (d) The applicant meets the experience requirements under s. PI 34.065 (4) if the applicant seeks authorization under sub. (1) to work as a principal, district administrator, director of instruction, director of special educator and pupil service, or reading specialist.
 - (e) The applicant holds a principal license under s. PI 34.066 if the applicant seeks authorization under sub. (1) to work as a district administrator.
- (3) DURATION. A license issued under this section is valid for one year. If the school board under sub. (2) (a) requests the license in December, the license shall have an effective date of January 1 and an expiration date of December 31 of the following year.
- (4) RENEWAL. A license issued under this section may be renewed one time if all of the following occur:
- (a) A written request is made by the employing school board by formal action.
 - (b) The applicant submits satisfactory evidence from the approved preparation program that the applicant has made satisfactory progress and can complete the approved program.

PI 34.036 Tier I, special education program aide license.

- (1) AUTHORIZATION. A license issued under this section authorizes the license holder to work as a special education program aide.
- (2) ELIGIBILITY. The state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:
- (a) Is at least 18 years of age.
 - (b) Is recommended by the district administrator of the employing school district or the administrator of a CESA to receive a license under this section.
 - (c) Has a high school diploma or an equivalent degree.
- (3) DURATION. A license issued under this section is valid for 5 years.
- (4) RENEWAL. A license issued under this section is renewable.

PI 34.037 Tier I, experience-based license for technical and vocational education subjects.

- (1) DEFINITIONS. In this section:
- (a) “Technology education subject” means one of the following subject areas:
 1. Architecture and construction.
 2. Biotechnology.
 3. Information and communication technology.
 4. Electronics.
 5. Engineering.
 6. Environmental technologies.
 7. Manufacturing.
 8. Power and energy.
 9. Transportation.
 - (b) “Vocational subjects” means one of the following subject areas:
 1. Agriculture.
 2. Business education.
 3. Business and office.
 4. Child services.
 5. Clothing services.
 6. Family and consumer services.
 7. Food services.
 8. Healthcare-related occupations.
 9. Home economics-related occupations.
 10. Housing and equipment services.
 11. Marketing.

12. Trade specialist.

- (2) **AUTHORIZATION.** A license issued under this section authorizes the license holder to teach a technology education subject or vocational education subject in the school district that provided the offer of employment under sub. (3)., and it is not valid in another school district.
- (3) **ELIGIBILITY.** The state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:
 - (a) Meets the minimum requirements under s. 118.191 (2), Stats.
 - (b) Enters into an agreement with the school board of the school district in which the applicant has received an offer of employment which requires the applicant to complete a curriculum in professional development training during the term of the initial license, as determined by that school board.
- (4) **DURATION.** A license issued under this section is valid for 3 years.
- (5) **ADVANCEMENT.** Upon expiration of the initial license issued under sub. (2), the state superintendent shall issue the applicant a 5-year, renewable professional experience-based license to teach a technical or vocational education subject if all of the following apply:
 - (a) The applicant is eligible for a teaching license under this section.
 - (b) The applicant has completed the professional development curriculum agreed to under sub. (3) (b) to the satisfaction of the school board of the school district where the applicant teaches.
 - (c) The applicant submits to the state superintendent evidence of completing the curriculum agreed to under sub. (3) (b).

PI 34.038 Tier I, license based on reciprocity.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to do one of the following:
 - (a) Teach in a license area under subch. VI. The state superintendent shall determine the subjects and grade levels of the license based on all of the following:
 - 1. The subjects and grades the individual is authorized to teach under his or her license granted by another state.
 - 2. The individual's teaching experience.
 - (b) Work as an administrator in a license area under subch. VIII. The state superintendent shall determine the license area of the license based on all of the following:
 - 1. The individual's license granted by another state.
 - 2. The individual's experience as an administrator.
- (2) **ELIGIBILITY.** The state superintendent may issue a tier I license under this section to an applicant who meets all of the following requirements:
 - (a) The applicant meets all of the requirements under s. 118.193 (2), Stats., for a license issued under sub. (1) (a) or all of the requirements under s. 118.193 (3), Stats., for a license issued under sub. (1) (b).
 - (b) The applicant's license issued by another state is in good standing. In this paragraph, "good standing" means the license is valid, current, and the individual is not under investigation by the licensing authority for any reason.
 - (c) The applicant meets the requirements under s. 118.193 (2) (b) or (3) (b), Stats., as determined by the applicant engaging in full-time teaching or work as an administrator for at least one year.
 - (d) The applicant does not hold or has not held an equivalent license issued by the state superintendent.
- (3) **DURATION.** A license issued under this section is valid for 5 years.
- (4) **RENEWAL.** A license issued under this section is renewable.

PI 34.039 Tier I limitations. A tier I license is subject to all of the following:

- (1) Except as provided in ss. PI 34.033 and 34.038, an individual may not have a tier I license in special education for more than 3 years.
- (2) A school employing a tier I license holder in special education shall meet the requirements under s. PI 34.040 (5) and 34 CFR 300.156 (c).

PI 34.040 Tier II provisional educator license.

- (1) **AUTHORIZATION.**
 - (a) Except as provided in par. (b), a tier II license authorizes an individual to teach or work in the license area specified under subch. VI, VII, or VIII.
 - (b) A license issued sub. (2) (e) authorizes an individual to teach in a Montessori school or program. The subject area and grade level of a license issued under sub. (2) (e) shall be based on the license areas approved by the accredited Montessori training program that the applicant completed.

- (2) **ELIGIBILITY.** The state superintendent may issue a tier II license under this section to an application who meets one of the following:
- (a) *Approved program.* The applicant did all of the following:
 1. Completed an approved program.
 2. Received an institutional endorsement.
 3. Demonstrated content knowledge by meeting the content requirements under s. PI 34.021 (1) (c).
 4. Demonstrated pedagogical knowledge, as required under s. PI 34.021 (1) (d).
 5. Met the requirements under s. PI 34.022.
 - (b) *Expired or invalid license.* The applicant holds an expired initial educator, professional educator, or master educator license or an invalid tier III, or tier IV license.
 - (c) *License based on equivalency.* The applicant submits a certification from an institution which certifies that the applicant completed the equivalent of the institution's approved program.
 - (d) *License based on experience.* The applicant meets all of the following requirements:
 1. Holds a bachelor's degree or higher
 2. Completed an out-of-state program.
 3. Has at least 3 years of successful teaching experience in the subject area of the license
 4. Meets the requirements under sub. (2) (a) 3 through 5.
 - (e) *Montessori training.* The applicant meets the requirements under s. 118.194 (1), Stats.
 - (f) *Online-only preparation with no student teaching experience.* The applicant meets the requirements under s. 118.197, Stats.
 - (g) *Out-of-state program.* The applicant meets all of the following requirements:
 1. Completed an out-of-state educator preparation program that meets all of the following requirements:
 - a. Is approved by the state education agency of the state in which it is located.
 - b. Is comparable to an approved program, including student teaching experience.
 2. Received an institutional endorsement from the preparation program.
 3. Demonstrated content knowledge by meeting the requirements under s. PI 34.021 (1) (c).
 4. Demonstrated pedagogical knowledge, as required under s. PI 34.021 (1) (d).
 - (h) *Standards-based training and assessment.* The applicant successfully completed a standards-based training and assessment program approved by the state superintendent and passed the assessments approved under s. PI 34.021.
 - (i) *National board certification.* The applicant is certified by the national board for professional teaching standards.
- (3) **DURATION.** A license issued under this section is valid for 3 years.
- (4) **RENEWAL.** A license issued under this section is renewable.
- (5) **DISTRICT REQUIREMENTS.** A school district employing a tier II license holder who has less than three years of full-time teaching experience shall provide all of the following:
- (a) Ongoing orientation and support which is collaboratively developed by teachers, administrators, and other school district stakeholders.
 - (b) A licensed mentor who successfully completed a mentor training program approved by the department.

PI 34.041 Tier III lifetime license.

- (1) **AUTHORIZATION.** A tier III 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 grant a tier III license to an applicant if all of the following requirements are met:
- (a) The applicant holds or has held a valid tier II license.
 - (b) The applicant completed at least 6 semesters of experience in the license area of the tier II license. The 6 semesters of experience shall be in one or more Wisconsin public schools within the 5 years immediately preceding the effective date of the license issued under this section.
 - (c) The school board of each school district in which the applicant served certifies to the state superintendent that the applicant successfully completed the service under par. (b).
 - (d) The applicant meets all of the requirements under s. PI 34.022.
- (3) **DURATION.** A license issued under this section remains valid unless one of the following occurs:
- (a) The license holder has not been employed by a school district for 5 or more consecutive years.
 - (b) The license holder does not meet the requirements under sub. (4). The state superintendent shall restore a license that becomes invalid under this paragraph if the license holder obtains a satisfactory background check under sub. (4) within 180 days of the license being invalidated.

- (4) **BACKGROUND CHECK.** An individual holding a license issued under this section shall submit a request to the department to have a new background check conducted once every five years. The request shall be made between January 1 and June 30 of the fifth year since the individual's last background check, and by the same dates every five years thereafter. The department may charge a reasonable fee to cover the cost of background checks.

PI 34.042 Tier IV master educator license.

