



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-4002/1  
KMS:amn

## 2023 SENATE BILL 495

October 16, 2023 - Introduced by Senators LARSON, ROYS, L. JOHNSON, SMITH, HESSELBEIN, AGARD, CARPENTER and PFAFF, cosponsored by Representatives SHELTON, SHANKLAND, BARE, C. ANDERSON, JACOBSON, MYERS, MADISON, CABRERA, CLANCY, CONLEY, EMERSON, JOERS, PALMERI, RATCLIFF, SNODGRASS, SUBECK, VINING, SINICKI, STUBBS, MOORE OMOKUNDE, J. ANDERSON and NEUBAUER. Referred to Committee on Education.

1     **AN ACT** *to renumber* 118.235; *to amend* 119.04 (1); and *to create* 118.235 (title)  
2             and 118.235 (2) of the statutes; **relating to:** requiring school boards to  
3             compensate teachers for time spent on nonclassroom services.

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***Analysis by the Legislative Reference Bureau***

This bill prohibits a school board from requiring its teachers to perform any services outside of regular classroom instruction unless the school board compensates the teacher for his or her time. Under current law, a school must provide each teacher a daily duty-free 30-minute lunch period, or the school board may enter into a contract with a teacher for services during the teacher's lunch period.

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

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

4             **SECTION 1.** 118.235 (title) of the statutes is created to read:  
5             **118.235 (title) Nonclassroom teacher time; compensation.**  
6             **SECTION 2.** 118.235 of the statutes is renumbered 118.235 (1).

**SENATE BILL 495****SECTION 3**

1           **SECTION 3.** 118.235 (2) of the statutes is created to read:

2           118.235 (2) OTHER NONCLASSROOM TEACHER TIME. No school board may require  
3 its teachers to perform any services outside of regular classroom instruction unless  
4 the school board compensates a teacher for the teacher's time.

5           **SECTION 4.** 119.04 (1) of the statutes, as affected by 2023 Wisconsin Act 12, is  
6 amended to read:

7           119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
8 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
9 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.445,  
10 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.124,  
11 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164,  
12 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.235, 118.24 (1), (2) (c) to (f), (6),  
13 (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.2935,  
14 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m),  
15 (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26),  
16 (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are  
17 applicable to a 1st class city school district and board but not, unless explicitly  
18 provided in this chapter or in the terms of a contract, to the commissioner or to any  
19 school transferred to an opportunity schools and partnership program.

20           **SECTION 5. Initial applicability.**

21           (1) This act first applies to a teacher who is affected by a collective bargaining  
22 agreement or other contract that contains provisions inconsistent with this act on the  
23 day on which the collective bargaining agreement or contract expires or is extended,  
24 modified, or renewed, whichever occurs first.

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(END)