



2007 SENATE BILL 486

February 13, 2008 – Introduced by Senators TAYLOR, LEHMAN, LASSA and KREITLOW, cosponsored by Representatives POPE-ROBERTS, BLACK, PARISI, POCAN, SINICKI, TURNER and VAN AKKEREN. Referred to Committee on Education.

1 **AN ACT** *to amend* 115.28 (7) (b) and 118.19 (1); and *to create* 119.23 (7) (b) and
2 119.23 (10) (a) 5. of the statutes; **relating to:** requiring the licensure of
3 instructional staff in schools participating in the Milwaukee Parental Choice
4 Program.

Analysis by the Legislative Reference Bureau

Under the Milwaukee Parental Choice Program (MPCP), a pupil who resides in the city of Milwaukee may attend a private school at state expense under certain conditions. Currently, persons are not required to be licensed to teach in any private school. Current law requires persons seeking to teach in a public school, including a charter school, to hold a license or permit issued by the Department of Public Instruction (DPI). Current law also requires all instructional staff of a charter school to hold a license or permit issued by DPI. DPI has defined “instructional staff” by rule to include all professional employees who have as part of their responsibility direct contact with students or with the instructional program of the school.

Beginning in the 2009–10 school year, this bill directs each private school participating in MPCP to ensure that all instructional staff in the private school hold a license or a permit to teach issued by DPI. The bill defines “instructional staff” to have the meaning under current rules.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 486**SECTION 1**

1 **SECTION 1.** 115.28 (7) (b) of the statutes is amended to read:

2 115.28 (7) (b) Subject to the same rules and laws concerning qualifications of
3 applicants and granting and revocation of licenses or certificates under par. (a), the
4 state superintendent shall grant certificates and licenses to teachers in private
5 schools, except that teaching experience requirements for such certificates and
6 licenses may be fulfilled by teaching experience in either public or private schools.
7 An applicant is not eligible for a license or certificate unless the state superintendent
8 finds that the private school in which the applicant taught offered an adequate
9 educational program during the period of the applicant's teaching therein. Private
10 Except as provided in s. 119.23 (7) (b), private schools are not obligated to employ only
11 licensed or certified teachers.

12 **SECTION 2.** 118.19 (1) of the statutes is amended to read:

13 118.19 (1) Any person seeking to teach in a public school, including a charter
14 school, in a private school participating in the program under s. 119.23, or in a school
15 or institution operated by a county or the state shall first procure a license or permit
16 from the department.

17 **SECTION 3.** 119.23 (7) (b) of the statutes is created to read:

18 119.23 (7) (b) Each private school participating in the program under this
19 section shall ensure that all instructional staff in the private school hold a license or
20 permit to teach issued by the department. For purposes of this paragraph,
21 "instructional staff" has the meaning given in the rules promulgated by the
22 department under s. 121.02 (1) (a) 2.

23 **SECTION 4.** 119.23 (10) (a) 5. of the statutes is created to read:

24 119.23 (10) (a) 5. Failed to comply with the requirements under sub. (7) (b).

25 **SECTION 5. Initial applicability.**

