



**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2009 SENATE BILL 437**

April 15, 2010 – Offered by Senator GROTHMAN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 5: after “conditions,” insert “the terms of teacher employment  
contracts,”.

3 **2.** Page 1, line 7: before that line insert:

4 “SECTION 1b. 111.70 (4) (m) 5. of the statutes is created to read:

5 111.70 (4) (m) 5. Any reason for renewal or nonrenewal of a contract under s.  
6 118.22.

7 **SECTION 1f.** 118.22 (1) (a) and (b) of the statutes are amended to read:

8 118.22 (1) (a) “Board” means a school board, technical college district board,  
9 board of control of a cooperative educational service agency or county children with  
10 disabilities education board, ~~but does not include any board of school directors in a~~  
11 ~~city of the 1st class.~~

1 (b) “Teacher” means any person who holds a teacher’s certificate or license  
2 issued by the state superintendent or a classification status under the technical  
3 college system board and whose legal employment requires such certificate, license  
4 or classification status, but does not include part-time teachers ~~or teachers~~  
5 ~~employed by any board of school directors in a city of the 1st class.~~

6 **SECTION 1k.** 118.22 (1m) of the statutes is created to read:

7 118.22 (1m) (a) Except as provided under par. (b), the term of each teacher’s  
8 contract entered into by a board shall be one year.

9 (b) After a teacher’s continuous employment by a board for 5 years, the term  
10 of the teacher’s contract shall be 2 years. The term of a contract of a teacher who has  
11 been continuously employed by a board for 5 or more years as of the effective date  
12 of this paragraph .... [LRB inserts date], shall be 2 years.

13 **SECTION 1L.** 118.22 (2) of the statutes is amended to read:

14 118.22 (2) On or before March 15 of the school last year ~~during which of a~~  
15 ~~teacher holds a teacher’s contract~~, the board by which the teacher is employed or an  
16 employee at the direction of the board shall give the teacher written notice of renewal  
17 or refusal to renew the teacher’s contract ~~for the ensuing school year~~. If no such  
18 notice is given on or before March 15, the contract then in force shall continue for the  
19 ensuing school year, or for the ensuing 2 school years if the teacher has been  
20 employed continuously by the board for 5 or more years. A teacher who receives a  
21 notice of renewal of contract ~~for the ensuing school year~~, or a teacher who does not  
22 receive a notice of renewal or refusal to renew the teacher’s contract ~~for the ensuing~~  
23 school year on or before March 15 of the last year of the contract, shall accept or reject  
24 in writing such contract not later than the following April 15. No teacher may be  
25 employed or dismissed except by a majority vote of the full membership of the board.

1 A refusal to renew a teacher's contract may not be for arbitrary or capricious reasons.  
2 Nothing in this section prevents the modification or termination of a contract by  
3 mutual agreement of the teacher and the board. No such board may enter into a  
4 contract of employment with a teacher for any period of time as to which the teacher  
5 is then under a contract of employment with another board.

6 **SECTION 1s.** 118.22 (3) of the statutes is amended to read:

7 118.22 (3) At least 15 days prior to giving written notice of refusal to renew a  
8 teacher's contract ~~for the ensuing school year~~, the employing board shall inform the  
9 teacher by preliminary notice in writing that the board is considering nonrenewal  
10 of the teacher's contract and that, if the teacher files a request therefor with the  
11 board within 5 days after receiving the preliminary notice, the teacher has the right  
12 to a private conference with the board ~~prior to~~ before being given written notice of  
13 refusal to renew the teacher's contract.

14 **SECTION 1w.** 118.22 (4) of the statutes is amended to read:

15 118.22 (4) ~~A~~ Except as provided in s. 111.70 (4) (m) 5., a collective bargaining  
16 agreement may modify, waive or replace any of the provisions of this section as they  
17 apply to teachers in the collective bargaining unit, but neither the employer nor the  
18 bargaining agent for the employees is required to bargain such modification, waiver  
19 or replacement.”.

20 **3.** Page 1, line 7: delete “**SECTION 1**” and substitute “**SECTION 1y**”.

21 **4.** Page 6, line 19: after “118.20,” insert “118.22,”.

22 **5.** Page 9, line 11: after that line insert:

