

Jermstad, Sara

From: Sedillos, Paul
Sent: Tuesday, June 24, 2003 8:45 AM
To: Jermstad, Sara; Jermstad, Sara
Subject: New Forward Contact Ownership and Assignment

Constituent: Patti Yana (14578)
PO Box 207
Butte Des Morts, WI 54927-0207

Owner: Jermstad, Sara
Assigned: Jermstad, Sara
Summary: Blood Born Pathogens

Issue:
Position:
Status: Pending
Contact Type: E-mail
Description: Dear Carol,

I am a teacher in the Oshkosh Area School District. I am co-chair of the Oshkosh Education Association Teacher Defense Committee. I deal with professional staff who have contract issues or other job related problems.

I received a phone call last week from a teacher who was exposed to a dirty needle belonging to a student. This teacher must be tested for AIDS, Hepatitis B and C. However, even if the student(s) involved are tested for these same diseases, the results are not available to teachers who have been exposed. This creates quite a problem for teachers who must continue to be tested and worry unnecessarily because they do not know the results of the student's test. Other health professionals are afforded this knowledge, why are teachers not allowed this same opportunity?

I dealt with another teacher in the fall of 2000 regarding this same type of exposure. She indicated that you were working on a bill/ammendment to add teachers to the list of people who could have knowledge of test results from students they were exposed to. It is now summer of 2003. I would like to know exactly where that bill (or ammendment) stands and how soon we can expect this to be taken care of. Every day that passes without this becoming law further exposes teachers to unnecessary worry and tests.

Please do what you can to speed up this process and let me know when this is likely to go through.

Thank you for your time.

Patti Yana
PO Box 207
Butte des Morts, WI. 54927
920-582-9616



"A commitment to
quality education"

73200 SJ
Oshkosh Area School District

215 South Eagle Street - P. O. Box 3048 - Oshkosh WI 54903

Ronald A. Heilmann, Jr., Ed.D.
Superintendent of Schools
920-424-0160
FAX: 920-424-0466

John W. Sprangers
Director of Human Resources
920-424-0124
FAX: 920-303-4396

January 5, 2001

JAN 05 2001

Senator Carol Roessler
18th Senatorial District
P. O. Box 7882
Madison, WI 53707-7882

Dear Senator Roessler:

In the Oshkosh Area School District, we have experienced several incidents involving staff members who have been exposed to students' blood while on the job.

When this occurs, we have found, much to our dismay, that state statutes provide no recourse for school district employees to subject the blood to a test to determine the presence of acquired immune deficiency syndrome (HIV). The statutes provide a right to require testing on behalf of many other specified staff. However, there is no similar opportunity for school district employees, who often encounter blood in the course of their employment. We strongly believe that this statutory gap in protection must be addressed.

We are referring specifically to Sections 252.15(1)(ab) and 252.15(2)(a)(7)a of the Wisconsin Statutes. We request that words to the effect that "all individuals employed by school districts" be added to the list of those positions eligible to require testing. This change allows school district employees to discover whether the blood in question reveals the presence of HIV. The peace of mind such information will provide school district employees is immeasurable.

If you have any questions, please feel free to contact me.

Sincerely,


JOHN SPRANGERS
Director of Human Resources

JS:db

cc: Oshkosh Education Association
Dr. Ronald Heilmann, Superintendent

Jermstad, Sara**Subject: FW:**

-----Original Message-----

From: Cherie Hartman [mailto:hartwitt@prodigy.net]**Sent:** Monday, January 22, 2001 4:24 AM**To:** Sen.Roessler@legis.state.wi.us**Subject:**

Dear Sen Reessler:

Jan.22,2001

I am a teacher in the Oshkosh Area School District. I teach in a program called Second Chance for severely emotionally disturbed students grades 6 through 12. All of our students have failed in the traditional school setting and have had problems in the home and community. Most have juvenile criminal records, many of them including violent behavior. They are all court ordered to come to school. I come to work each day knowing I work with a very troubled population. However, after 10 years teaching in the program, this year I found out how little protection I may have when something goes wrong.

We had a student become verbally abusive and physically aggressive and he had to be placed in one of our time-out rooms by the staff to ensure the safety of everyone else in school. While we waited for the police to come, he destroyed a desk and broke out the safety glass window which is there so staff can see to make sure students in time out are OK. In the process of breaking the window he injured himself and began bleeding. Before the police could arrive he was able to reach through the window and open the door and get out. He grabbed a baseball bat and started to return to the classroom screaming he was going to kill one of the teachers on the staff. I found myself suddenly standing just a few feet away from him. We were in the process of removing all other students from the area, and I did not want to take the chance of him getting back into the classroom before we had everyone out. I stepped in front of him and began shouting at him to put down the bat and think about what he was going to do. He was bleeding quite heavily from one arm while all this was happening. He did eventually lower the bat and began screaming his story at me. While he was screaming, he began waving his arms around and in the process inadvertently splashed his blood in my eye. I immediately left the classroom and went to have my eye flushed out, because I knew this was a significant blood exposure and I was working with an extremely high risk population in terms of drug use and unsafe sexual behavior.

