

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0386/P2dn
PG:cjs:md

April 9, 2010

This substitute amendment prohibits a school board from granting tenure or permanent employment to a principal or assistant principal. If any principal or assistant principal currently employed by a school district has an employment contract granting him or her tenure or permanent employment, a court could rule that the substitute amendment's prohibition constitutes an unconstitutional impairment of contract.

I have one other concern. Under current law, the term of an employment contract of a school district administrator, business manager, principal, or any assistant to such persons may not exceed two years, although the contract "may provide for one or more extensions of one year each." See s. 118.24 (1), stats. Because this substitute amendment prohibits permanent employment only for principals and assistant principals, it may be interpreted to impliedly allow permanent employment for school district administrators and business managers and their assistants.

Peter R. Grant
Managing Attorney
Phone: (608) 267-3362
E-mail: peter.grant@legis.wisconsin.gov