

# State of Wisconsin



1997 Senate Bill 364

Date of enactment: **June 16, 1998**  
Date of publication\*: **June 30, 1998**

## 1997 WISCONSIN ACT 298

AN ACT to renumber and amend 17.20 (2); to amend 17.01 (13) (intro.) and 19.42 (10) (e); and to create 15.377 (8), 17.20 (2) (b) and 115.42 of the statutes; relating to: creating a professional standards council for teachers.

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

**SECTION 1.** 15.377 (8) of the statutes is created to read:

15.377 (8) PROFESSIONAL STANDARDS COUNCIL FOR TEACHERS. (a) *Definition.* In this subsection, "labor organization" means an association of employe organizations that represents the public policy, labor and professional interests of teachers.

(b) *Creation.* There is created a professional standards council for teachers in the department of public instruction.

(c) *Members.* The professional standards council for teachers shall consist of the following members, nominated by the state superintendent of public instruction and with the advice and consent of the senate appointed:

1. Two persons licensed and actively employed as elementary school teachers in the public schools, recommended by the largest statewide labor organization representing teachers.

2. 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.

3. Two persons licensed and actively employed as pupil services professionals, as defined in s. 118.257 (1)

(c), in the public schools, recommended by the largest statewide labor organization representing teachers.

4. One person licensed and actively employed as a special education teacher in the public schools, recommended by the largest statewide labor organization representing teachers.

5. Two other persons licensed and actively employed as teachers in the public schools, recommended by the largest statewide labor organization representing teachers.

5m. One person licensed as a teacher and actively employed in a private school, recommended by the Wisconsin Association of Nonpublic Schools.

6. One person actively employed as a public school district administrator, recommended by the Wisconsin Association of School District Administrators.

7. One person actively employed as a public school principal, recommended by the Association of Wisconsin School Administrators.

8. 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.

9. 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.

\* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

10. One additional faculty member, appointed from the list of persons recommended under subd. 8. or 9.

11. Two members of public school boards, recommended by the Wisconsin Association of School Boards.

12. One person who is a parent of a child who is enrolled in a public school.

13. One person who is a student enrolled in a teacher preparatory program, located in this state, that leads to initial licensure as a teacher.

(d) *Recommendations.* For each vacancy on the council under par. (c) 1. to 9. and 11., the entity authorized to recommend a member shall provide the names of 3 qualified persons to the state superintendent of public instruction.

(e) *Terms.* Members of the council shall serve 3-year terms except that the student appointed under par. (c) 13. shall serve a 2-year term.

(f) *Meetings.* The council shall meet on a regular basis and at least twice each year.

**SECTION 1d.** 17.01 (13) (intro.) of the statutes is amended to read:

17.01 (13) (intro.) Resignations shall be made in writing, shall be addressed and delivered to the officer or body prescribed in this section and shall take effect, in the case of an officer who is not a school district officer and whose term of office continues by law until a successor is chosen and qualifies, upon the qualification of the successor; and in the case of other officers including school district officers, at the time indicated in the written resignation, or if no time is therein indicated, then upon delivery of the written resignation. If the governor or the state superintendent of public instruction makes a provisional appointment under s. 17.20 (2) and the appointee files the required oath of office, the appointee qualifies for office, unless the appointment is withdrawn or rejected. Delivery of a resignation shall be made by leaving a copy thereof with the officer to whom it is required to be addressed and delivered at his or her public office or usual place of business, or if required to be addressed and delivered to a body, by leaving a copy with the following officer at his or her public office or usual place of business:

**SECTION 1h.** 17.20 (2) of the statutes is renumbered 17.20 (2) (a) and amended to read:

17.20 (2) (a) Vacancies occurring in the office of any officer normally nominated by the governor, and with the advice and consent of the senate appointed, may be filled by a provisional appointment by the governor for the residue of the unexpired term, if any, subject to confirmation by the senate. Any such appointment shall be in full force until acted upon by the senate, and when confirmed by the senate shall continue for the residue of the unexpired term, if any, or until a successor is chosen and qualifies. A provisional appointee may exercise all of the powers and duties of the office to which such person is appointed during the time in which the appointee qualifies. Any appointment made under this subsection paragraph which

is withdrawn or rejected by the senate shall lapse. When a provisional appointment lapses, a vacancy occurs. Whenever a new legislature is organized, any appointments then pending before the senate shall be referred by the president to the appropriate standing committee of the newly organized senate.