The student was eventually apprehended by the police, but only after he chased other staff members out of the classroom, completely contaminated the classroom with his blood, and smashed the window of the school van with the bat. Students had to be sent home, parents had to be contacted, and a cleaning crew had to come in to make the school safe again. I knew I had to be tested for HIV, Hepatitis B and C immediately as our school policy mandates. While talking to the police officer for his report, I asked that the student be tested also. Little did I know that this was just the start of my nightmare when it came to getting the information I needed to see if I had been exposed to any of these diseases.

I returned to the administration building after my blood work was done and found out I had no legal right to ask for the student to be tested. I found out that educators were not part of the protected professions when it came to blood borne pathogens. Even though I sit through a blood borne pathogen inservice every year and had done everything correctly there was no law in effect to protect me. The next month became one of extreme anxiety for me and my entire family as we slowly worked our way through the court system to try to obtain this information. I had to leave school twice and go to court and listen to the DA plead my case for needing this information. I had to obtain

1/22/01

documentation from my personal doctor indicating we needed this information. I had to be in the courtroom when he was sentenced and listen to his father whisper in my ear "Are you happy now?" when the blood work was finally ordered. We both have to be tested for the next 6 months, so my blood relationship with this student continues even though he was placed in Lincoln Hills for this incident. I believe this prolonged battle has contributed to the Post Traumatic Stress Disorder I have been diagnosed with.

This was a terrible violent event, but it was almost as distressing to find out there was absolutely no law to protect me, even though I was just doing my job. I ask that you as the representative of hundreds, maybe thousands of people that work in schools, do something to have us added to the list of protected professions when it comes to blood exposure. This was an extremely traumatic event and not knowing for an entire month if I was ever going to get the information I needed compounded the stress immeasurably. I hope this is a matter worthy of your attention.

Thank you,

Cheryl Hartman
917 W. 6th Ave
Oshkosh, WI 54902

Stuart, Todd

From: Rothwell, Julie
Sent: Monday, August 11, 2003 10:06 AM
To: Stuart, Todd; Stuart, Todd
Subject: New Forward Contact Ownership and Assignment

Constituent: Cheryl Hartman (60481)
917 W 6th Ave
Oshkosh, WI 54902-5850

Home: 920-233-2439

Email: hartwitt@prodigy.net

Owner: Stuart, Todd
Assigned: Stuart, Todd
Summary: upset with Carol

Issue:
Position:
Status: Pending
Contact Type: E-mail
Description: -----Original Message-----
From: HartWitt [mailto:hartwitt@prodigy.net]
Sent: Saturday, August 09, 2003 4:41 AM
To: Carol.Roessler@legis.state.wi.us
Subject: How do you count your constituents

Dear Sen Roessler,
I have just compared your response to the state budget vetoes to those you have sent to others. Guess what? We are all getting the equivalent to a form letter. Again education will take a terrible hit, but you pro education Republicans do not seem to care. I have a difficult time standing in front of a class of kids telling them how government is supposed to work to protect the rights of people, even if it means making a hard choice and voting for something which could cost them money. I have NO faith in our state government, particularly the Republican party. I have been waiting since 2000 for a blood borne pathogen protection bill to be passed to protect teachers. You wrote the bill and could not get it through a committee you chaired when it would cost the state nothing. How am I supposed to believe you care about education, or your constituents. Let's face it. You are content with marching the party line and forget about common sense or logic. By the way, will I ever see that blood bill before I retire or will you be too busy killing education again this session? How can your party keep saying you care about kids, you want NO CHILD LEFT BEHIND as your national fearless leader, the "C" student declares, yet still you politicians continue to hammer away at education. In the last 3 years I have seen NOTHING that makes you appear education friendly. If some aide is reading this and is going to send me another form letter, please don't waste the tax payers time again. Maybe they could try to do something like really get the blood borne pathogen bill passed this year. At this point anything to stop the hemorrhaging that has become education would be an improvement. If things continue as they are going and the veto by the governor is overridden, it should not take long before we have the same steller education system as say, Texas. Remember the education you got in Wisconsin? Why don't today's kids deserve the same thing?

lath

Cheryl Hartman
917 W. 6th Ave.