- (1) **AUTHORIZATION.** A tier IV license issued under this section authorizes an individual to teach or work in the license area specified under subch. VI, VII, VIII, or IX.
- (2) **ELIGIBILITY.** The state superintendent may issue a tier IV license if the applicant holds or has held a valid tier III license and is certified by the national board for professional teaching standards or, if there is no applicable national board assessment, the applicant meets all of the following requirements:
- (a) The applicant submits an application to the state superintendent which includes evidence of all of the following:
1. The applicant holds a master's degree related to grade level and subject area of the license.
 2. The applicant has at least 5 years of successful professional experience under a tier III license in the license area of the tier III license.
 3. The applicant has made contributions to the profession.
 4. The applicant has improved pupil learning.
- (b) An assessment team recommends the applicant for a tier IV license. The assessment team shall base its decision on all of the following:
1. A formal assessment process of the applicant demonstrates that the applicant has mastered of the applicable standards under subch. II. The assessment process shall be comparable to the national board for professional teaching standards process and be approved by the state superintendent.
 2. The applicant demonstrates exemplary professional performance through video or on-site observation by the assessment team.
- (3) **ASSESSMENT TEAM.** The assessment team under sub. (2) (b) shall meet all of the following requirements:
- (a) The assessment team shall be composed of 3 educators who have the same or similar job responsibilities. It may also include a school board member.
- (b) The assessment team members shall be nominated by professional organizations and be approved by the state superintendent.
- (c) The assessment team members have successfully completed training provided by the department.
- (4) **LICENSE AREA.** The state superintendent shall assign the same license area to a tier IV license issued under this section as the applicant's tier III license.
- (5) **DURATION.** A license issued under this section remains valid unless one of the following occurs:
- (a) The license holder has not been employed by a school district for 5 or more consecutive years.
- (b) The license holder does not meet the requirements under sub. (6). The state superintendent shall restore a license that becomes invalid under this paragraph if the license holder obtains a satisfactory background check under sub. (6) within 180 days of the license being invalidated.
- (6) **BACKGROUND CHECK.** An individual holding a license issued under this section shall submit a request to the department to have a new background check conducted once every five years. The request shall be made between January 1 and June 30 of the fifth year since the individual's last background check, and by the same dates every five years thereafter. The department may charge a reasonable fee to cover the cost of background checks.

Subchapter VI – Teaching Areas

PI 34.043 Applicability. The state superintendent shall assign a license area under this subchapter to each teaching license issued under subch. V.

PI 34.044 Early childhood.

- (1) **ELIGIBILITY.** The state superintendent may issue a license in the early childhood teaching area under this section if the applicant completed an approved program in early childhood education and met the assessment requirements under ss. PI 34.021 (1) (c) and (d).
- (2) **GRADE LEVELS.** A license issued under this section authorizes an individual to teach in a regular education setting with pupils from birth to grade 3.
- (3) **SUBJECT AREAS.** Subject to sub. (2), a license issued under this section authorizes an individual to teach any regular education subject.

PI 34.045 Elementary and middle school.

- (1) **ELIGIBILITY.** The state superintendent may issue a license in the elementary and middle school license area under this section if the applicant completed an approved program in elementary and middle school education with at least one course in the curriculum content of the Wisconsin standards in each of the following subjects:
 - (a) Language arts.
 - (b) Mathematics.
 - (c) Science
 - (d) Social studies.
- (2) **GRADE LEVELS.** A license issued under this section authorizes an individual to teach in a regular education setting grades kindergarten through 9.
- (3) **SUBJECT AREAS.** Subject to sub. (2), a license issued under this section authorizes an individual to teach any subject, except a world language in a self-contained classroom, or the subjects listed under par. (a) in a departmentalized setting.

PI 34.046 Middle and high school.

- (1) **ELIGIBILITY.** The state superintendent may issue a middle and high school license under this section to a licensee if the applicant who completed an approved program in middle and high school education.
- (2) **GRADE LEVELS.** A license issued under this section authorizes an individual to teach in a regular education setting grades 4 through 12.
- (3) **SUBJECT AREAS.** Subject to sub. (2), a license issued under this section authorizes an individual to teach one or more of the following subject areas, as determined under sub. (1):
 - (a) Computer science.
 - (b) English and language arts.
 - (c) Mathematics.
 - (d) Science.
 - (e) Social studies.

PI 34.047 Prekindergarten through grade 12.

- (1) **ELIGIBILITY.** Except as provided in sub. (4), the state superintendent may issue a kindergarten through grade 12 license under this section if the applicant meets all of the following requirements:
 - (a) The applicant completed an approved program in the subject area of the license sought under sub. (3).
 - (b) The applicant successfully met the assessment requirements in ss. PI 34.021 (c) and (d).
- (2) **GRADE LEVELS.** A license issued under this section authorizes an individual to teach in grades prekindergarten through 12.
- (3) **SUBJECT AREAS.** A license issued under this section authorizes an individual to teach one of the following subjects, as determined under sub. (1):
 - (a) Agriculture education.
 - (b) Art.
 - (c) Business education.
 - (d) Dance.
 - (e) English as a second language.
 - (f) Family and consumer education.
 - (g) Health.
 - (h) Instructional library media specialist.
 - (i) Latin.
 - (j) Marketing education.
 - (k) Music.
 - (l) Physical education.
 - (m) Speech and language pathology.
 - (n) Technology education.
 - (o) Theater.
 - (p) World languages, such as Chinese, French, German, Russian, Spanish, or other languages spoken in multiple countries.

- (4) **SPEECH AND LANGUAGE PATHOLOGY.** The state superintendent may issue a teaching license under sub. (3) (m) to an applicant who is licensed by the department of safety and professional services as a speech and language pathologist and meets the requirements under s. PI 34.022.

PI 34.048 Early childhood special education.

- (1) **AUTHORIZATION.** A license under this section authorizes an individual to provide special education services to pupils from birth to grade 3.
- (2) **ELIGIBILITY.** The state superintendent may issue an early childhood special education license under this section if the applicant meets all of the following requirements:
- (a) The applicant completed an approved program in early childhood special education.
 - (b) The applicant successfully met the assessment requirements in ss. PI 34.021 (c) and (d).

PI 34.049 Kindergarten through grade 12 cross-categorical special education.

- (1) **AUTHORIZATION.** A license issued under this section authorizes an individual to teach in a program that provides services to pupils in kindergarten through grade 12 with intellectual, emotional-behavioral, specific learning, or other disabilities.
- (2) **ELIGIBILITY.** The state superintendent may issue a kindergarten through grade 12 special education license under this section to an applicant who meets all of the following requirements:
- (a) The applicant completed an approved program in kindergarten through grade 12 special education.
 - (b) The applicant successfully met the assessment requirements in ss. PI 34.021 (c) and (d).

PI 34.050 Deaf or hard of hearing.

- (1) **AUTHORIZATION.** A license issued under this section authorizes an individual to teach pupils who are deaf or hard of hearing in any grade.
- (2) **ELIGIBILITY.** The state superintendent may issue a deaf or hard of hearing license under this section to an applicant who completed an approved program, met the assessment requirements in ss. PI 34.021 (c) and (d), and meets all of the following requirements:
- (a) The applicant demonstrates knowledge and understanding of all of the following:
 - 1. Pupils who are deaf and hard of hearing.
 - 2. Curriculum and methods for teaching pupils who are deaf or hard of hearing at the appropriate level.
 - 3. Language acquisition and development for pupils who are deaf or hard of hearing.
 - 4. Speech for pupils who are deaf or hard of hearing.
 - 5. Speech reading and auditory training for pupils who are deaf or hard of hearing.
 - 6. Manual communication.
 - (b) The applicant completed student teaching with pupils who are deaf or hard of hearing.

PI 34.051 Blind and visual impairment.

- (1) **AUTHORIZATION.** A license issued under this section authorizes an individual to teach pupils who are blind and visually impaired in any grade.
- (2) **ELIGIBILITY.** The state superintendent may issue a blind and visual impairment license under this section to an applicant who completes an approved program which included all of the following:
- (a) Philosophical, historical, and legal foundations of special education and the area of blind and visual impairment.
 - (b) Characteristics of pupils who are blind and visually impaired, including the structure and functions of the eye.
 - (c) Assessment, diagnosis, and evaluation of pupils who are blind and visually impaired.
 - (d) Instructional content for pupils who are blind and visually impaired.
 - (e) Instructional strategies to plan effective learning environments for pupils who are blind and visually impaired.
 - (f) Student teaching of pupils who are blind and visually impaired.
 - (g) Successful completion of the national literary Braille competency test.
 - (h) Coursework in methods of teaching Braille.
 - (i) Experience in teaching Braille to pupils which is based on documentary evidence approved by the state superintendent. The experience may include a practicum or student teaching.
 - (j) The applicant successfully met the assessments requirements under ss. PI 34.021 (c) and (d).

PI 34.052 Additional license areas.

- (1) **APPLICABILITY.** An individual holding a tier II, III, or IV license may add additional license areas to the license by meeting the requirements of this section.
- (2) **EARLY CHILDHOOD.** An individual holding an elementary and middle school license under s. PI 34.045, a special education license under s. PI 34.049, or an equivalent license may add the early childhood education license area under PI 34.044 by meeting all of the following requirements:
 - (a) Have at least 4 semesters of classroom teaching experience in prekindergarten through grade 3. The teaching experience may include teaching in a Head Start program.
 - (b) Have a passing score on a content knowledge test approved by the state superintendent.
 - (c) Have a passing score on the test required under s. 118.19 (14), Stats.
- (3) **MATHEMATICS OR ENGLISH LANGUAGE ARTS.** An individual holding an elementary and middle school license under s. PI 34.045, a special education license under s. PI 34.049, or an equivalent license may add the middle and high school license area under s. PI 34.046 in math or English language arts by meeting all of the following requirements:
 - (a) Having at least 4 semesters of relevant experience teaching mathematics or English language arts in a regular education classroom in grades 7 or 8.
 - (b) Passing the applicable content knowledge test approved by the state superintendent.
- (4) **ADDITIONAL MIDDLE AND HIGH SCHOOL SUBJECT AREAS.** An individual holding a middle and high school license under s. PI 34.046, a special education license under s. PI 34.049, a prekindergarten through 12 license under ss. PI 34.047 (3) (a) through (l) or (n) through (p), or an equivalent license, may add one of the following additional middle and high school subject areas by passing the applicable content knowledge test approved by the state superintendent:
 - (a) Biology.
 - (b) Chemistry.
 - (c) Computer science.
 - (d) Earth and space science.
 - (e) Economics.
 - (f) English.
 - (g) Environmental studies.
 - (h) History.
 - (i) Journalism.
 - (j) Life and environmental science.
 - (k) Math.
 - (L) Physics.
 - (m) Political science.
 - (n) Psychology.
 - (o) Sociology.
 - (p) Speech communications.
- (5) **ADDITIONAL PREKINDERGARTEN THROUGH 12 SUBJECT AREAS.** An individual holding a prekindergarten through 12 license under ss. PI 34.047 (3) (a) through (L) or (n) through (p), or an equivalent license, may add additional prekindergarten through 12 subject areas under ss. PI 34.047 (3) (a) through (L) or (n) through (p) by passing the applicable content knowledge test approved by the state superintendent.
- (6) **ENGLISH AS A SECOND LANGUAGE AND WORLD LANGUAGES.** An individual holding an elementary and middle school license under ss. PI 34.045, a special education license under s. PI 34.049, or an equivalent license may add a license in English as a second language or a world language by passing the applicable content knowledge test approved by the state superintendent.

