

1999 ASSEMBLY BILL 446

September 7, 1999 – Introduced by Representatives PETROWSKI, KELSO, WALKER, JENSEN, AINSWORTH, ALBERS, DUFF, FREESE, GROTHMAN, HAHN, HANDRICK, HUEBSCH, HUNDERTMARK, JESKEWITZ, KESTELL, KREIBICH, F. LASEE, MONTGOMERY, MUSSER, NASS, OTT, OWENS, PETTIS, PLOUFF, SKINDRUD, STONE, SUDER, UNDERHEIM, URBAN, VRAKAS, WARD, GUNDERSON, RYBA and HOVEN, cosponsored by Senators SHIBILSKI, DARLING, HUELSMAN and ROSENZWEIG. Referred to Committee on Education.

1 **AN ACT to create** 111.335 (1) (d) of the statutes; **relating to:** permitting an
 2 educational agency to refuse to employ or to terminate from employment an
 3 unpardoned felon.

Analysis by the Legislative Reference Bureau

Current law, subject to certain exceptions, prohibits discrimination in employment based on conviction record. Current law specifies, however, that it is not employment discrimination because of conviction record to refuse to employ or to terminate from employment any individual who has been convicted of any felony, misdemeanor or other offense, the circumstances of which substantially relate to the circumstances of the particular job. This bill specifies that it is not employment discrimination because of conviction record for an educational agency to refuse to employ or to terminate from employment any individual who has been convicted of a felony and who has not been pardoned for that felony, whether or not the circumstances of the felony substantially relate to the circumstances of the particular job.

Under the bill, an “educational agency” is defined as a school district, a cooperative educational service agency, a state correctional institution, a juvenile secured correctional facility, a secured child caring institution, the Wisconsin School for the Visually Handicapped, the Wisconsin School for the Deaf, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, a private school or an agency under contract with a school board to provide a program for children at risk.

