

1999 DRAFTING REQUEST

Bill

Received: 01/8/99

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Carol Kelso (608) 266-0485

By/Representing: Tom Christianson

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - state superintendent

Extra Copies: MJL

Pre Topic:

No specific pre topic given

Topic:

Require background checks on all school personnel

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 01/11/99	wjackson 01/13/99		_____			S&L
/1			jfrantze 01/14/99	_____	lrb_docadmin 01/14/99		S&L
/2	grantpr 02/4/99	wjackson 02/4/99	lpaasch 02/4/99	_____	lrb_docadmin 02/4/99	lrb_docadmin 02/18/99	

FE Sent For (02/18/99.)
G ("1/2")

<END>

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FE Sent For:

2-4-99
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hnh

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1?	grantpr	1 1/12 WLJ 1 1/2 JLG	JG 1/14	JG KM 1/14			

FE Sent For:

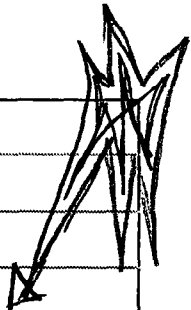
<END>

1/8/98

Tom Christensen — KELS

require DPI to do background
checks on all school employees (not just
licenses) when person is 1st hired.

Include charter school employees &
choice school employees.



~~want to see background checks of~~

> currently do background check of all people ~~as if to be licensed~~, regardless of who are

whether they're req'd to be licensed & regardless of when they work.

① > want checks of ee's who are not ~~req'd to be licensed~~ & ~~work~~ are employee by:

- sch. districts
- charter schools
- choice schools
- any other sch.?

e.g. state schools (YES)
the private schools (YES)
CESAS?
etc.

② if background ^{is} ~~is~~ most unsatisfactory, can employer still hire? (YES)
DPI must report it to employer

1999

Date (time) needed _____

LRB - 1651 / 1

BILL

PG : WLj :
+
jlg

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; **relating to:** . . . *background investigations of persons hired by school districts, charter schools and private schools*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: **create** → **anal:** → **title:** → **head**

For the subheading [old =S], execute: **create** → **anal:** → **title:** → **sub**

For the sub-subheading [old =P], execute: **create** → **anal:** → **title:** → **sub-sub**

Attached

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

SECTION #.

Sec. # CR: 118.19 (10)(b) 3. ✓ and 4. ✓

118.19 (10)(b) 3. [ⓐ] Upon receipt of a request under par. (dm) ✓, conduct a background investigation of the person specified in the request.

← 4. Before hiring a person for one of the state schools under s. 115.52 ✓, conduct a background investigation of the person.

who does not hold a license or permit issued by the state superintendent.

100

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author details the various methods used to collect and analyze the data. This includes both manual and automated processes. The goal is to ensure that the data is as accurate and reliable as possible.

The third section provides a detailed breakdown of the results. It shows that there is a significant correlation between the variables being studied. This finding is supported by statistical analysis and is consistent with previous research in the field.

Finally, the document concludes with a series of recommendations for future research. It suggests that further studies should be conducted to explore the underlying mechanisms of the observed phenomena. This will help to build a more comprehensive understanding of the subject matter.

(dm) ✓
Section #. 118.19 (10) ~~of the statutes is amended to read:~~ created
^ ^

(dm)
118.19 (10) ~~(a) 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.~~ and request the person employed by the educational agency who holds a license issued by the state superintendent to conduct a background investigation

1. The person's name.
2. The person's social security number or the license identification number given by the department when the person's original license was issued.
3. Other identifying information, including the person's birthdate, sex, race and any identifying physical characteristics.

History: 1971 c. 154; 1975 c. 39, 95; 1979 c. 346; 1981 c. 314 s. 146; 1985 a. 29, 207; 1989 a. 31; 1991 a. 42, 108, 164, 315; 1993 a. 16, 334, 339, 454, 491; 1995 a. 27 ss. 3951m, 9145 (1); 1995 a. 299; 1997 a. 27, 113, 191, 237.

Before hiring a person who does not hold a license or permit issued by the state superintendent, ~~is hired~~ employee by a school district, charter school or private school

Section #. 118.19 (10) (f) of the statutes is amended to read:

Except as provided in par. (g),

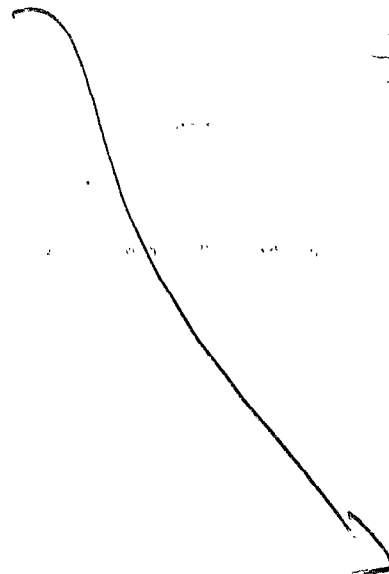
118.19 (10) (f) ~~The state superintendent shall keep confidential~~ all information received under this subsection from the department of justice or the federal bureau of investigation. ~~Except as provided in par. (g),~~ such information is not subject to inspection or copying under s. 19.35.