PI 34.053 Tribal, community and school liaison license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to work as a tribal, community, and school liaison in an American Indian language and culture education program. A license to serve as a liaison in an American Indian language and culture program is not mandatory.
- (2) **ELIGIBILITY.** The state superintendent may issue a tribal, community, and school liaison license under this section if all of the following apply:
 - (a) The applicant is determined competent for the license by the designee of the local American Indian parent advisory committee under s. 115.735, Stats, and one of the following:
 - 1. The district administrator of the employing school district.
 - 2. The administrator of the employing alternative school.

- (b) The applicant is certified to be competent in the associated American Indian language and is knowledgeable about the history and culture of the associated American Indian population. The certification under this paragraph shall be made by one of the following entities, as determined by the associated tribal government:
1. The tribal council.
 2. The tribal language division.
 3. The local American Indian parent advisory committee.

PI 34.054 American Indian language and culture aide license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to serve as a tribal, community, and school liaison in an American Indian language and culture education program. A license to serve as an aide in an American Indian language and culture program is not mandatory.
- (2) **ELIGIBILITY.** The state superintendent may issue an American Indian language and culture aide license under this section if all of the following apply:
- (a) The applicant is determined competent for the license by the designee of the local American Indian parent advisory committee under s. 115.735, Stats, and one of the following:
1. The district administrator of the employing school district.
 2. The administrator of the employing alternative school.
- (b) The applicant is certified to be competent in the associated American Indian language and is knowledgeable about the history and culture of the associated American Indian population. The certification under this paragraph shall be made by one of the following entities, as determined by the associated tribal government:
1. The tribal council.
 2. The tribal language division.
 3. The local American Indian parent advisory committee.

PI 34.055 American Indian language license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to teach one of the following languages in an American Indian language program:
- (a) Ojibwe.
 - (b) Hočąk.
 - (c) Menominee.
 - (d) Oneida.
 - (e) Potawatomi.
 - (f) Mohican.
- (2) **ELIGIBILITY.** The state superintendent may issue a license under this section to an applicant who meets one of the following requirements:
- (a) The applicant meets all of the following requirements:
1. The applicant holds or is eligible to hold a teaching license.
 2. The applicant is recommended for a license under this section by the employing school district administrator or the employing administrator of an alternative school.
 3. The applicant is certified to be competent in the associated American Indian language. The certification under this paragraph shall be made by one of the following entities, as determined by the associated tribal government:
 - a. The tribal council.
 - b. The tribal language division.
 - c. The local American Indian parent advisory committee.
- (b) The state superintendent may issue an American Indian language license as specified in s. 115.28 (17) (a), Stats., under this section to an applicant who does not meet all of the requirements of sub. (2) (a) who is recommended by the employing school district administrator or the employing administrator of an alternative school and is certified competent in the associated American Indian language by one of the following entities, as determined by the associated tribal government:
1. The tribal council.
 2. The tribal language division.
 3. The local American Indian parent advisory committee.

PI 34.056 American Indian history, culture, and tribal sovereignty license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to teach Wisconsin American Indian history, culture, and tribal sovereignty of one of the following tribes in an American Indian education program.
- (a) Bad River Band of the Lake Superior Chippewa Indians.
 - (b) Lac Courte Oreilles Band of the Lake Superior Chippewa Indians.
 - (c) Lac du Flambeau Band of the Lake Superior Chippewa Indians.
 - (d) Red Cliff Band of the Lake Superior Chippewa Indians.
 - (e) Sokaogon Chippewa Community.
 - (f) St. Croix Chippewa Community.
 - (g) Forest County Potawatomi Community.
 - (h) Stockbridge-Munsee Band of Mohican Indians.
 - (i) Menominee Indian Tribe of Wisconsin.
 - (j) Oneida Nation of Wisconsin.
 - (k) Ho-Chunk Nation.
- (2) **ELIGIBILITY.** The state superintendent may issue an American Indian history, culture, and tribal sovereignty license under this section to an applicant who meets all of the following requirements:
- (a) The applicant holds or is eligible to hold a teaching license.
 - (b) The applicant is recommended for the license by the employing school district administrator or the employing administrator of an alternative school.
 - (c) The applicant is certified to be competent in the associated American Indian history, culture, and tribal sovereignty. The certification under this paragraph shall be made by one of the following entities, as determined by the associated tribal government:
 - 1. The tribal council.
 - 2. The tribal language division.
 - 3. The local American Indian parent advisory committee.
- (3) **ALTERNATIVE ELIGIBILITY.** The state superintendent may issue a 2-year American Indian history, culture, and tribal sovereignty license under this section to an applicant who meets all of the requirements under sub. (2) except sub. (2) (a).
- (a) If an individual completes 6 semesters of teaching experience with a license issued under this subsection, the state superintendent may issue the individual a license under sub. (2) if the individual meets all of the following requirements:
 - (b) The individual submits evidence demonstrating that the individual has all of the following competencies:
 - 1. The ability to plan and organize instructional materials, units, and lessons designed to instruct pupils in the history, culture, and tribal sovereignty of Wisconsin American Indians.
 - 2. The ability to classify the principal ways in which the Wisconsin American Indian culture resembles and differs from that of the non-Native culture of the United States.
 - 3. The ability to draw from personal experience in order to create a variety of learning situations which bring the reality of American Indian culture closer to the pupil.
 - 4. The ability to devise teaching methods appropriate to the culture of Wisconsin American Indians.
 - 5. The ability to develop, encourage, and promote pupil participation in activities and events which reflect the contemporary ways of life of the Wisconsin American Indian culture and tribal sovereignty.
 - 6. Knowledge of the principles and theories of child, young adolescent, or adolescent growth and development, as appropriate to the level or levels of licensure, and the relationship of that knowledge to teaching Wisconsin American Indian history, culture, and tribal sovereignty.

Subchapter VII – Pupil Services Areas

PI 34.057 Applicability. The state superintendent shall assign a license area under this subchapter to each pupil services license issued under subch. V.

PI 34.058 General requirements. In order to be eligible for a license under this subchapter, an applicant shall meet all of the following requirements:

- (1) The applicant completed an approved educator preparation program in the applicable position area.
- (2) The applicant received an institutional endorsement.
- (3) The applicant met the content knowledge requirement under s. PI 34.021 (1) (c).

PI 34.059 School counselor.

- (1) AUTHORIZATION. A license under this section authorizes an individual to work as a school counselor.
- (2) ELIGIBILITY. The state superintendent may issue a school counselor license under this section to an applicant who has a master's degree and meets all of the requirements under s. PI 34.058.

PI 34.060 School nurse.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to work as a school nurse. A license issued under this section is not required for an individual to be a school nurse if the individual has a nursing license issued by the department of safety and professional services.
- (2) ELIGIBILITY. Notwithstanding s. PI 34.058 (1), the state superintendent may issue a school nurse license under this section to an applicant who complete a school nurse practicum and receives an institutional endorsement.

PI 34.061 School psychologist.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to work as a school psychologist.
- (2) ELIGIBILITY. The state superintendent may issue a school psychologist license under this section to an applicant who meets all of the following requirements:
 - (a) The applicant meets all of the requirements under s. PI 34.058.
 - (b) The approved program under s. PI 34.058 (1) results in a doctor of philosophy, doctor of psychology, doctor of education, education specialist degree, or the equivalent, as determined by the institution and approved by the state superintendent.
 - (c) If the applicant is applying for a tier III license, the applicant completed a 2 semester internship in school psychology under the supervision of a cooperating school psychologist.

PI 34.062 School social worker.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to work as a school social worker.
- (2) ELIGIBILITY. The state superintendent may issue a school social worker license under this section to an applicant who meets all of the following requirements:
 - (a) The applicant meets all of the requirements under s. PI 34.058.
 - (b) The applicant has a master's degree in social work.

PI 34.063 American Indian language and culture – school counselor license.

- (1) AUTHORIZATION. A license issued under this section authorizes the license holder to serve as a school counselor in a American Indian language and culture program.
- (2) ELIGIBILITY. The state superintendent may issue an American Indian language and culture – school counselor license under this section to an applicant who meets all of the following requirements:
 - (a) The applicant holds or is eligible for a license as a counselor under s. PI 34.059.
 - (b) The applicant is recommended for the license by the employing school district administrator or the employing administrator of an alternative school.
 - (c) The applicant is recommended for the license by one of the following entities, as determined by the associated tribal government:
 - 1. The tribal council.
 - 2. The tribal language division.
 - 3. The local American Indian parent advisory committee.
 - (d) The applicant provides the state superintendent with evidence of possessing knowledge and understanding of the culture and traditions of the target population.

