



**SENATE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 259**

October 22, 2003 – Offered by Senator MOORE.

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

2 **1.** Page 1, line 2: delete “eligibility for”.

3 **2.** Page 1, line 3: delete that line and substitute “the Milwaukee Parental
4 Choice Program and granting rule-making authority.”.

5 **3.** Page 2, line 5: after that line insert:

6 “**SECTION 2e.** 119.23 (2) (a) 6. of the statutes is created to read:

7 119.23 (2) (a) 6. Annually by August 1, the private school provides the
8 department with a copy of a certificate of occupancy for the school obtained from an
9 inspector approved by the department of commerce.”.

10 **4.** Page 2, line 10: after that line insert:

11 “**SECTION 4m.** 119.23 (4r) of the statutes is created to read:

12 119.23 (4r) The department may withhold payment under subs. (4) and (4m)
13 if a private school fails to comply with any of the requirements under this section.

1 **SECTION 4p.** 119.23 (7) (am) of the statutes is amended to read:

2 119.23 (7) (am) Each private school participating in the program under this
3 section is subject to uniform financial accounting standards established by the
4 department and annually shall submit to the department an independent financial
5 audit of the private school conducted by a certified public accountant.

6 **SECTION 4s.** 119.23 (10), (11) and (12) of the statutes are created to read:

7 119.23 (10) (a) No person may be employed in a private school participating in
8 the program under this section if the person would be required to hold a license or
9 permit issued by the department if he or she were employed in the same position in
10 a public school and the person, within the immediately preceding 6 years, has been
11 convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss. 940.08 and
12 940.205, or of an equivalent crime in another state or country, for a violation that
13 occurs on or after the effective date of this paragraph [revisor inserts date], or any
14 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a
15 violation that occurs on or after the effective date of this paragraph [revisor
16 inserts date]. The person may be employed only if the person establishes by clear and
17 convincing evidence that he or she is entitled to the license.

18 (b) Notwithstanding par. (a), the person convicted of a crime described under
19 par. (a) may be employed, prior to the expiration of the 6-year period following the
20 conviction, if the conviction is reversed, set aside or vacated.

21 **(11)** (a) With the assistance of the department of justice, the state
22 superintendent shall conduct a background investigation of each person who is
23 employed in a private school participating in the program under this section in a
24 position that would require a license or permit issued by the department if it were

1 in a public school when the person when the person is initially employed in that
2 position and every 5 years thereafter while employed in that position.

3 (b) If the person under par. (a) is a nonresident, or if the state superintendent
4 determines that the person's employment, licensing or state court records provide a
5 reasonable basis for further investigation, the state superintendent shall require the
6 person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the
7 person's fingerprints. The department of justice may provide for the submission of
8 the fingerprint cards to the federal bureau of investigation for the purposes of
9 verifying the identity of the person fingerprinted and obtaining records of his or her
10 criminal arrest and conviction.

11 (c) The state superintendent shall keep confidential all information received
12 under this subsection from the department of justice or the federal bureau of
13 investigation. Such information is not subject to inspection or copying under s. 19.35.

14 **(12)** The department shall promulgate rules establishing an accreditation
15 system for private schools participating in the program under this section. The rules
16 shall require each private school to submit a business plan and to demonstrate its
17 financial viability.”

18 (END)