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.

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

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

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

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

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

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

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

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

**SECTION 5. Initial applicability.**
(1) The treatment of sections 115.28 (7) (b) and 119.23 (7) (b) of the statutes first applies to a private school participating in the program under section 119.23 of the statutes in the 2009–10 school year.

(2) The treatment of section 118.19 (1) of the statutes first applies to a person seeking to teach in a private school participating in the program under section 119.23 of the statutes in the 2009–10 school year.

(END)