Subchapter VIII – Administration Areas

PI 34.064 Applicability. The state superintendent shall assign a license area under this subchapter to each administrative license issued under subch. VIII. A license under ss. PI 34.066 through 34.071 is required to supervise and evaluate professional staff in grades prekindergarten through 12.

PI 34.065 General requirements. In order to be eligible for a license under this subchapter, an applicant shall meet all of the following requirements:

- (1) MASTER'S DEGREE. Except as provided under ss. PI 34.067 and 34.072 the applicant has a master's degree.

- (2) APPROVED PROGRAM. The applicant completed an approved program in the applicable administrative area.
- (3) PROFESSIONAL EDUCATION. Except as provided under ss. PI 34.071 and 34.072, the applicant meets one of the following requirements:
 - (a) The applicant holds or is eligible to hold a tier II, III, or IV teacher license in kindergarten through grade 12, or the applicant completed an approved program which leads to a license to teach in kindergarten through grade 12.
 - (b) The applicant holds or is eligible to hold a tier II, III, or IV license as a school counselor, a school psychologist, or a school social worker, or has completed an approved program which leads to one of these licenses.
- (4) EXPERIENCE. Except as provided under ss. PI 34.071 and 34.072, the applicant meets one of the following requirements:
 - (a) The applicant has 6 semesters of successful classroom experience teaching in any grade.
 - (b) The applicant has 6 semesters of successful experience as a school counselor, school psychologist, or a school social worker, and the applicant has at least 540 hours of successful classroom teaching experience.

PI 34.066 Principal.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to work as a principal or assistant principal at any grade level.
- (2) ELIGIBILITY. The state superintendent may issue a principal license under this section to an applicant who meets all of the requirements under s. PI 34.065.

PI 34.067 District administrator.

- (1) AUTHORIZATION. Except as provided in s. 119.32 (7), Stats., a license issued under this section is required for an individual to work as a district administrator, superintendent, or assistant superintendent. A license under this section also authorizes an individual to serve as a principal or teacher in any school under the individual's supervision if the individual is employed as a district administrator or superintendent.
- (2) ELIGIBILITY. The state superintendent may issue a district administrator license under this section to an applicant who meets all of the following requirements:
 - (a) The applicant meets all of the requirements under ss. PI 34.065.
 - (b) The applicant has an education specialist degree, its equivalent, or a doctoral degree.
 - (c) The applicant holds a principal license under s. PI 34.066.

PI 34.068 Director of instruction.

- (1) AUTHORIZATION. A license issued under this section is required for an individual to work as a supervisor, coordinator, or director of curriculum, instruction, or staff development, or an equivalent position.
- (2) ELIGIBILITY. The state superintendent may issue a director of instruction license under this section to an applicant who meets all of the requirements under s. PI 34.065.

PI 34.069 Director of special education and pupil services.

- (1) AUTHORIZATION. A license issued under this section is required for an individual to administer a special education program or a pupil services program or both.
- (2) ELIGIBILITY. The state superintendent may issue a director of special education and pupil services license under this section to an applicant who meets all of the requirements under s. PI 34.065.

PI 34.070 Reading specialist.

- (1) AUTHORIZATION. A license issued under this section is required for an individual to direct early childhood through adolescence reading programs or to work with reading teachers, classroom teachers, administrators, and others as a resource teacher in reading.
- (2) ELIGIBILITY. The state superintendent may issue a reading specialist license under this section to an applicant who meets all of the following requirements:
 - (a) The applicant meets all of the requirements under s. PI 34.065.
 - (b) The applicant has a reading teacher license under s. PI 34.082.
 - (c) The applicant has a master's degree with a major emphasis in reading and demonstrated expertise in all of the following:
 1. Guiding and directing a kindergarten through grade 12 program.
 2. Field experience in kindergarten through grade 12 reading programs.
 3. Research related to reading.

4. Supervision of instruction.
5. Content area reading for the reading specialist.

PI 34.071 School business administrator.

- (1) **AUTHORIZATION.** Except as provided under s. 119.23 (7), Stats., a license issued under this section is required for an individual to have primary budget and fiscal responsibility in a school district.
- (2) **ELIGIBILITY.** The state superintendent may issue a business administrator license under this section to an applicant who meets all of the requirements under s. PI 34.065 (1) and (2).

PI 34.072 Program coordinator.

- (1) **AUTHORIZATION.** Except as provided under par. (a) 1, a license issued under this section authorizes an individual to be a program coordinator in one of the following if the individual does not otherwise have a valid license under subch. VI or VII:
 - (a) An instructional program in one of the following areas:
 1. Career and technical education coordinator. A license is required under this paragraph in order to work as a career and technical education coordinator.
 2. Children at risk.
 3. Dean of students.
 4. Gifted and talented.
 5. School to work.
 6. Title I.
 - (b) A non-instructional program coordinator in one of the following areas:
 1. Athletics and co-curricular programs.
 2. Personnel.
 3. Public relations.
 4. Research.
 5. School network administrator.
 6. Standards and assessment.
 7. Other non-instructional positions as determined by an employing school district.
- (2) **ELIGIBILITY.** The state superintendent may issue a program coordinator license under this section to an applicant who meets all of the following requirements:
 - (a) The applicant meets the requirements under s. PI 34.074 (2).
 - (b) The applicant has a bachelor's degree.
 - (c) The applicant completed an approved educational program and received an institutional endorsement for the license sought.

Subchapter IX– Supplementary Areas

PI 34.073 Applicability. Except as provided under s. PI 34.076, the state superintendent may assign a supplementary license area under this subchapter to an individual holding a tier II, III, or IV teacher license issued under subch. V.

PI 34.074 Adaptive education.

- (1) **AUTHORIZATION.** A license issued under this section authorizes an individual to teach adaptive education in a regular education setting in grades prekindergarten through 12.
- (2) **ELIGIBILITY.** The state superintendent may issue an adaptive education license under this section to an applicant who completed an approved education preparation program which included all of the following:
 - (a) Had a concentration in adaptive education.
 - (b) Demonstrated knowledge and understanding in all of the following:
 1. The psychology and nature of a child with a disability.
 2. Modification of content, instructional strategies, and learning environments for children with disabilities and other children with special needs in the regular education setting.
 3. A clinical program in adaptive education.

PI 34.075 Adaptive physical education.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to teach adaptive physical education in grades prekindergarten through 12.
- (2) ELIGIBILITY. The state superintendent may issue an adaptive physical education license under this section to an applicant who meets all of the following requirements:
 - (a) Holds a physical education license under s. PI 34.047 (3) (n).
 - (b) Completed an approved education preparation program in adaptive physical education which included all of the following:
 - 1. Had a concentration in adaptive physical education.
 - 2. Demonstrated knowledge and understanding in all of the following:
 - a. The psychology and nature of a child with a disability.
 - b. Modification of content, instructional strategies, and learning environments for children with disabilities and other children with special needs in the regular education setting.
 - c. A clinical program in adaptive physical education.

PI 34.076 Assistive technology.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to provide consultative services related to assistive technology.
- (2) ELIGIBILITY. The state superintendent may issue an assistive technology license under this section to an applicant who meets all of the following requirements:
 - (a) Holds one of the following licenses or an equivalent license:
 - 1. Early childhood special education under s. PI 34.048.
 - 2. Kindergarten through grade 12 special education under s. PI 34.049.
 - 3. Deaf or hard of hearing under s. PI 34.050.
 - 4. Blind and visually impaired under s. PI 34.051.
 - 5. Occupational therapy under s. PI 34.091.
 - 6. Physical therapy under s. PI 34.093.
 - 7. Speech and language pathology under s. PI 34.047 (3) (q) or (4).
 - (b) Completed an approved education preparation program which included all of the following:
 - 1. Had a concentration in assistive technology.
 - 2. Demonstrated knowledge and understanding in all of the following:
 - a. The psychology and nature of a child with a disability.
 - b. Curriculum modification and instructional strategies through the use of assistive technology.

PI 34.077 Alternative education program.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to teach in an alternative education program under s. 115.28 (7) (e), Stats., as follows:
 - (a) The individual may teach in an alternative education program in the license area of the underlying teaching license.
 - (b) An individual holding an elementary and middle school teaching license under s. PI 34.045 may teach the basic skills of reading, language arts, and mathematics to high school age students for high school credit if the grade level of the curriculum taught does not exceed the grade 9.
 - (c) An individual holding a teaching license issued under subch. VI may teach outside the license area if the instruction is provided in collaboration with an individual who meets all of the following requirements:
 - 1. Holds a license in the subject matter and grade level of the class.
 - 2. Will be responsible for assessing pupils' educational needs.
 - 3. Will be responsible for prescribing teaching and learning procedures.
 - 4. Will be responsible for evaluating the effects of the instruction.
- (2) ELIGIBILITY. The state superintendent may issue an alternative education program license to an applicant who meets all of the following requirements:
 - (a) The applicant holds a teaching license under subch. VI.
 - (b) The applicant completed an approved program and received an institutional endorsement.

PI 34.078 Bilingual-bicultural education.

- (1) AUTHORIZATION. A license issued under this section authorizes an individual to teach in a bilingual-bicultural educational program in the license area of the underlying teaching license.

