



State of Wisconsin
2011 – 2012 LEGISLATURE



LRBa1828/1
GMM:jld/wlj/kjf:rs

**SENATE AMENDMENT 3,
TO 2011 SENATE BILL 86**

October 27, 2011 – Offered by Senators TAYLOR, HOLPERIN, MILLER, LASSA and HANSEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: delete that line and substitute “unpardoned felon and
3 requiring teachers and administrators employed by and owners of private schools
4 participating in the Milwaukee Parental Choice Program and in the choice program
5 for other eligible school districts to be subject to the background investigation
6 requirements and employment restrictions imposed upon teachers in public
7 schools.”.

8 **2.** Page 2, line 16: after that line insert:

9 “SECTION **2m.** 118.60 (7) (h) of the statutes is created to read:

10 118.60 (7) (h) 1. Annually, by August 1, the state superintendent shall, with the
11 assistance of the department of justice, ensure that each teacher and administrator
12 employed by a participating private school is subject to the same background
13 investigation and, if a reasonable basis for further investigation exists,

1 fingerprinting, as is conducted with respect to an applicant for issuance or renewal
2 of a license or permit as specified in s. 118.19 (10) (b) 1. and (c). A participating
3 private school may not employ a person as a teacher or administrator or contract with
4 the person to serve as a teacher or administrator if the person would not be eligible
5 to be employed, licensed, or permitted for any of the reasons specified under s. 115.31
6 or 115.315.

7 2. Annually, by August 1, the state superintendent shall, with the assistance
8 of the department of justice, ensure that each owner of a participating private school
9 is subject to the same background investigation and, if a reasonable basis for further
10 investigation exists, fingerprinting, as is conducted for each teacher and
11 administrator employed by the participating private school under subd. 1.

12 3. The state superintendent shall charge the participating private school a fee
13 sufficient to reimburse the department for the costs of the investigations required
14 under this paragraph.

15 **SECTION 3m.** 118.60 (10) (a) 8. of the statutes is created to read:

16 118.60 (10) (a) 8. Failed to pay the fee charged to the private school under sub.
17 (7) (h) 3.

18 **SECTION 4m.** 118.60 (10) (bm) of the statutes is created to read:

19 118.60 (10) (bm) The state superintendent may issue an order immediately
20 terminating a private school's participation in the program under this section if he
21 or she determines that the owner of the private school would not be eligible or
22 permitted to be employed, licensed, or permitted for any of the reasons specified
23 under s. 115.31 or 115.315.

24 **SECTION 5m.** 118.60 (10) (c) of the statutes, as created by 2011 Wisconsin Act
25 32, is amended to read:

1 118.60 **(10)** (c) Whenever the state superintendent issues an order under par.
2 (a), (am), ~~or~~ (b), or (bm), he or she shall immediately notify the parent or guardian
3 of each pupil attending the private school under this section.

4 **SECTION 6m.** 119.23 (7) (h) of the statutes is created to read:

5 119.23 **(7)** (h) 1. Annually, by August 1, the state superintendent shall, with the
6 assistance of the department of justice, ensure that each teacher and administrator
7 employed by a participating private school is subject to the same background
8 investigation and, if a reasonable basis for further investigation exists,
9 fingerprinting, as is conducted with respect to an applicant for issuance or renewal
10 of a license or permit as specified in s. 118.19 (10) (b) 1. and (c). A participating
11 private school may not employ a person as a teacher or administrator or contract with
12 the person to serve as a teacher or administrator if the person would not be eligible
13 to be employed, licensed, or permitted for any of the reasons specified under s. 115.31
14 or 115.315.

15 2. Annually, by August 1, the state superintendent shall, with the assistance
16 of the department of justice, ensure that each owner of a participating private school
17 is subject to the same background investigation and, if a reasonable basis for further
18 investigation exists, fingerprinting, as is conducted for each teacher and
19 administrator employed by the participating private school under subd. 1.

20 3. The state superintendent shall charge the participating private school a fee
21 sufficient to reimburse the department for the costs of the investigations required
22 under this paragraph.

23 **SECTION 7m.** 119.23 (10) (a) 8. of the statutes is created to read:

24 119.23 **(10)** (a) 8. Failed to pay the fee charged to the private school under sub.
25 (7) (h) 3.

