ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 ASSEMBLY BILL 4

February 27, 2001 – Offered by Representative STASKUNAS.

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

3 certain unpardoned felons.

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

4 **SECTION 1.** 111.335 (1) (d) of the statutes is created to read:

5 111.335 **(1)** (d) 1. In this paragraph, "educational agency" means a school

6 district, a cooperative educational service agency, a county children with disabilities

7 education board, a state correctional institution under s. 302.01, a secured

8 correctional facility, as defined in s. 938.02 (15m), a secured child caring institution,

9 as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually

10 Impaired, the Wisconsin School for the Deaf, the Mendota Mental Health Institute,

11 the Winnebago Mental Health Institute, a state center for the developmentally

12 disabled, a private school, a charter school, a private, nonprofit, nonsectarian agency

1   under contract with a school board under s. 118.153 (3) (c), or a nonsectarian private

2   school or agency under contract with the board of school directors in a 1st class city

3   under s. 119.235 (1).

4   2. Notwithstanding s. 111.322, it is not employment discrimination because of

5   conviction record for an educational agency to refuse to employ or to terminate from

6   employment an individual who has been convicted, within 6 years prior to the refusal

7   to employ or termination of employment, of a Class A, B, BC, C, or D felony under

8   ch. 940 or 948, except ss. 940.08 and 940.205, or of an equivalent crime in another

9   state or country, for a violation that occurs on or after the effective date of this

10   subdivision …. [revisor inserts date], who has not been pardoned for that felony, and

11   whose conviction has not been reversed, set aside, or vacated.

12   **(END)**