

2009 DRAFTING REQUEST

Bill

Received: 03/09/2010

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **Peggy Krusick (608) 266-1733**

By/Representing: **Christian Moran**

May Contact:

Drafter: **pgrant**

Subject: **Education - MPS**

Addl. Drafters:

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **Rep.Krusick@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibit corporal punishment in MPCP schools

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 03/09/2010	bkraft 03/17/2010		_____			
/1			rschluet 03/17/2010	_____	lparisi 03/17/2010	sbasford 03/24/2010	

FE Sent For: **NONE**

<END>

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Identical to LRB:

For: **Peggy Krusick (608) 266-1733**

By/Representing: **Christian Moran**

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

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/?	pgrant						
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Handwritten notes: A circled '1' with '3/7/10' written below it, and a circled '1' with '3/17' written below it. Below the second circled '1' is the text '<END>'. There are also some illegible scribbles between the two circled '1's.

FE Sent For:

Grant, Peter

From: Moran, Christian
Sent: Tuesday, March 09, 2010 11:52 AM
To: Grant, Peter
Subject: RE: bill drafting request

Can you draft the bill to make s. 118.31 apply to choice schools? To answer your earlier questions: (1) please make the prohibition apply to all pupils who are attending the private school; (2) provide DPI the option to use any of the sanctions you mentioned.

From: Grant, Peter
Sent: Wednesday, February 24, 2010 2:34 PM
To: Moran, Christian
Subject: RE: bill drafting request

Yes, see s. 118.31, enacted during the 1987 session.

From: Moran, Christian
Sent: Wednesday, February 24, 2010 2:31 PM
To: Grant, Peter
Subject: RE: bill drafting request

Let me get back to you on your questions in a little bit. In the meantime, I have a question for you. Under current law, is there an explicit prohibition on the use of corporal punishment in public schools? Thanks.

Christian

From: Grant, Peter
Sent: Wednesday, February 24, 2010 2:11 PM
To: Moran, Christian
Subject: RE: bill drafting request

Hi Christian. I have two questions for you:

- Do you want the prohibition to apply only to pupils who are attending the private school under the MPCP, or to all pupils who are attending the private school?
- If a private school violates the prohibition, do you want to authorize DPI to bar the private school from participating in the program in the current school year [see 119.23 (10) (a)]; bar the school from participating in the program in the following school year [see 119.23 (10) (am)]; or immediately terminate the private school's participation in the program [see 119.23 (10) (b)]? Or you could simply allow DPI to withhold funds; see 119.23 (10) (d).

Peter

From: Moran, Christian
Sent: Wednesday, February 24, 2010 1:19 PM
To: Grant, Peter
Subject: bill drafting request

Peter,

Could you please draft a bill to prohibit the use of corporal punishment in schools that participate in the Milwaukee Parental Choice Program.

Thanks for your help.

Christian

Christian Moran
Office of Representative Peggy Krusick
State Capitol, 128 North
Madison, WI 53708
(608) 266-1733

BILL

Date (time)
needed _____

LRB - 4504 / 1

In 3/9

PLG : bjk : _____

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the

SA
x-ref

statutes; relating to: *prohibiting the use of corporal punishment in private schools that participate in the Milwaukee Parental Choice Program*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: **create** → **anal:** → **title:** → **head**

For the subheading, execute: **create** → **anal:** → **title:** → **sub**

For the sub-subheading, execute: **create** → **anal:** → **title:** → **sub-sub**

For the analysis text, in the component bar:

For the text paragraph, execute: **create** → **anal:** → **text**

(attached)

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

SECTION #.

Except as provided in subd 20, no official, employee, or agent of a

§ SEC. CR. 119.23 (7) (cm)

§ 119.23 (7) (cm) private participating

in the program under this section may subject a pupil attending the school to

corporal punishment as defined in § 118.031(1)

Subdivision

§ 20 Subd 10 does not prohibit

an official, employee, or agent of a private school from engaging in any of the activities specified in § 118.031(3)

§ SEC. CR. 119.23 (10) (a) 8

§ 119.23 (10) (a) 8 Allowed any official,

employee, or agent of the private school to violate

violate terminate subd (7) (cm)

e

Section #. 119.23 (10) (a) 7. of the statutes, as created by 2009 Wisconsin Act 28, is amended to read:

119.23 (10) (a) 7. Violated sub. (7) (b) 4., 5., or 6. or (cm)

History: 1989 a. 336; 1993 a. 16; 1995 a. 27 ss. 4002 to 4009, 9145 (1); 1995 a. 216; 1997 a. 27, 113; 1999 a. 9; 2001 a. 16, 105; 2003 a. 33, 155; 2005 a. 25, 125; 2009 a. 28, 96.

Q SEC. CR. 119.23 (10) (am) 40

Q 119.23 (10) (am) 40 An official, employee, or agent of the private school has violated sub. (7) (cm) 0

(End)

Analysis

Current law prohibits an official,
 employee, or agent of a school board from
 subjecting a pupil enrolled in the school
 district to corporal punishment, defined as
 the intentional infliction of physical pain
 as a means of discipline. Certain exceptions
 are provided;

1) using reasonable and
 necessary force to quell a disturbance ~~or to~~

2) obtain possession of a weapon or prevent
 a pupil from inflicting harm
 3) prevent a pupil from inflicting harm on himself or
 herself.

This bill prohibits an official,
 employee, or agent of a private school
 that is participating in the Milwaukee Parental

Choice Program form (MPCP) subjecting a pupil attending the school to ^{corporal} corporal punishment. The bill provides the same exceptions that apply in public schools.

~~NO~~ The bill allows the state superintendent of public instruction to ^{bar} bar a private school from participating in the MPCP if he or she determines that the prohibition has been violated in the private school.

Basford, Sarah

From: Moran, Christian
Sent: Wednesday, March 24, 2010 10:38 AM
To: LRB.Legal
Subject: please jacket LRB-4504/1 for introduction in the Assembly

Christian Moran
Office of Representative Peggy Krusick
State Capitol, 128 North
Madison, WI 53708
(608) 266-1733