**SECTION 1p.** 17.20 (2) (b) of the statutes is created to read:

17.20 (2) (b) A vacancy occurring in the membership of the professional standards council for teachers may be filled by a provisional appointment by the state superintendent of public instruction for the residue of the unexpired term, if any, subject to confirmation by the senate. Any such appointment shall be in full force until acted upon by the senate, and when confirmed by the senate shall continue for the residue of the unexpired term, if any, or until a successor is chosen and qualifies. A provisional appointee may exercise all of the powers and duties of the office to which the person is appointed during the time in which the appointee qualifies. Any appointment made under this paragraph that is withdrawn or rejected by the senate shall lapse. When a provisional appointment lapses, a vacancy occurs. Whenever a new legislature is organized, any appointments then pending before the senate shall be referred by the president to the appropriate standing committee of the newly organized senate.

**SECTION 1t.** 19.42 (10) (e) of the statutes is amended to read:

19.42 (10) (e) An individual appointed by the governor or the state superintendent of public instruction pursuant to s. 17.20 (2) other than a trustee of any private higher educational institution receiving state appropriations.

**SECTION 2.** 115.42 of the statutes is created to read:  
**115.42 Professional standards council for teachers.** The professional standards council for teachers shall do all of the following:

(1) Advise the state superintendent on standards for the licensure of teachers, including initial licensure and maintenance and renewal of licenses, to ensure the effective teaching of a relevant curriculum in Wisconsin schools.

(2) Propose to the state superintendent standards for evaluating and approving teacher education programs, including continuing education programs.

(3) Provide to the state superintendent an ongoing assessment of the complexities of teaching and the status of the teaching profession in this state.

(4) Propose to the state superintendent policies and practices for school boards and state and local teacher organizations to use in developing effective teaching.

(5) Propose to the state superintendent standards and procedures for revoking a teaching license.

(6) 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.

(7) Propose to the state superintendent effective peer assistance and peer mentoring models, including evaluation systems, and alternative teacher dismissal procedures for consideration by school boards and labor organizations.

(8) Review and make recommendations regarding administrative rules proposed by the department that relate to teacher preparation, licensure and regulation.

(9) Propose to the state superintendent alternative procedures for the preparation and licensure of teachers.

(11) 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.

**SECTION 3. Nonstatutory provisions.**

(1) INITIAL APPOINTMENTS.

(a) Notwithstanding section 15.377 (8) (e) of the statutes, as created by this act, the initial terms of one of the members appointed under section 15.377 (8) (c) 1. of the statutes, as created by this act, one of the members appointed under section 15.377 (8) (c) 3. of the statutes, as created by this act, one of the members appointed under section 15.377 (8) (c) 5. of the statutes, as created by this act, the member appointed under section 15.377 (8) (c) 5m. of the statutes, as created by this act, the member appointed under section 15.377 (8) (c) 10. of the statutes, as created by this act, and the member appointed under section 15.377 (8) (c) 12. of the statutes, as created by this act, expire on July 1, 1999; the initial terms of one of the members appointed under section 15.377 (8) (c) 2. of the statutes, as created by this act, the member appointed under section 15.377 (8) (c) 4. of the statutes, as created by

this act, one of the members appointed under section 15.377 (8) (c) 5. of the statutes, as created by this act, the member appointed under section 15.377 (8) (c) 6. of the statutes, as created by this act, the member appointed under section 15.377 (8) (c) 7. of the statutes, as created by this act, one of the members appointed under section 15.377 (8) (c) 11. of the statutes, as created by this act, and the member appointed under section 15.377 (8) (c) 13. of the statutes, as created by this act, expire on July 1, 2000; and the initial terms of one of the members appointed under section 15.377 (8) (c) 1. of the statutes, as created by this act, one of the members appointed under section 15.377 (8) (c) 2. of the statutes, as created by this act, one of the members appointed under section 15.377 (8) (c) 3. of the statutes, as created by this act, the member appointed under section 15.377 (8) (c) 8. of the statutes, as created by this act, the member appointed under section 15.377 (8) (c) 9. of the statutes, as created by this act, and one of the members appointed under section 15.377 (8) (c) 11. of the statutes, as created by this act, expire on July 1, 2001.

(b) The initial members of the professional standards council for teachers may be provisionally appointed by the state superintendent of public instruction, subject to confirmation by the senate. Any such appointment shall be in full force until acted upon by the senate, and when confirmed by the senate shall continue until a successor is chosen and qualifies. A provisional appointee may exercise all of the powers and duties of the office to which the person is appointed during the time in which the appointee qualifies. Any appointment made under this paragraph that is withdrawn or rejected by the senate shall lapse. When a provisional appointment lapses, a vacancy occurs.