



2005 SENATE BILL 643

February 28, 2006 – Introduced by Senators GROTHMAN and STEPP, cosponsored by Representatives VOS, HINES and ALBERS. Referred to Committee For Review of Administrative Rules.

1 **AN ACT** *to amend* 118.22 (2) and 118.22 (3); and *to create* 118.22 (1m) of the
2 statutes; **relating to:** the terms of teacher employment contracts.

Analysis by the Legislative Reference Bureau

Under current law, a school board must give a teacher a written notice of renewal or refusal to renew the teacher's contract for the following school year. This statutory renewal provision may be modified, waived, or replaced by a collective bargaining agreement.

This bill provides that the term of each teacher's employment contract is limited to one year, until the teacher has been continuously employed for five years, at which point the term of the contract becomes two years. The bill also prohibits the nonrenewal of a contract for arbitrary or capricious reasons.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 118.22 (1m) of the statutes is created to read:
4 118.22 (**1m**) (a) Except as provided under par. (b), the term of each teacher's
5 contract entered into by a board shall be one year.

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1 (b) After a teacher's continuous employment by a board for 5 years, the term
2 of the teacher's contract shall be 2 years. The term of a contract of a teacher who has
3 been continuously employed by a board for 5 years as of the effective date of this
4 paragraph [revisor inserts date], shall be 2 years.

5 **SECTION 2.** 118.22 (2) of the statutes is amended to read:

6 118.22 (2) On or before March 15 of the school last year ~~during which~~ of a
7 ~~teacher holds a~~ teacher's contract, the board by which the teacher is employed or an
8 employee at the direction of the board shall give the teacher written notice of renewal
9 or refusal to renew the teacher's contract ~~for the ensuing school year.~~ A refusal to
10 renew a teacher's contract may not be for arbitrary or capricious reasons. If no such
11 notice is given on or before March 15, the contract then in force shall continue for the
12 ensuing school year, or for the ensuing 2 school years if the teacher has been
13 employed continuously for 5 years. A teacher who receives a notice of renewal of
14 contract ~~for the ensuing school year,~~ or a teacher who does not receive a notice of
15 renewal or refusal to renew the teacher's contract ~~for the ensuing school year~~ on or
16 before March 15 of the last year of the contract, shall accept or reject in writing such
17 contract not later than the following April 15. No teacher may be employed or
18 dismissed except by a majority vote of the full membership of the board. Nothing in
19 this section prevents the modification or termination of a contract by mutual
20 agreement of the teacher and the board. No such board may enter into a contract of
21 employment with a teacher for any period of time as to which the teacher is then
22 under a contract of employment with another board.

23 **SECTION 3.** 118.22 (3) of the statutes is amended to read:

24 118.22 (3) At least 15 days prior to giving written notice of refusal to renew a
25 teacher's contract ~~for the ensuing school year,~~ the employing board shall inform the

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1 teacher by preliminary notice in writing that the board is considering nonrenewal
2 of the teacher's contract and that, if the teacher files a request therefor with the
3 board within 5 days after receiving the preliminary notice, the teacher has the right
4 to a private conference with the board ~~prior to~~ before being given written notice of
5 refusal to renew the teacher's contract.

6 **SECTION 4. Initial applicability.**

7 (1) This act first applies to teachers who hold a license to teach on the effective
8 date of this subsection.

9 (END)