



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-1664/P2  
TKK:ahe

DOA:.....Hynek, BB0285 - Teacher licensure

**FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

This bill eliminates the requirement that an individual who currently holds a valid and current initial teaching license, a professional teaching license, a master educator license, or an administrator license, issued by DPI, renew that license. In addition, the bill eliminates renewal requirements for licenses issued after the effective date of the bill. As a result, these licenses are permanent. The bill makes no changes to the substantive requirements for initial licensure or to the conditions for revocation of these licenses. However, the bill does transfer responsibility for periodically conducting background checks on individuals who hold a license from DPI to the school board in which the individual is employed. Current law requires DPI to conduct a background investigation of each individual who holds such a license every five years.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

**SECTION 1.** 115.28 (7) (g) of the statutes is amended to read:

115.28 (7) (g) Notwithstanding s. 118.19 (3), (4m), (6) to (9), and (12) to (14), grant a charter school teaching license to any person who has a bachelor's degree and demonstrates, based upon criteria established by the department, that the person is proficient in the subject or subjects that he or she intends to teach. The license authorizes the person to teach that subject or those subjects in a charter school. ~~The license is valid for 3 years and is renewable for 3-year periods.~~

**SECTION 2.** 115.28 (7) (gm) of the statutes is amended to read:

115.28 (7) (gm) Notwithstanding s. 118.19 (8), (9), and (11), grant an initial charter school principal license to any person who is licensed, or otherwise credentialed, to be a school principal in another state if the person holds the license or other credential in good standing, has completed at least 3 years of full-time classroom teaching, and is eligible for licensure under s. 118.19 (4) and (10). The license authorizes the person to be a principal of a charter school. ~~The license is valid for 5 years and is renewable for 5-year periods.~~

**SECTION 3.** 115.42 (3) of the statutes is repealed.

**SECTION 4.** 115.42 (4) (c) of the statutes is repealed.

**SECTION 5.** 118.19 (1m) of the statutes is amended to read:

118.19 (1m) (a) The department of public instruction may not issue ~~or renew~~ a license or permit ~~or revalidate a license that has no expiration date~~ unless the applicant provides the department of public instruction with his or her social security number. The department of public instruction may not disclose the social security number except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301 and to the department of workforce development for the sole purpose of requesting certifications under s. 108.227.

(b) The department of public instruction may not issue ~~or renew~~ a license or permit ~~or revalidate a license that has no expiration date~~ if the department of revenue certifies under s. 73.0301 that the applicant, ~~licensee, or permit holder~~ is liable for delinquent taxes or if the department of workforce development certifies under s. 108.227 that the applicant, ~~licensee, or permit holder~~ is liable for delinquent unemployment insurance contributions.

**SECTION 6.** 118.19 (1r) of the statutes is amended to read:

118.19 (1r) (a) As provided in the memorandum of understanding under s. 49.857, the department of public instruction may not issue ~~or renew~~ a license or permit ~~or revalidate a license that has no expiration date~~ unless the applicant provides the department of public instruction with his or her social security number. The department of public instruction may not disclose the social security number except to the department of children and families for the sole purpose of administering s. 49.22.

(b) As provided in the memorandum of understanding under s. 49.857, the department may not issue ~~or renew~~ a license or permit ~~or revalidate a license that has no expiration date~~ if the applicant, ~~licensee or permit holder~~ is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or if the applicant, ~~licensee or permit holder~~ fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

**SECTION 7.** 118.19 (1s) (a) of the statutes is amended to read:

118.19 (1s) (a) Notwithstanding subs. (1m) and (1r), if an applicant does not have a social security number, the applicant, as a condition of applying for, ~~or applying to renew or revalidate,~~ a license under this section shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number.

**SECTION 8.** 118.19 (4m) of the statutes is amended to read:

118.19 (4m) The state superintendent may not issue ~~or renew~~ a license to teach the visually impaired unless the applicant demonstrates, based on criteria established by the state superintendent by rule, that he or she is proficient in reading and writing braille and in teaching braille. In promulgating rules under this subsection, the state superintendent shall take into consideration the standard used by the librarian of congress for certifying braille transcribers.

**SECTION 9.** 118.19 (10) (b) (intro.) and 1. of the statutes are consolidated, renumbered 118.19 (10) (b) and amended to read:

118.19 (10) (b) With the assistance of the department of justice, the state superintendent shall ~~do all of the following:~~ 1. Conduct conduct a background investigation of each applicant for issuance ~~or renewal~~ of a license or permit.

**SECTION 10.** 118.19 (10) (b) 2. of the statutes is repealed.

**SECTION 11.** 118.19 (10) (d) (intro.) of the statutes is amended to read:

118.19 (10) (d) (intro.) Upon request, an educational agency shall provide the state superintendent with all of the following information about each person employed by the educational agency who holds a license, issued by the state superintendent, ~~that has no expiration date:~~

**SECTION 12.** 118.19 (10) (e) of the statutes is amended to read:

118.19 (10) (e) The state superintendent may issue ~~or renew~~ a license or permit conditioned upon the receipt of a satisfactory background investigation.

**SECTION 13.** 118.19 (12) of the statutes is amended to read:

118.19 (12) Beginning on July 1, 1998, the department may not issue ~~or renew~~ a license that authorizes the holder to teach reading or language arts to pupils in any prekindergarten class or in any of the grades from kindergarten to 6 unless the applicant has successfully completed instruction preparing the applicant to teach reading and language arts using appropriate instructional methods, including phonics. The phonics instruction need not be provided as a separate course. In this subsection, “phonics” means a method of teaching beginners to read and pronounce words by learning the phonetic value of letters, letter groups and syllables.

**SECTION 14.** 118.19 (17) of the statutes is repealed.

**SECTION 15.** 118.19 (18) of the statutes is created to read:

118.19 (18) (a) Beginning on the effective date of this paragraph .... [LRB inserts date], and subject to ss. 115.31 and 115.315, an initial teaching license, professional teaching license, master educator license, or administrator’s license issued under this section has no expiration date.

(b) Subject to ss. 115.31 and 115.315, an initial teaching license, professional teaching license, master educator license, or administrator’s license that is valid and current on the effective date of this paragraph .... [LRB inserts date], has no expiration date and the department may not require an individual who holds such a license to renew that license.

**SECTION 16.** 118.21 (2) of the statutes is amended to read:

118.21 (2) Any person who contracts to teach in any public school shall file in the office of the school district administrator, within 10 days after entering into such

contract, a statement showing the date of expiration, if any, and the grade and character of certificate or license held. In any school district not having a school district administrator, the statement shall be filed with the school district clerk. Teachers employed by a cooperative educational service agency shall file the statement in the office of the agency coordinator. No order or warrant may be issued by the school district clerk in payment of the salary of any teacher, unless the teacher has complied with this subsection.

**SECTION 17.** 120.12 (2r) of the statutes is created to read:

120.12 **(2r)** EDUCATOR BACKGROUND INVESTIGATION. (a) Beginning on the effective date of this subsection ... [LRB inserts date], with the assistance of the department of justice, at least once every 5 years after the initial background investigation conducted under s. 118.19 (10) (b), conduct a background investigation of each individual who holds a teaching license or administrator's license issued under s. 118.19 and who is employed by the school board.

(b) In lieu of conducting the background investigation required under par. (a), contract with the department to conduct the background investigation.

**(END)**