- (2) **ELIGIBILITY.** The state superintendent may issue a bilingual-bicultural education license under this section to an applicant who meets all of the following requirements:
- (a) Holds a teaching license under subch. VI.
 - (b) Is proficient in English and in the target language.
 - (c) Completed an approved program in bilingual-bicultural education at the grade level of the license being sought. The program shall include coursework in cultural and cross-cultural studies in all of the following:
 - 1. Contemporary social problems, with an emphasis on the bilingual-bicultural child.
 - 2. Culture of the target group or groups.
 - 3. Analysis contrasting the target culture with other cultures.
 - 4. Bilingual-bicultural field experiences in the community of the target group.
 - 5. Demonstrated competency in foundations of bilingual-bicultural education, including the rationale, history, and survey of existing models.
 - 6. Demonstrated theory and methodology of teaching bilingual-bicultural pupils in both English and the target language.
 - 7. Language study which develops knowledge related to phonology, morphology, and syntax in the target language as these elements contrast with English.
 - 8. A clinical program in bilingual-bicultural education.

PI 34.079 Coaching athletics.

- (1) **AUTHORIZATION.** A license issued under this section is not required to coach athletics.
- (2) **ELIGIBILITY.** The state superintendent may issue a coaching athletics license to an applicant who completed a clinical program in coaching and meets one of the following requirements:
- (a) Has an institutional endorsement for a coaching athletics license.
 - (b) Has a bachelor's degree in physical education and holds or is eligible to hold a physical education teaching license under s. PI 34.047 (3) (n).

PI 34.080 Driver education.

- (1) **AUTHORIZATION.** A license issued under this section authorizes an individual to teach driver education and traffic safety education.
- (2) **ELIGIBILITY.** The state superintendent may issue a driver education license under this section to an applicant who meets all of the following requirements:
- (a) Has a teaching license issued under subch. VI or a pupil services license issued under subch. VII.
 - (b) Holds a valid driver's license.
 - (c) Has at least 3 years of driving experience with a valid driver's license.
 - (d) Has no more than 6 demerit points or a major violation charged by the department of transportation or similar demerits or violations charged by an equivalent authority in another state during a twelve-month period.
 - (e) Has approved coursework in driver and safety education, including coursework in all of the following:
 - 1. A basic driver education course.
 - 2. An advanced driver education course.
 - 3. A general safety course.
 - 4. Behavioral aspects of accident prevention.
 - 5. Alcohol and drugs and their relationship to traffic safety.
 - 6. At least 10 hours of supervised experience in teaching practice driving.
- (3) **2-YEAR LICENSE.** The state superintendent may issue a two-year, renewable driver education license under this section to an applicant who meets all of the following requirements:
- (a) The applicant meets all of the requirements under sub. (2) (a) through (d).
 - (b) The applicant has at least 6 semester credits of coursework in driver and safety education, including all of the following:
 - 1. A basic driver education course.
 - 2. An advanced driver education course.
 - 3. At least 10 hours of supervised experience in teaching practice driving.

PI 34.081 Gifted and talented.

- (1) **AUTHORIZATION.** A license issued under this section is not required to teach in a gifted, talented, and creative education program.

- (2) **ELIGIBILITY.** The state superintendent may issue a gifted and talented license under this section to an applicant who meets all of the following requirements:
- (a) Holds a teaching license issued under subch. VI.
 - (b) Completed an approved program, which included demonstrating understanding and competence in all of the following:
 - 1. The educational psychology of gifted, talented, and creative pupils.
 - 2. Developing differentiated curricula.
 - 3. Modifying content, process, and product expectations as a means of achieving differentiated learning outcomes.
 - 4. Recognizing, recommending, and using alternative instructional strategies, including the use of technology, to facilitate development of differentiated pupil outcomes.
 - 5. Working with gifted, talented, and creative pupils, as demonstrated through a practicum, internship, or supervised activity with gifted, talented, and creative pupils.
 - 6. Program models, methods, and general strategies for meeting the educational needs of gifted, talented, and creative pupils, including acceleration, enrichment, flexible grouping, resource rooms, mentorships, and independent study.
 - 7. Working collaboratively with colleagues, families, community groups, higher education faculty, and resource people to facilitate appropriate educational experiences for gifted, talented, and creative pupils.
 - 8. Operational knowledge of ss. 118.35 and 121.02 (1) (t), Stats., s. PI 8.01 (2) (t), and recommended models of gifted education.
 - (c) Completed a clinical program in gifted, talented, and creative education.

PI 34.082 Reading teacher.

- (1) **AUTHORIZATION.** A license issued under this section authorizes an individual to have a specific assignment to teach reading in grades prekindergarten through 12.
- (2) **ELIGIBILITY.** The state superintendent may issue a reading teacher license under this section to an applicant who meets all of the following requirements:
- (a) Completed an approved program.
 - (b) Received an institutional endorsement for a reading teacher license.
 - (c) Has two years of successful regular classroom teaching experience.
 - (d) Is proficient in teaching reading.
 - (e) Completed a clinical program in teaching reading which included experience with all of the following:
 - 1. Developmental reading for pupils in prekindergarten through grade 12.
 - 2. Assessment and instructional techniques for readers with special needs.
 - 3. Language development.
 - 4. Specific learning disabilities.
 - 5. Content area reading.
 - 6. Literature for children or adolescents.

PI 34.083 Urban educator.

- (1) **AUTHORIZATION.** A license issued under this section is not required.
- (2) **ELIGIBILITY.** The state superintendent may issue an urban educator license to an individual who meets all of the following requirements:
- (a) Is employed by an urban school district as defined by the national center for education statistics.
 - (b) Has a teaching license issued under subch. VI.
 - (c) Has all of the following abilities, as verified by an approved program, an urban school district, or an independent agency recognized by the state superintendent:
 - 1. Create and teach rigorous academic, integrated, and multicultural curriculum, including thematic units that meets the needs of diverse pupils.
 - 2. Function as an effective leader in an urban school.
 - 3. Organize and manage a positive learning environment.
 - 4. Work as an effective member of a teaching team.
 - 5. Utilize community-based learning and hands-on projects.
 - 6. Communicate effectively and collaborate with stakeholders, including parents and caregivers, as equal partners in learning.
 - 7. Use technology to enhance learning.

8. Adhere to a professional code of conduct.
9. Engage in a system of growth and inquiry derived from a continual evaluation of pupil progress.

PI 34.084 Vocational education.

- (1) **AUTHORIZATION.** A license issued under this section authorizes an individual to teach an advanced level occupational skills course in grades 9 through 12.
- (2) **ELIGIBILITY.** The state superintendent may issue a vocational education license in one of the areas specified under par. (c) to an individual who meets all of the following requirements:
 - (a) Demonstrates competency in principles, issues, or philosophy of vocational education, including completion of a course in organization and administration of cooperative education programs.
 - (b) Demonstrates related occupational experience for the hours listed under par. (c) as follows:
 1. Up to 100 percent of the hours may be gained through paid occupational experience in the related occupations.
 2. Up to 40 percent of the hours may be gained in any of the following:
 - a. Graduate credits in technical subjects specifically related to the vocational subject for the license sought. One semester credit may be counted as 95 hours of occupational experience.
 - b. Attendance at workshops specifically related to the vocational subject for the license sought. One hour of workshop experience may be counted as 3 hours of occupational experience.
 - c. Occupational internships completed for baccalaureate or post-baccalaureate credit and approved by the state superintendent. One hour of an occupational internship may be counted as 3 hours of occupational experience.
 - (c) Meets the requirements for the specific vocational license, as follows:
 1. For business education related occupations, the applicant shall have completed an approved program in business education and have completed 2,000 hours of related occupational experience.
 2. For marketing education, the applicant shall have completed an approved program in marketing education and have completed 4,000 hours or related occupational experience.
 3. For family and consumer education related occupations, the applicant shall have completed an approved in family and consumer education, hold a family and consumer education license under s. PI 34.050 (3) (e), and have completed 2,000 hours of related occupational experience. At least 1,000 of the hours shall be in the specific area in which the license is sought.
 4. For technology related occupations, the applicant shall have completed an approved educator in technology education, hold a technology education license under s. PI 34.047 (3) (r), and have completed 2,000 hours of related occupational experience. At least 1,000 of the hours shall be in the specific area in which the license is sought.

Subchapter X – Related Services Areas and Other Licenses

PI 34.085 Applicability. The state superintendent may issue a license under this subchapter to individuals in special education related services or in license areas created by statute.

PI 34.086 Educational interpreter, 5-year renewable license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to work as an educational interpreter for pupils who are deaf or hard of hearing.
- (2) **ELIGIBILITY.** Except as provided in sub. (3), the state superintendent may issue an educational interpreter license under this section to an applicant who meets all of the following requirements:
 - (a) Holds an interpreter training program certificate from an accredited 2- or 4-year college or university. The program shall include the following coursework:
 1. English to American Sign Language interpretation.
 2. American Sign Language to English interpretation.
 3. Transliterating and oral interpreting.
 4. Current practices for interpreters in educational settings.
 5. Ethical practices as it relates to interpreters.
 - (b) Completed a practicum of at least 150 hours in grades pre-kindergarten through grade 12 with a licensed educational interpreter assigned as a mentor. Completion shall be verified by a representative from a higher education interpreter training program or the school district administrator where the practicum took place.

