Received: 11/19/2002

2003 DRAFTING REQUEST

Bill

Received: 11/19/2002					Received By: gmalaise				
Wanted: As time permits					Identical to LRB:				
For: Alberta Darling (608) 266-5830					By/Representing: Matt Krueger				
This file may be shown to any legislator: NO					Drafter: gmalaise				
May Contact:					Addl. Drafters:				
Subject: Discrimination				Extra Copies:					
Submit via email: YES									
Requester's email: Sen.Darling@legis.state.wi.us									
Carbon copy (CC:) to:									
Pre Topic:									
No specific pre topic given									
Topic:									
Employment discrimination based on conviction record; exception for schools									
Instructi	ons:								
Redraft 2001 AB 4 (companion to Petrowski's 03-0623/1).									
Drafting	History:								
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required		
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02/11/2003 04:46:03 PM Page 2

FE Sent For: At Intro.

<END>

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	Identical to LRB: By/Representing: Matt Krueger Drafter: gmalaise Addl. Drafters: Extra Copies: ion for schools Submitted Jacketed I							

11/20/2002 11:06:54 AM Page 2

FE Sent For:

<**END>**

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Redraft 2001 AB 4 (companion to Petrowski's 03-0623/1).

Reviewed

Drafting History:

Vers.

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Proofed

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Jacketed

Required

FE Sent For:

<END>

2003 - 2004 LEGISLATURE

LRB-0023/1
GMM:cjs:rs

2003 BILL

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

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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 an individual who has been convicted of a 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 an 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 county children with disabilities education board, a state correctional institution, a juvenile secured correctional facility, a secured child caring institution, the Wisconsin Center for the Blind and Visually Impaired, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, a private school, a charter

BILL

school, an agency under contract with a school board to provide a program for children at risk, or a nonsectarian private school or agency under contract with the Milwaukee Public Schools board to provide educational programs for children enrolled in the school district.

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:

Section 1. 111.335 (1) (d) of the statutes is created to read:

111.335 (1) (d) 1. In this paragraph, "educational agency" means a school district, a cooperative educational service agency, a county children with disabilities education board, a state correctional institution under s. 302.01, a secured correctional facility, as defined in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually Impaired, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, a private school, a charter school, a private, nonprofit, nonsectarian agency under contract with a school board under s. 118.153 (3) (c), or a nonsectarian private school or agency under contract with the board of school directors in a 1st class city under s. 119.235 (1).

2. Notwithstanding s. 111.322, it is not employment discrimination because of conviction record for an educational agency to refuse to employ or to terminate from employment an individual who has been convicted of a felony and who has not been pardoned for that felony.

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Barman, Mike

From:

Krueger, Matt

Sent:

Tuesday, February 11, 2003 3:23 PM LRB.Legal

To:

Subject:

Draft review: LRB-0803/1 Topic: Employment discrimination based on conviction record;

exception for schools

It has been requested by <Krueger, Matt> that the following draft be jacketed for the SENATE:

Draft review: LRB-0803/1 Topic: Employment discrimination based on conviction record; exception for schools