

Fiscal Estimate — 2001 Session

- Original Updated
 Corrected Supplemental

LRB Number <i>01-1005/1</i>	Amendment Number if Applicable
Bill Number 2001 Assembly Bill 4	Administrative Rule Number

Subject

Permitting an educational agency to refuse to employ or to terminate from employment an unparoned felon.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs — May be possible to absorb within agency's budget.
 Yes No

Decrease Costs

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory
3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others CESA's
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Current law, subject to certain exceptions, prohibits discrimination in employment based on an individual's conviction record. Current law specifies, however, that it is not employment discrimination to refuse to employ or to terminate from employment any individual who has been convicted of any 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 for an educational agency to refuse to employ or to terminate from employment any 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.

The bill defines "educational agency" 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 School for the Deaf, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, a private school, a charter 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 in the school district.

It is assumed that this bill will have no state fiscal effect.

It is estimated that this bill will allow education agencies to possibly avoid some local costs related to provisions in current law that allow an unparoned felon to bring legal action for wrongful hiring decisions and wrongful termination of employment. Because it is unknown how many, if any, potential lawsuits may be avoided as a result of this bill, these cost savings are indeterminable.

Long-Range Fiscal Implications

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