LRBa2275

2003 DRAFTING REQUEST

Senate Amendment (SA-SB363)

Received: **02/19/2004**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Gwendolynne Moore (608) 266-5810**

By/Representing: **Joyce Kiel**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - MPS**

Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Sen.Moore@legis.state.wi.us**

Carbon copy (CC:) to: **joyce.kiel@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

MPCP; criminal background checks

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	pgrant 02/19/2004	kgilfoy 02/19/2004		———— ————			
/1	pgrant 02/20/2004	kgilfoy 02/20/2004	jfrantze 02/19/2004	———— ————	lemery 02/19/2004	lemery 02/19/2004	
/2			rschluet	————	lemery	lemery	

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
			02/23/2004	_____	02/23/2004	02/23/2004	

FE Sent For:

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<END>

~~David / Sen Reynolds~~

SA ~~to~~ SB 363   Joyce Kid

Move

Fingerprinting   ① same as yesterday
shall Be,
shall send to DOJ
DOJ may ...

✓ ② p. 4 l.
not annually,
do who before hiring & every 5 years
thereafter

(still want annual statement)

~~p. 4 l. 3 ~~~~~~~~~~ ~~to (a)~~

✓ ③ equivalent crimes
other countries
or fed
or other states

P. 4
l. 10-11

~~ASSEMBLY~~ SEN. AMENDMENT ,

TO 2003 ~~ASSEMBLY~~ BILL ~~839~~ 363

SEN

At the locations indicated, amend the bill as follows:

1. Page 3, line 2 8: substitute "(g)." for "(d) 2.".   lines 3 to 8

2. Page 3 4, line ~~21~~ 3: delete ~~the material beginning with that line and ending with~~ ~~page 4, line 8~~ and substitute "criminal background checks ~~are~~ as required in par. (g).".

3. Page 4, line ~~21~~ 22: after that line insert:

"**SECTION** ~~601~~ 79. 119.23 (7) (g) of the statutes is created to read:

119.23 **(7)** (g) ~~Annually~~ each private school participating in the program under this section shall conduct a background check ~~(though)~~ through the department of justice on each person ~~who will be~~ employed by the private school ~~for the first time in the~~ ~~following school year~~. If the person is a nonresident, the private school shall require the person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints, and shall submit the cards to the department of justice. The department of justice may provide for the submission of the fingerprint cards to

employed as instructional staff
when ~~the~~ person is initially [employed] ~~by the private school~~ and at least once every 5 years thereafter
employed

1   the federal bureau of investigation for the purposes of verifying the identity of the

2   person fingerprinted and obtaining records of his or her criminal arrests and

3   convictions.".

4   **4.** Page 6, line 7: delete the material beginning with ". If" and ending with

5   "conviction" on line 10 and substitute "using the procedure specified in section 119.23

6   (7) (g) of the statutes, as created by this act".

7   **(END)**

ASSEMBLY AMENDMENT ,

TO 2003 ASSEMBLY BILL 836
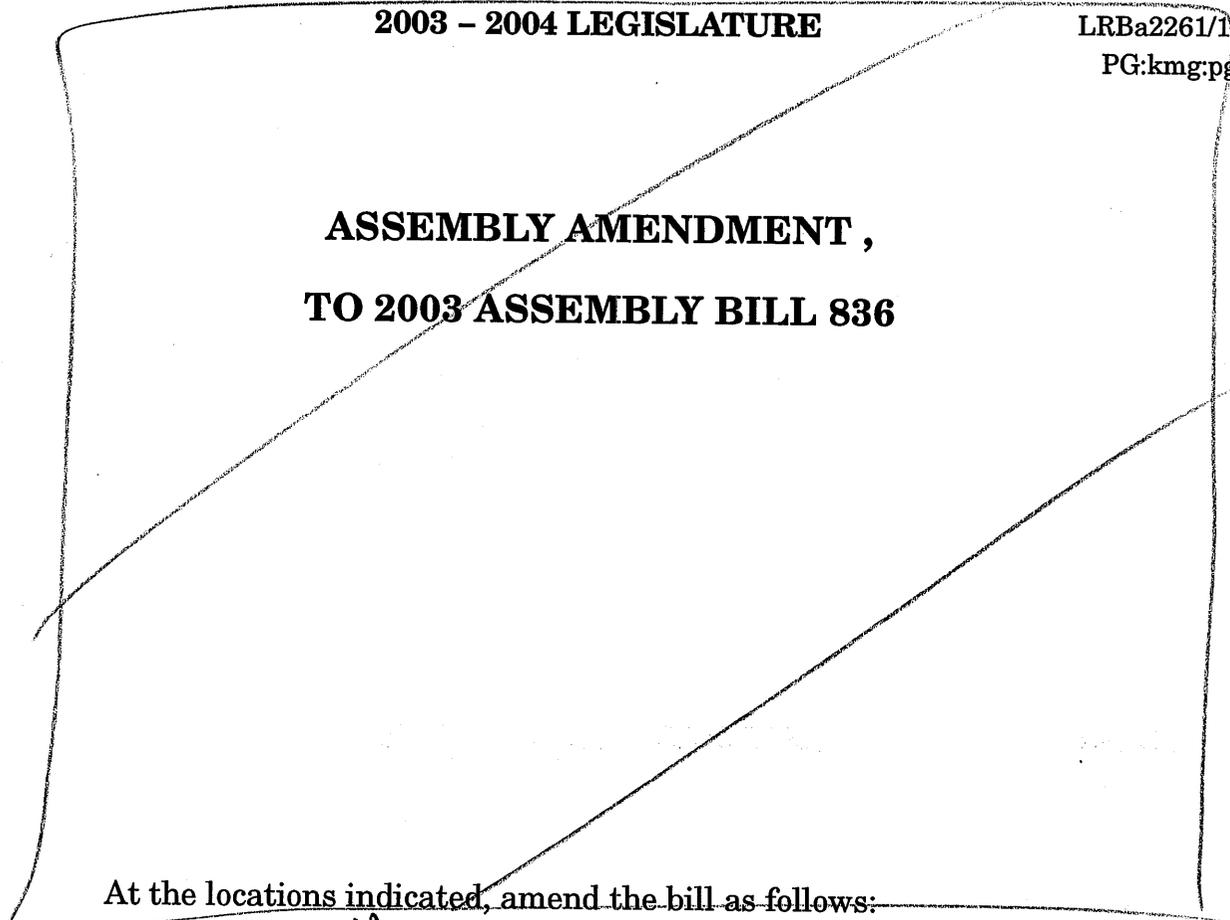
1   At the locations indicated, amend the bill as follows:

2   **1.** Page 4, line 13: after "940.205," insert "or of an equivalent crime in another

3 state or United States jurisdiction,".

4

, county,

(.)"

✓ #. Page 4, line 14: after "state." insert

" or of an equivalent crime in another state, country,

or United States jurisdiction, " .

CR _____ in WS Dev fund ____ by DOCommerce

D+ 1M _____ for bd y decide

_____ WTCS

2/20/04   TC from Joyce Kiel

a2275

① incl nonstat like in Plale bill (836)
i.e.: & # of days bckgrnd √'s done on
existing ee's

② see 847
existing ee's (as prev. sch. where it became a chui where
must do statement that did checks
where (g) w/in past 5 years.

| not in program
conversion in future
must do it y/in previous 5 years | already participating
do it when 1st hire IS. &
every 5 yrs. thereafter

nonstat
w/in 120 days, do it on
all IS. |

SENATE AMENDMENT ,

TO 2003 SENATE BILL 363

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

2   **1.** Page 3, line 8: substitute "(g)." for "(d) 2.".

3   **2.** Page 4, line 3: delete lines 3 to 8 and substitute "criminal background checks

4   as required in par. (g).".

5   **3.** Page 4, line 13: after "940.205," insert "or of an equivalent crime in another

6   state, country, or United States jurisdiction,".

7   **4.** Page 4, line 14: after "stats.," insert "or of an equivalent crime in another

8   state, country, or United States jurisdiction,".

9   **5.** Page 4, line 22: after that line insert:

10   "**SECTION 7g.** 119.23 (7) (g) of the statutes is created to read:

11   119.23 **(7)** (g) Each private school participating in the program under this

12   section shall conduct a background check through the department of justice on each

1   person employed by the private school as instructional staff when the person is

2   initially employed and at least once every 5 years thereafter. If the person is a

3   nonresident, the private school shall require the person to be fingerprinted on 2

4   fingerprint cards, each bearing a complete set of the person's fingerprints, and shall

5   submit the cards to the department of justice. The department of justice may provide

6   for the submission of the fingerprint cards to the federal bureau of investigation for

7   the purposes of verifying the identity of the person fingerprinted and obtaining

8   records of his or her criminal arrests and convictions. ~~(END)~~ *Stet*

9

 # Page 6, line 4: after that line insert :

1   (1) Notwithstanding section 119.23 (7) (d) 2. of the statutes, as created by this

2   act, the first notarized statement required under that subdivision is due within 60

3   days after the effective date of this subsection.

4   (2) Within 120 days after the effective date of this subsection, a private school

5   participating in the program under section 119.23 of the statutes shall conduct a

6   criminal background check through the department of justice on each person

7   employed *as instructional staff* by the private school. If the person is a nonresident, the department of

8   justice may provide for the submission of information to the federal bureau of

9   investigation for the purposes of verifying the identity of the person and obtaining

10   records of his or her criminal arrest and conviction." *using the procedure specified in Section 119.23 (7)(g) of the*

11   **SECTION 10. Initial applicability.**

12   (1) This act first applies to private schools that participate in the Milwaukee

13   Parental Choice Program under section 119.23 of the statutes in the 2004–05 school

14   year, except as provided in SECTION 9 of this act and except that the treatment of

15   section 119.23 (7) (am) 3. of the statutes first applies to reports under that

16   subdivision that are due by September 1, 2005.

17   (END)

statutes, as created by this act

 # Page 6, line 8: after "year," insert " except as provided in SECTION 10 of this act and "

(End)

(1-2) ✓

Page 3, line 24: after that line insert:

text:treat

"d. A notarized statement by a person legally authorized
of the private school
to act on behalf / that a criminal background check of each

~~or will be conducted as specified in par~~

                              as instructional staff
person who will be employed / by the private school when the
          school begins to participate
~~commencement of~~ participation in the program under
          was conducted
this section / within the immediately preceding 5 years
                              the school begins to participate,
or will be conducted before / ~~commencement of such~~

~~participation~~ / and will be conducted at least once

every 5 years thereafter, using the procedure

specified in par. (g)."