

1989 Assembly Bill 36

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## 1989 WISCONSIN ACT 4

AN ACT *to renumber and amend* 63.53 and 119.42 (1); *to amend* 63.27 and 119.32 (3); and *to create* 119.42 (1) of the statutes, **relating to:** employes of the board of school directors of a 1st class city school district.

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

**SECTION 1.** 63.27 of the statutes is amended to read:

**63.27 Rules not applicable to certain officers.**

Officers who are elected by the people, or who by the statutes are required to be elected by the city council, inspectors and clerks of election, one deputy in each department whose office was created and exists by reason of statute, the superintendent and teachers of schools, the members and secretary-business manager of the board of school directors, staff of the board of school directors if the board so decides under s. 119.18 (10) (e) persons enumerated in s. 63.53 (2), heads of principal departments of the city, all members of the law, fire and police departments, permanent or temporary technical advisers and experts employed by the board of assessment under s. 32.52 (4), one private secretary of the mayor, the appointees of the mayor under s. 66.146 and any other officers, clerks or employes in the service of the city whose positions, in the judgment of the city service commissioners, cannot for the time being be subjected, with advantage to the public service, to the general rules prepared under this chapter shall not be affected as to their election, selection or appointment by rules made by the commissioners.

**SECTION 2.** 63.53 of the statutes is renumbered 63.53 (1) and amended to read:

63.53 (1) All Except as provided under sub. (2), all officers and employes of the board of school directors of any city of the 1st class with the exceptions hereinafter set forth, city are members of the classified service and shall be selected and have their tenure and employment status

determined in accordance with ss. 63.18 to 63.51 and the rules adopted under ss. 63.18 to 63.51 and the charter ordinances applying to the board of city service commissioners of the city, ~~the exceptions to include the~~

(2) The following employes who shall ~~are~~ not be members of the classified service: superintendents the superintendent of schools, deputy superintendent of schools, associate superintendent of schools, secretary-business manager of the board of school directors, executive assistant superintendents to the superintendent of schools, assistant to the superintendent of schools, community superintendent, division director, department director, principals, teachers and substitute teachers actually engaged in teaching, staff of the board of school directors if the board so decides under s. 119.18 (10) (c), and, in any department of the school board devoted wholly or principally to the subjects of municipal recreation and adult education, all employes of those departments whose duties are peculiar to municipal recreation and adult education but not including employes whose duties are clerical or custodial.

**SECTION 3.** 119.32 (3) of the statutes is amended to read:

119.32 (3) Subject to confirmation by the board, the superintendent of schools shall appoint ~~such assistant superintendents, supervisors, educational department heads and other assistants and supervisors as are authorized~~ the deputy superintendent of schools, associate superintendent of schools, executive assistant to the superintendent of schools, assistant to the superintendent of schools, community superintendent, division director,

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department director and other supervisory or administrative employes designated by the board.

**SECTION 4.** 119.42 (1) of the statutes is renumbered 119.42 (1m) and amended to read:

119.42 (1m) The appointment of a teacher, ~~as defined in s. 40.02 (55),~~ in a 1st class city school district shall be probationary. After successful probation by completing 3 years of continuous service, the appointment shall be permanent during efficiency and good behavior. A teacher who has a permanent appointment shall not be discharged, except for cause upon written charges. After 10 days' written notice to the teacher of the charges and upon the teacher's written request, the charges shall be

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investigated, heard and determined by the board. The action of the board on the matter shall be final.

**SECTION 5.** 119.42 (1) of the statutes is created to read:

119.42 (1) In this section, "teacher" has the meaning given under s. 40.02 (55), but excludes the superintendent of schools, deputy superintendent of schools, associate superintendent of schools, secretary–business manager of the board, executive assistant to the superintendent of schools, assistant to the superintendent of schools, community superintendent, division director and department director.