History: 1971 c. 154; 1975 c. 39, 95; 1979 c. 346; 1981 c. 314 s. 146; 1985 a. 29, 207; 1989 a. 31; 1991 a. 42, 108, 164, 315; 1993 a. 16, 334, 339, 454, 491; 1995 a. 27 ss. 3951m, 9145 (1); 1995 a. 299; 1997 a. 27, 113, 191, 237.

SEC. # RN, 118.19 (10) (g) 1, 118.19 (10) (g) 1.

SEC. # CR, 118.19 (10) (g) 2.

~~118.19 (10) (g) 1~~



SEE 118.19 (10) (g) 2.

③
118.19 (10) (g) 2. The state superintendent shall disclose the results of the a background investigation conducted under par. (b) 3. to the ~~person~~ school district, charter school or private school that requested it under par. (d).^s

(End) ✓

100

100

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ANALYSIS

If under current law, the state superintendent of public instruction ^{must} conduct a background investigation of each ~~person~~ applicant for issuance ~~or~~ renewal of a license ~~or~~ permit issued by the state superintendent.

If under this ^{is} bill, before hiring a person who ~~is~~ does not hold a license ~~or~~ permit issued by the state superintendent, a school district, charter school ~~or~~ private school must ~~provide~~ ^{request} the

state superintendent to conduct a background investigation:

If of the person ^{is} The state superintendent must conduct the investigation and disclose the results to the school district, charter school ~~or~~ private school that made ~~it~~

100

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100

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100

the request. The bill also directs the state superintendent to conduct a background investigation of the person.

PF - SC

who does not hold a license or permit issued by the state superintendent

, before hiring a person ~~for the~~ to work at the Wisconsin School for the Visually Handicapped or the Wisconsin School for the Deaf, ~~who~~ ~~is not~~ does not hold a license or permit issued by the state superintendent.

2/4/99

Ben - Kelso

1651

delete priv school

1999 BILL

REGEN

1 AN ACT *to renumber* 118.19 (10) (g); *to amend* 118.19 (10) (f); and *to create*
 2 118.19 (10) (b) 3. and 4., 118.19 (10) (dm) and 118.19 (10) (g) 2. of the statutes;
 3 **relating to:** background investigations of persons hired by school districts
 4 ^{and} charter schools ^{and} private schools.

Analysis by the Legislative Reference Bureau

Under current law, the state superintendent of public instruction must conduct a background investigation of each applicant for issuance or renewal of a license or permit issued by the state superintendent.

Under this bill, before hiring a person who does not hold a license or permit issued by the state superintendent, a school district, ~~charter school or private school~~ must request the state superintendent to conduct a background investigation of the person. The state superintendent must conduct the investigation and disclose the results to the school district, ~~charter school or private school~~ that made the request. The bill also directs the state superintendent, before hiring a person who does not hold a license or permit issued by the state superintendent to work at the Wisconsin School for the Visually Handicapped or the Wisconsin School for the Deaf, to conduct a background investigation of the person.

BILL

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

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

1 **SECTION 1.** 118.19 (10) (b) 3. and 4. of the statutes are created to read:

2 118.19 (10) (b) 3. Upon receipt of a request under par. (dm), conduct a
3 background investigation of the person specified in the request.

4 4. Before hiring a person who does not hold a license or permit issued by the
5 state superintendent for one of the state schools under s. 115.52, conduct a
6 background investigation of the person.

7 **SECTION 2.** 118.19 (10) (dm) of the statutes is created to read:

8 118.19 (10) (dm) Before hiring a person who does not hold a license or permit
9 issued by the state superintendent, a school district, ^{or} charter school ~~or private school~~
10 shall provide the state superintendent with all of the following information about the
11 person and request the state superintendent to conduct a background investigation:

12 1. The person's name.

13 2. The person's social security number.

14 3. Other identifying information, including the person's birthdate, sex, race
15 and any identifying physical characteristics.

16 **SECTION 3.** 118.19 (10) (f) of the statutes is amended to read:

17 118.19 (10) (f) ~~The state superintendent shall keep confidential~~ Except as
18 provided in par. (g), all information received under this subsection from the
19 department of justice or the federal bureau of investigation. ~~Except as provided in~~
20 ~~par. (g), such information is~~ is confidential and not subject to inspection or copying
21 under s. 19.35.

BILL

1 **SECTION 4.** 118.19 (10) (g) of the statutes is renumbered 118.19 (10) (g) 1.

2 **SECTION 5.** 118.19 (10) (g) 2. of the statutes is created to read:

3 118.19 (10) (g) 2. The state superintendent shall disclose the results of a

4

background investigation conducted under par. (b) 3. to the school district, charter

5

school ~~private school~~ that requested it under par. (dm).

6

(END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 2/4/99

To: Representative Kelso

Relating to LRB drafting number: LRB-1651

Topic

Require background checks on all school personnel

Subject(s)

Education - state superintendent

1. **JACKET** the draft for introduction _____

in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction yes OK

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases expenditures or state or general local government fiscal liability or revenues, you must submit a fiscal estimate prior to introduction. If you choose to not submit a fiscal estimate, a fiscal estimate will be requested automatically upon introduction. Requesting the fiscal estimate prior to introduction will expedite the review of the proposal.

If you have any questions, please call 266-3561. If you have any questions relating to the a

*Peter,
Please draft and ask
for fiscal note. Thanks
Tom Christensen
Kelso 6-0485*

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362

10