- (c) Has a passing score on the written and performance educational interpreter performance assessment. The passing score shall be set by the state superintendent in consultation with the state superintendent's advisory council on deaf and hard of hearing programs.
- (3) ALTERNATIVE ELIGIBILITY. The state superintendent may issue an educational interpreter license under this section to an applicant who meets all of the following requirements:
 - (a) Holds one of the following licenses or certifications:
 1. A sign language interpreter 151-150 license issued by the Wisconsin department of safety and professional services.
 2. One of the following certifications from the National Registry of Interpreters for the Deaf.
 - a. National Interpreter Certification.
 - b. Registry for Interpreters of the Deaf K-12.
 - c. Certificate of interpretation and certificate of transliteration.
 - d. Comprehensive skills certificate.
 - e. Master comprehensive skills certificate.
 - f. Certified deaf interpreter or deaf interpreter.
 3. A basic, advanced, or master certification from the Board for Evaluation of Interpreters.
 4. Certification from an organization approved by the state superintendent in consultation with the state superintendent's advisory council on deaf and hard of hearing programs.
 - (b) Completed a practicum of at least 150 hours in grades pre-kindergarten through grade 12 with a licensed educational interpreter assigned as a mentor. Completion shall be verified by a representative from a higher education interpreter training program or the school district administrator where the practicum took place.
- (4) DURATION. A license issued under this section is valid for 5 years.
- (5) RENEWAL. A license issued under this section is renewable if the licensee meets all of the following requirements:
 - (a) The licensee completes one of the following educational components:
 1. Completes 5 semester credits of continuing professional education from an accredited college or university. A licensee can satisfy 2 of the semester credits by serving as a mentor under sub. (2) (b) or (3) (b).
 2. Completes 7.5 continuing education units approved by the Registry of Interpreters for the Deaf or Board for Evaluation of Interpreters. A licensee can satisfy 3 continuing education units by serving as a mentor under sub. (2) (b) or (3) (b).
 - (b) The licensee does one of the following skill verification components:
 1. Passes the Educational Interpreter Performance Assessment with a renewal score set by the state superintendent in consultation with the superintendent's advisory council on deaf and hard of hearing programs.
 2. Obtains or maintains one of the licenses or certification listed under sub. (3) (a).

PI 34.087 Educational interpreter, 1-year renewable license.

- (1) AUTHORIZATION. A license issued under this section authorizes the license holder to work as an educational interpreter for pupils who are deaf or hard of hearing.
- (2) ELIGIBILITY. The state superintendent may issue an educational interpreter license under this section to an applicant who does not meet all of the requirements under s. PI 34.086 for an educational interpreter if all of the following requirements are met:
 - (a) The district administrator of the employing school district requests a license in writing with full explanation and justification of the need.
 - (b) The request under par. (a) certifies that a search was conducted for a fully licensed educational interpreter licensed under s. PI 34.086 for pupils who are deaf or hard of hearing and that a fully licensed educational interpreter was not available.
 - (c) The license holder is enrolled in an approved interpreter training program recognized by the department.
- (3) DURATION. A license issued under this section is valid for one year.
- (4) NONRENEWABLE. Except as provided in sub. (5), a license issued under this section may not be renewed.
- (5) RENEWAL. The district administrator or designed official of the employing school district may request that a license issued under this section be renewed. The license may be renewed if, between the date of issuance and the proposed renewal date, the applicant satisfactorily makes progress toward meeting the licensing requirements under s. PI 34.086. A license issued under this section may be renewed no more than 5 times.

PI 34.088 Educational interpreter, 5-year nonrenewable license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to work as an educational interpreter.
- (2) **ELIGIBILITY.** The state superintendent may issue a license under this section to an applicant who meets one of the following requirements:
 - (a) Meets the requirements under s. PI 34.086 (2) (a) but does not meet the requirements under s. PI 34.086 (2) (b) or (c).
 - (b) Meets the requirements under s. PI 34.086 (3) (a) but does not meet the requirements under s. PI 34.086 (3) (b).
- (3) **DURATION.** A license issued under this section is valid for 5 years.
- (4) **NONRENEWABLE.** A license issued under this section may not be renewed.

PI 34.089 Orientation and mobility, 5-year renewable license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to provide orientation and mobility related services in prekindergarten through grade 12.
- (2) **ELIGIBILITY.** The state superintendent may issue an orientation and mobility license under this section to an applicant who has completed an orientation and mobility program approved by the association for education and rehabilitation of the blind and visually impaired and has demonstrated knowledge and understanding in all of the following:
 - (a) Child or adolescent psychology;
 - (b) Measurement and evaluation;
 - (c) Psychology of education or educational psychology; and
 - (d) Curriculum and methods of instruction.
- (3) **DURATION.** A license issued under this section is valid for 5 years.
- (4) **RENEWAL.** A license issued under this section may be renewed if the licensee meets one of the following requirements:
 - (a) Certification from the Academy for Certification of Vision Rehabilitation and Education Professionals.
 - (b) Completion of 6 semester credits from an accredited institution of higher education.

PI 34.090 School audiologist, 5-year renewable license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to be employed by a school district as a school audiologist.
- (2) **ELIGIBILITY.** The state superintendent may issue a school audiologist license under this section to an applicant who meets one of the following requirements:
 - (a) The applicant meets all of the following requirements:
 1. Completed at least 50 hours of a supervised practicum providing audiology services in a school setting, or equivalent experience while employed as a school audiologist by a public school, private school, or school district;
 2. Possesses either a doctor of audiology degree, or, if earned on or before August 31, 2018, a master's degree or higher in audiology from an institution accredited by the education standards board of the American speech-language-hearing association;
 3. Demonstrates knowledge and understanding of all of the following:
 - a. Standards listed under s. PI 34.004.
 - b. Educational psychology, including principles and theories of learning.
 - c. Methods and procedures in school audiology programs including the relationship with and content of school pupil services programs. This requirement may be met by prior experience upon the recommendation of the institution.
 - d. Alternative communication systems including signed language systems, their implications for the social, emotional, and educational development of children, and methods for effective communication with children who use them.
 - (b) The applicant holds a valid audiologist license issued by the department of safety and professional services.
- (3) **DURATION.** A license issued under this section is valid for 5 years.
- (4) **RENEWAL.** A license issued under this section may be renewed if the licensee meets one of the following requirements:
 - (a) Meets the requirements under sub. (2) (b).
 - (b) Is certified as an audiologist by the American Speech Language Hearing Association, American Academy of Audiology, or an affiliated audiology credentialing board.

PI 34.091 School occupational therapist license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to be employed by a school district as a school occupational therapist.
- (2) **ELIGIBILITY.** The state superintendent may issue a school occupational therapist license under this section to an applicant who is certified as an occupational therapist by the occupational therapists affiliated credentialing board.
- (3) **RENEWAL.** A license under this subsection is renewable if the applicant remains certified as an occupational therapist by the occupational therapists affiliated credentialing board.
- (4) **DURATION.** A license issued under this section is valid for 5 years.

PI 34.092 School occupational therapist assistant license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to be employed by a school district as a school occupational therapist assistant.
- (2) **ELIGIBILITY.** The state superintendent may issue a school occupational therapist assistant license under this section to an applicant who is certified as an occupational therapist assistant by the occupational therapists affiliated credentialing board.
- (3) **RENEWAL.** A license under this subsection is renewable if the applicant remains certified as an occupational therapist assistant by the occupational therapists affiliated credentialing board.
- (4) **DURATION.** A license issued under this section is valid for 5 years.

PI 34.093 School physical therapist license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license hold to be employed by a school district as a school physical therapist.
- (2) **ELIGIBILITY.** The state superintendent may issue a school physical therapist license under this section to an applicant who is licensed as a physical therapist by the physical therapists affiliated credentialing board.
- (3) **RENEWAL.** A license under this subsection is renewable if the applicant remains licensed as a physical therapist by the physical therapists affiliated credentialing board.
- (4) **DURATION.** A license issued under this section is valid for 5 years.

PI 34.094 School physical therapist assistant license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to be employed by a school district as a school physical therapist assistant.
- (2) **ELIGIBILITY.** The state superintendent may issue a school physical therapist assistant license under this section to an applicant who has graduated from a physical therapist assistant associate degree program accredited by the Commission on Accreditation in Physical Therapy Education.
- (3) **RENEWAL.** A license under this subsection is renewable if the applicant remains licensed as a physical therapist assistant by the physical therapists affiliated credentialing board.
- (4) **DURATION.** A license issued under this section is valid for 5 years.

PI 34.095 Educational interpreter, 5-year substitute license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to be employed by a school district as a short-term substitute in an educational interpreter assignment.
- (2) **ELIGIBILITY.** The state superintendent may issue an educational interpreter, short-term substitute license under this section to an applicant who meets the requirements under s. PI 34.086 (3) (a) or holds certification from an organization approved by the state superintendent in consultation with the state superintendent's advisory council on deaf and hard of hearing programs.
- (3) **RENEWAL.** A license issued under this section may be renewed if the licensee meets the requirements under sub. (2).
- (4) **DURATION.** A license issued under this section is valid for 5 years.

PI 34.096 Junior Reserve Officer Training Corps instructor license.

- (1) **AUTHORIZATION.** A license issued under this section authorizes the license holder to teach the courses specified under s. 118.1915 (2), Stats.
- (2) **ELIGIBILITY.** The state superintendent may issue a license under this section to an individual who meets the requirements under s. 118.1915 (1), Stats.
- (3) **DURATION.** A license issued under this section is valid for 5 years.
- (4) **RENEWAL.** A license issued under this section may be renewed.

Subchapter XI – Professional Misconduct

PI 34.097. DEFINITIONS. In this subchapter:

- (1) “Applicant” means a person who applies for or seeks to renew a license from the state superintendent.
- (2) “Hearing examiner” means the person designated to preside over a contested case hearing, making findings of fact, conclusions of law, and issue a proposed decision and order to the state superintendent.
- (3) “Immoral conduct” has the meaning given in s. 115.31 (1) (c), Stats.
- (4) “Incompetence” or “incompetent” means a pattern of inadequate performance of duties or the lack of ability, legal qualifications or fitness to discharge required duties, and which endangers the health, welfare, safety or education of any pupil.
- (5) “License holder” or “licensee” means a person holding a license or having the right to renew a license.
- (6) “Reinstatement” means restoring all of the rights and privileges associated with a license.
- (7) “Restrict” means to impose conditions and requirements upon the license holder, and to limit the scope of the licensee’s practice.
- (8) “Revoke” means to terminate all of the rights and privileges associated with a license.
- (9) “State superintendent” means that state superintendent of public instruction or a designee.
- (10) “Suspend” means to completely and absolutely withdraw and withhold for a period of time all rights, privileges, and authority previously conferred by a license.

PI 34.098 Standards for revocation.

- (1) The state superintendent may revoke a license if any of the following apply:
 - (a) The state superintendent establishes by a preponderance of the evidence that the licensee engaged in immoral conduct or was incompetent.
 - (b) The licensee had a credential comparable to a license revoked by the state or jurisdiction that issued the credential.
- (2) The state superintendent may revoke a driving education license if the state superintendent establishes by a preponderance of the evidence that any of the following occur:
 - (a) The licensee has more than 6 demerit points or a major violation charged by the department of transportation or the equivalent charged by an authority in another jurisdiction within a 12-month period.
 - (b) The licensee is convicted of operating a motor vehicle while intoxicated or a similar crime in this state or another jurisdiction.
 - (c) The licensee’s driving license is suspended or revoked by the department of transportation or by another jurisdiction.
- (3) The state superintendent shall revoke a license as provided under ss. 115.31 (2g) and 115.31 (6m).
- (4) The state superintendent shall suspend or restrict a license as provided under s. 115.315, Stats.

PI 34.099 Complaints.

- (1) **INQUIRIES.** The state superintendent shall, at his or her initiative or upon receipt of a written complaint, make inquiries necessary to determine whether to conduct an investigation under s. PI 34.100 which may lead to license revocation.
- (2) **NOTIFICATION.** The state superintendent shall acknowledge, in writing, any written complaint and notify the complainant whether an investigation is being conducted under s. PI 34.100 which may lead to license revocation.

PI 34.100 Investigations.

- (1) **CONDUCT OF INVESTIGATIONS.** If the state superintendent determines that an investigation should be conducted, the state superintendent shall do all of the following:
 - (a) Appoint a person to serve as the investigator.
 - (b) Notify the licensee that an investigation is proceeding, the specific allegations or complaint against the licensee, and that the licensee may respond to the investigator regarding the complaint or allegation.
 - (c) Except as provided under s. 115.31 (6) (b), Stats., maintain as confidential all files, communications, and other information pertaining to the investigation.
- (2) **SETTLEMENTS.** All stipulations or settlement agreements disposing of any investigation may not be effective or binding in any respect until reduced to writing, signed by the licensee, and approved by the state superintendent.

PI 34.101 No probable cause. If the state superintendent determines, based on the investigation under s. PI 34.100, that there is no probable cause to revoke a license, the state superintendent shall promptly notify the license holder and the complainant that the investigation is concluded and that there is no probable cause for revoking the license.

PI 34.102 Probable cause.

- (1) NOTICE. If the state superintendent determines, based on an investigation under s. PI 34.100, that there is probable cause to revoke a license, the state superintendent shall do all of the following:
 - (a) Promptly issue a notice of probable cause and intent to revoke to the licensee. The notice shall inform the licensee of all of the following:
 1. The specific charges.
 2. The state superintendent's intent to revoke the license.
 3. The licensee's right to request a hearing within 30 days following service of the notice.
 4. Notification that if the licensee does not request a hearing within the 30-day period, the license shall be revoked without a hearing.
 - (b) Notify the complainant and, if known, the school board or other public or private educational agency employing the licensee in a position requiring a license of the finding of probable cause and the specific charges.
- (2) REQUEST FOR A HEARING. If the state superintendent issues a notice under sub. (1), the licensee may serve a written request for a hearing to the state superintendent within 30 days following receipt of the notice. Receipt of the notice is presumed to be on the third day following service, unless this presumption is rebutted by a preponderance of the evidence.
- (3) ANSWER. Within 10 days following the licensee's written request for a hearing under sub. (2), the licensee shall provide an answer to the notice issued under sub. (1). The answer shall contain all of the following:
 - (a) State in short and plain terms the defenses to each cause for revocation asserted.
 - (b) Set forth affirmatively any matter constituting an affirmative defense.
 - (c) Admit or deny each allegation upon which the notice relies as follows:
 1. If the licensee is without knowledge or information sufficient to form a belief as to the truth of an allegation, the licensee shall so state and this will have the effect of a denial.
 2. The licensee shall make denials as specific denials of designated allegations or paragraphs, but if the licensee intends in good faith to deny only part of an allegation, the licensee shall specify what part of it is true and material and shall deny only the remainder.
 3. Specific allegations in the notice are admitted when not specifically denied in the answer.
- (4) SERVICE. The notice of probable cause and intent to revoke may be served by mailing a copy to the last known address of the licensee or by any other procedure under s. 801.14 (2), Stats. A request for hearing may be served by mailing a copy to the state superintendent at the address given on the notice of probable cause and intent to revoke or by any other procedure under s. 801.14(2), Stats. Service by mail is complete upon mailing.

PI 34.103 Denials.

- (1) WHEN ISSUED.
 - (a) The state superintendent shall deny an application as provided under ss. 118.19 (1m), (1r), and (4), Stats.
 - (b) The state superintendent shall deny an application if the applicant has not met the requirements for a license under this chapter or ch. 118, Stats.
 - (c) The state superintendent may deny an application if any of the following occur:
 1. The applicant engaged in immoral conduct or was incompetent.
 2. The applicant had a credential comparable to a license revoked by the state or jurisdiction that issued the credential.
 3. The applicant provided false, inaccurate, or incomplete information on an application.
- (2) NOTICE. If the state superintendent denies an application under sub. (1), the state superintendent shall provide written notice to the applicant of the decision. The notice shall inform the applicant of the legal and factual basis for denying the application, and that the applicant may request a hearing within 30 days following receipt of the denial. Receipt of the denial is presumed to be on the third day following service, unless this presumption is rebutted by a preponderance of the evidence.
- (3) REQUEST FOR A HEARING. If the state superintendent denies an application under this section, the applicant may request a hearing by serving the state superintendent with a written request containing all of the following:
 - (a) The applicant's name.
 - (b) The type of license for which the applicant has applied.

- (c) The reasons why the applicant requests a hearing.
 - (d) The facts which the applicant intends to prove at the hearing.
 - (e) A description of the mistake the applicant believes was made, if the applicant claims that the denial of the license is based on a mistake of fact or law.
- (4) SERVICE. The notice of denial under sub. (2) may be served by mailing a copy to the last known address of the applicant or by any other procedure under s. 801.14 (2), Stats. The request for a hearing under sub. (3) may be served by mailing a copy to the state superintendent at the address given on the notice of denial or by any other procedure under s. 801.14 (2), Stats. Service by mail is complete upon mailing.

PI 34.104 Request for reinstatement.

- (1) REQUEST. An individual whose license has been revoked may submit to the state superintendent a written request for reinstatement of the license. The request shall include evidence that the individual meets all of the standards under sub. (2).
- (2) STANDARD FOR REINSTATEMENT. The state superintendent may grant a request under sub. (1) if the individual demonstrates by a preponderance of the evidence that all of the following apply:
- (a) The cause of the revocation no longer exists.
 - (b) Reinstatement will not endanger the health, welfare, safety, or education of any pupil.
 - (c) If the license was revoked under s. 115.31 (2g), Stats., the individual meets the requirements of s. 115.31 (2r), Stats.
- (3) DECISION. The state superintendent shall issue a written decision within 60 days of receiving a written request under sub. (1). If the state superintendent denies the request, the decision shall inform the individual of the legal and factual basis for denying the request, and that the individual may submit a written request for a hearing within 30 days following receipt of the decision. Receipt of the decision is presumed to be on the third day following service, unless this presumption is rebutted by a preponderance of the evidence.

PI 34.105 Conduct of hearings. A hearing under this subchapter shall use the following procedures:

- (1) TYPE OF PROCEEDING.
- (a) A license denial hearing shall be conducted as a class 1 proceeding under subch. III of ch. 227, Stats. The hearing shall be conducted within 60 days after the receipt of a request under s. PI 34.103 (3).
 - (b) A license revocation hearing shall be conducted as a class 2 proceeding under subch. III of ch. 227, Stats. The hearing shall be conducted within 90 days after receipt of a request under s. PI 34.102 (2).
 - (c) A license reinstatement hearing shall be conducted as a class 1 proceeding under subch. III of ch. 227, Stats.
- (2) HEARING EXAMINER. The state superintendent shall appoint a hearing examiner to preside over a hearing conducted under this subchapter. The hearing examiner shall have the authority described under s. 227.46 (1), Stats.
- (3) NOTICE OF HEARING. The state superintendent shall provide the individual requesting a hearing under this subchapter with at least 20 days written notice of the hearing. The notice may be served by mailing a copy to the last known address of the individual. Service by mail is complete upon mailing.
- (4) DISCOVERY. Except for an appeal of a denial under s. PI 34.103 or a request for reinstatement under s. PI 34.104, the state superintendent and the applicant or licensee may, prior to the date set for the hearing, conduct discovery as provided under ch. 804, Stats. The hearing examiner may do any of the following:
- (a) Issue protective orders, including orders to terminate or limit examinations.
 - (b) Establish deadlines for completing discovery.
 - (c) Compel discovery.
 - (d) Require sanctions as provided under s. 804.12, Stats., or other remedies as appropriate for failure to comply with an order issued under this subsection.
- (5) MOTIONS. All motions, except those made at a hearing, shall be in writing filed with the hearing examiner and a copy served on the opposing party not later than 10 days before the time specified for hearing the motion.
- (6) WITNESSES AND EVIDENCE. The state superintendent and the applicant or licensee shall have the right to do all of the following in a hearing:
- (a) Appear in person or with counsel.
 - (b) Call, examine, and cross-examine witnesses.
 - (c) Introduce evidence into the record.
- (7) SUBPOENAS. A party's attorney or the hearing examiner may issue subpoenas for the attendance of any witness at a hearing as provided under s. 227.45 (6m). A subpoena may command a person to produce books, papers, documents, or other tangible things. Witnesses subpoenaed shall be entitled to compensation as provided under ch. 885, Stats.

