

No. 178, A.]

[Published May 24, 1943.]

CHAPTER 184.

AN ACT to amend 176.05 (8) of the statutes, relating to the time of issuing licenses for the sale of intoxicating liquors.

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

176.05 (8) of the statutes is amended to read:

176.05 (8) ANNUAL LICENSE MEETINGS. All town and village boards and common councils, or the duly authorized committees of such councils, shall meet not later than May 15 of each year and be in session from day to day thereafter, so long as it may be necessary, for the purpose of acting upon such applications for license as may be presented to them on or before April 15, and all applications for license so filed shall be granted, issued, or denied not later than June 15 for the ensuing license year, provided that nothing shall prevent any governing body from granting any licenses which are applied for * * * *at any other time.* As soon as an application has been approved, a duplicate copy thereof shall be forwarded to the state treasurer. No application for a license which is in existence at the time of such annual license meeting shall be rejected without a statement on the clerk's minutes as to the reasons for such rejection.

Approved May 21, 1943.

No. 67, S.]

[Published May 26, 1943.]

CHAPTER 185.

AN ACT to create 39.37 of the statutes, relating to security in employment for certain teachers in populous counties.

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

SECTION 1. 39.37 of the statutes is created to read:

39.37 SECURITY IN EMPLOYMENT FOR TEACHERS IN POPULOUS COUNTIES. (1) The term "teacher" as used in this section means and includes any person except superintendents, assistant superintendents, principals as such, and county supervising teachers, who holds a teachers' certificate, and whose legal employment requires such certificate, who is employed full time and meets the

minimum requirements prescribed by the governing body employing such person, and who is employed by any school board, board of trustees or governing body of any school created and existing under chapters 40 and 41 entirely and exclusively in any county having a population of 500,000 or more, excepting schools, vocational and adult schools and teachers colleges in cities of the first class. Provided, however, that a person who acquired tenure as a teacher under this section shall not be deprived of tenure as a teacher by reason of his employment as a principal.

(2) All employment of teachers as defined in subsection (1) shall be on probation and after continuous and successful probation for 3 years and the gaining of the fourth contract in the same school system or school either before or after the taking effect of this section, such employment shall be permanent except as provided in subsection (3) and until discharge for cause. A teacher who has acquired permanent employment by reason of 3 or more years of continuous service as herein provided, upon accepting employment in another school system or school to which this section applies, shall be on probation therein for 2 years and after continuous and successful probation for 2 years and gaining the third contract in such school system or school, such employment therein shall be permanent except as provided in subsection (3) and until discharge for cause.

(3) No teacher who has become permanently employed, as herein provided, shall be refused employment, dismissed, removed, or discharged, except for inefficiency or immorality, for wilful and persistent violation of reasonable regulations of the governing body of such school or for other good and just cause, upon written charges based on fact preferred by the governing body or other proper officer of the school system or school in which such teacher is employed. Such charges shall, after 10 days' written notice thereof to such teacher, and within 30 days after receipt of such notice, upon such teacher's written request, be heard and determined by the governing body of the school system or school in which such teacher is employed. Hearings shall be public in all cases when requested by such teacher and all proceedings thereat shall be taken by a court reporter. All parties shall be entitled to be represented by counsel on the hearing. The action and decision of such managing body in any such matter shall be final.

(4) A person employed by a school board during a time of war as a substitute for a teacher on full time duty in any of the armed forces of the United States or any reserve or auxiliary thereof on leave and notified in writing at the time of employment that the position is of a temporary nature shall not be deemed a teacher under the provisions of this section. In cases where the substitute teacher is not so notified, he shall be given notice in writing on or prior to October 1, 1943.

(5) Whenever it shall become necessary to decrease the number of permanently employed teachers by reason of a substantial decrease of pupil population within the school district the governing board of the school or school system in which such teacher is employed may lay off the necessary number of said teachers but only in the inverse order of the appointment of such teachers. No permanently employed teacher as aforesaid shall be prevented from securing other employment during the period of such suspension. Such teacher shall be reinstated in inverse order of his suspension provided such teacher is qualified to fill the vacancy. Such re-employment shall not result in a loss of credit for previous years of service. No new permanent or substitute appointments shall be made while there are suspended permanent teachers available who are adequately prepared to fill the vacancies.

(6) This section shall not apply to teachers having civil service status under chapter 16 and is not intended to repeal, amend, modify, or affect the provisions of sections 37.31, 41.15 (12), and 38.24.

(7) This section shall not apply to any teacher after the close of the school year during which such teacher shall have attained the age of 65 years; any subsequent employment of such teacher shall not be a waiver of the provisions of this subsection.

SECTION 2. This act shall take effect July 1, 1944.

Approved May 25, 1943.