(8) FAILURE TO APPEAR OR DEFAULT.

- (a)** If an applicant fails to appear at a license denial hearing, the state superintendent shall dismiss the applicant's request for a hearing.
- (b)** If a licensee fails to answer as required under s. PI 34.102 (3) or fails to appear at the license revocation hearing at the time set by the notice under sub. (3), the licensee is in default and the state superintendent may make findings and enter an order without a hearing on the basis of the notice of probable cause and intent to revoke and other evidence. Only upon showing of good cause, the state superintendent may relieve the licensee from the effect of such findings and permit the licensee to answer and defend against the notice of probable cause and intent to revoke.

(9) BRIEFS. The hearing examiner may require the parties to file briefs.

(10) ADJOURNMENTS. The hearing examiner may, for good cause, grant continuances, adjournments, and extensions of time.

(11) RECORD AND TRANSCRIPT.

- (a)** A stenographic, electronic, or other record shall be made of all hearings in which testimony of witnesses is offered as evidence.
- (b)** Any party may obtain a written transcript of a hearing conducted under this subchapter by filing a written request with the state superintendent. The state superintendent shall charge a reasonable compensatory fee for the transcript. A party who requests a written transcript for the purposes of appeal and who demonstrates indigence to the satisfaction of the state superintendent may be provided with a copy of the transcript at no expense.

PI 34.106 Proposed decisions.

- (1) HEARING EXAMINER.** Following a hearing under s. PI 34.105, the hearing examiner shall prepare a proposed decision, which includes proposed findings of fact and conclusions of law in a form that may be adopted by the state superintendent as a final decision and order. The hearing examiner shall issue the proposed decision within 60 days following the close of the hearing record.
- (2) OBJECTIONS.** The hearing examiner shall serve the proposed decision on all parties with a notice providing each party an opportunity to file objections and written argument in support of the objections. The written objections and arguments shall be filed with the hearing examiner within 10 days of the date of the proposed decision.

PI 34.107 Final decisions. The state superintendent shall issue a final decision within 60 days of receipt of a proposed decision issued under s. PI 34.106.

Subchapter XII – Additional Provisions

PI 34.108 Professional standards council.

- (1) DEFINITIONS.** In this section, “labor organizations” means an association of employee organizations that represents the public policy, labor, and professional interests of teachers.
- (2) CREATION.** There is created a professional standards council in the department. The state superintendent shall appoint a professional standards council for educator licenses.
- (3) MEMBERS.** The professional standards council shall consist of the following members, nominated by the state superintendent of public instruction and with the advice and consent of the senate appointed:
 - (a)** Two persons licensed and actively employed as elementary school teachers in the public schools, recommended by the largest statewide labor organization representing teachers.
 - (b)** Two persons licensed and actively employed as middle school, junior high school or senior high school teachers in the public schools, recommended by the largest statewide labor organization representing teachers.
 - (c)** Two persons licensed and actively employed as pupil services professionals, as defined in s. 118.257 (1) (c), Stats., in the public schools, recommended by the largest statewide labor organization representing teachers.
 - (d)** One person licensed and actively employed as a special education teacher in the public schools, recommended by the largest statewide labor organization representing teachers.
 - (e)** Two other persons licensed and actively employed as teachers in the public schools, recommended by the largest statewide labor organization representing teachers.
 - (f)** One person licensed as a teacher and actively employed in a private school, recommended by the Wisconsin council of religious and independent schools.
 - (g)** One person actively employed as a public school district administrator, recommended by the Wisconsin association of school district administrators.

- (h) One person actively employed as a public school principal, recommended by the association of Wisconsin school administrators.
 - (i) One faculty member of a department or school of education in the University of Wisconsin System, recommended by the president of the University of Wisconsin System.
 - (j) One faculty member of a department or school of education in a private college in Wisconsin, recommended by the Wisconsin association of independent colleges and universities.
 - (k) One additional faculty member, appointed from the list of persons recommended under par. (i) or (j).
 - (L) Two members of public school boards, recommended by the Wisconsin association of school boards.
 - (m) One person who is a parent of a child who is enrolled in a public school.
 - (n) One person who is a student enrolled in a teacher preparatory program, located in this state, that leads to provisional licensure as a teacher.
- (4) DUTIES. The professional standards council shall do all of the following:
- (a) Advise the state superintendent on standards for the licensure of educators, including provisional licensure and maintenance and renewal of licenses, to ensure the effective teaching of a relevant curriculum in Wisconsin schools.
 - (b) Propose to the state superintendent standards for evaluating and approving educator preparation programs, including continuing education programs.
 - (c) Provide to the state superintendent an ongoing assessment of the complexities of teaching and the status of the teaching profession in this state.
 - (d) Propose to the state superintendent policies and practices for school boards and state and local teacher organizations to use in developing effective teaching.
 - (e) Propose to the state superintendent standards and procedures for suspending or revoking a teaching license and issuing a reprimand.
 - (f) Propose to the state superintendent ways to recognize excellence in teaching, including the assessment administered by the national board for professional teaching standards and master educator licensure, and to assist teachers to achieve excellence in teaching.
 - (g) Propose to the state superintendent effective peer assistance and peer mentoring models, including evaluation systems, and alternative teacher dismissal procedures for consideration by schools boards and labor organizations.
 - (h) Review and make recommendations regarding administrative rules proposed by the department that relate to teacher preparation, licensure and regulation.
 - (i) Propose to the state superintendent alternative procedures for the preparation and licensure of teachers.
 - (j) Report annually to the standing committees in each house of the legislature that deal with education matters on the activities and effectiveness of the council.

PI 34.109 Substitute teachers.

- (1) LONG-TERM SUBSTITUTE. A school district may employ an individual as a long-term substitute teacher if the individual is a licensed substitute teacher under s. PI 34.033 or is fully licensed for the assignment. A long-term substitute teacher may be employed only in the subject or position and grade level in which the individual is licensed.
- (2) SHORT-TERM SUBSTITUTE. A school district may employ an individual as a short-term substitute teacher for no more than 45 consecutive days in the same teaching assignment. A short-term substitute teacher may be employed to teach any subject at any grade level. A school district may only employ an individual as a short-term substitute teacher if the individual has one of the following:
 - (a) A license issued under subch. VI, VII or VIII.
 - (b) A license issued under s. PI 34.032 or 34.033.
 - (c) If the assignment is for an educational interpreter, the individual holds a license issued under s. PI 34.095

PI 34.110 License and preparation program continuation.

- (1) APPLICABILITY. Educators holding licenses that were issued prior to July 1, 2018, will not be required to obtain a new license level, subject, or position. Professional educator licenses and life licenses issued prior to July 1, 1983, shall be treated in the same manner as tier III licenses. Master educator licenses shall be treated in the same manner as tier IV licenses.
- (2) GRADE LEVELS. Previous license developmental levels are valid in the following grade levels:
 - (a) Early childhood (EC): birth to grade three.
 - (b) Early childhood to middle childhood (EC-MC): birth to grade six.
 - (c) Middle childhood to early adolescence (MC-EA): grades 1-8.

- (d) Early adolescence to adolescence (EA-A): grades 5-12.
- (e) Early childhood to adolescence (EC-A): prekindergarten to grade 12.
- (3) PREPARATION. Preparation programs that were approved prior to July 1, 2019, may continue to endorse candidates in the subjects and positions approved using the grade levels in sub. (2) until the entity submits a new license program which is approved by the department or August 31, 2023, whichever comes first.

PI 34.111 Obsolete licenses.

- (1) APPLICABILITY. Based on the needs of school districts and enrollments in educator preparation programs, the state superintendent may designate a license as being obsolete. If the state superintendent designates a license as obsolete, the state superintendent may not issue an initial or provisional license in that area. An individual who holds an obsolete license may continue to work as authorized by the obsolete license as long as the license remains valid.
- (2) OBSOLETE LICENSES. The following licenses are obsolete:
 - (a) Music (all) – 500.
 - (b) Reading Specialist – 2-year nonrenewable.
 - (c) Reading Teacher – 2-year nonrenewable.
 - (d) Science (all) – 600.
 - (e) Astronomy – 627.
 - (f) General Science – 620.
 - (g) Geology – 637.
 - (h) Physiology – 630.
 - (i) Provisional School Psychologist – 56.
 - (j) School Psychologist I – 57.
 - (k) School Psychologist II – 58.
 - (l) District administrator – 05.
 - (m) Assistant district administrator – 06.
 - (n) High school principal – 25.
 - (o) Assistant high school principal – 26.
 - (p) Junior high school principal.
 - (q) Assistant junior high school principal – 31.
 - (r) Elementary school principal – 35.
 - (s) Assistant elementary school principal – 36.
 - (t) Elementary school principal – 40.
 - (u) District administrator – 04.
 - (v) Elementary/middle level principal – 34.
 - (w) Middle/secondary level principal – 24.
 - (x) Supervisor, coordinator or director – 10, – 15, – 20.
 - (y) Special education supervisor – level A.
 - (z) Supervisor of counseling and guidance – 968.
 - (aa) Supervisor of counseling and guidance – bilingual – 969.
 - (bb) School library supervisor – 09-900.
 - (cc) Instructional Library Media Supervisor – 5091.
 - (dd) Instructional Technology Coordinator – 5092.
 - (ee) Charter School Instructional Staff.
 - (ff) Non-renewable library media specialist – 1901.

SECTION 2. EFFECTIVE DATE:

The proposed rules contained in this order shall take effect on the first day of the month commencing after the date of publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2) (intro.), Stats.

Dated this ____ day of _____, 2018

Tony Evers, PhD
State Superintendent