REPRESENTATIVE	ROOM	PHONE	REPRESENTATIVE	ROOM	PHONE
AINSWORTH, John (R-6)	309-North	6-3097	MEYER, Dan (R-34)	316-North	6-7141
ALBERS, Sheryl (R-50)	127-West	6-8531	MEYERHOFER, Lee (D-5)	B38-West	6-2418
BALOW, Larry (D-68)	409-North	6-9172	MILLER, Mark (D-48)	112-North	6-5342
BERCEAU, Terese (D-76)	322-West	6-3784	MONTGOMERY, Phil (R-4)	129-West	6-5840
BIES, Garey (R-1)	121-West	6-5350	MORRIS-TATUM, Johnnie (D-11)	118-North	6-3756
BLACK, Spencer (D-77)	219-North	6-7521	MUSSER, Terry (R-92)	11-West	6-7461
BOCK, Peter (D-7)	212-North	6-8580	NASS, Stephen (R-31)	12-West	6-5715
BOYLE, Frank (D-73)	221-North	6-0640	OLSEN, Luther (R-41)	9-West	6-8077
CARPENTER, Tim (D-9)	210-North	6-1707	OTT, Alvin (R-3)	318-North	6-5831
COGGS, G. Spencer (D-17)	214-North	6-5580	OWENS, Carol (R-53)	105-West	7-7990
COLON, Pedro (D-8)	B41 West-A	7-7669	PETROWSKI, Jerry (R-86)	4-West	6-1182
CULLEN, David (D-13)	216-North	7-9836	PETTIS, Mark (R-28)	5-North	7-2365
DUFF, Marc (R-98)	310-North	6-1190	PLALE, Jeffrey (D-21)	107-North	6-0610
FITZGERALD, Jeff (R-39)	21-North	6-2540	PLOUFF, Joe (D-29)	306-West	6-7683
FOTI, Steven (R-38)	215-West	6-2401	POCAN, Mark ((D-78)	418-North	6-8570
FREESE, Stephen (R-51)	115-West	6-7502	POWERS, Michael (R-80)	125-West	6-1192
FRISKE, Donald (R-35)	312-North	6-7694	REYNOLDS, Martin (D-87)	126-North	6-7506
GARD, John (R-89)	315-North	6-2343	RHOADES, Kitty (R-30)	302-North	6-1526
GRONEMUS, Barbara (D-91)	114-North	6-7015	RICHARDS, Jon (D-19)	B41West-B	6-0650
GROTHMAN, Glenn (R-59)	15-North	4-8486	RILEY, Antonio (D-18)	209-North	6-0645
GUNDERSON, Scott (R-83)	7-West	6-3363	RYBA, John (D-90)	321-West	6-0616
GUNDRUM, Mark (R-84)	19-North	7-5158	SCHNEIDER, Marlin (D-72)	204-North	6-0215
HAHN, Eugene (R-47)	15-West	6-3404	SCHOOFF, Dan (D-45)	420-North	6-9967
HEBL, Tom (D-46)	304-West	6-7678	SERATTI, Lorraine (R-36)	18-North	6-3780
HOVEN, Timothy (R-60)	17-North	7-2369	SHERMAN, Gary (D-74)	320-West	6-7690
HUBER, Gregory (D-85)	218-North	6-0654	SHILLING, Jennifer (D-95)	223-North	6-5780
HUBLER, Mary (D-75)	119-North	6-2519	SINICKI, Christine (D-20)	412-North	6-8588
HUEBSCH, Michael (R-94)	20-North	6-0631	SKINDRUD, Richard (R-79)	18-West	6-3520
HUNDERTMARK, Jean (R-40)	8-West	6-3794	STARZYK, Samantha (R-66)	109-West	6-2530
JENSEN, Scott (R-32)	211-West	6-3387	STASKUNAS, Tony (D-15)	124-North	6-0620
JESKEWITZ, Suzanne (R-24)	314-North	6-3796	STEINBRINK, John (D-65)	307-West	6-0455
JOHNSRUD, DuWayne (R-96)	323-North	6-3534	STONE, Jeff (R-82)	306-North	6-8590
KAUFERT, Dean (R-55)	22-West	6-5719	SUDER, Scott (R-69)	21-North	7-0280
KEDZIE, Neal (R-43)	307-North	6-9650	SYKORA, Tom (R-67)	3-North	6-1194
KESTELL, Steve (R-27)	17-West	6-8530	TOWNSEND, John (R-52)	6-North	6-3156
KRAWCZYK, Judy (R-88)	9-North	6-0485	TRAVIS, David (D-81)	223-North	6-5340
KREIBICH, Robin (R-93)	107-West	6-0660	TURNER, Robert (D-61)	109-North	6-0731
KREUSER, James (D-64)	208-North	6-5504	UNDERHEIM, Gregg (R-54)	11-North	6-2254
KRUG, Shirley (D-12)	201-West	6-5813	URBAN, Frank (R-99)	13-West	6-9175
KRUSICK, Margaret (D-97)	128-North	6-1733	VRAKAS, Daniel (R-33)	119-West	6-3007
LADWIG, Bonnie (R-63)	113-West	6-9171	WADE, Joan (R-42)	10-West	6-7746
LA FAVE, John (D-23)	220-North	6-0486	WALKER, Scott (R-14)	308-North	6-9180
LASEE, Frank (R-2)	7-North	6-9870	WARD, David (R-37)	304-North	6-3790
LASSA, Julie (D-71)	122-North	7-9649	WASSERMAN, Sheldon (D-22)	111-North	6-7671
LEHMAN, John (D-62)	303-West	6-0634	WIECKERT, Steve (R-57)	16-West	6-3070
LEHMAN, Michael (R-58)	103-West	7-2367	WILLIAMS, Annette (D-10)	113-North	6-0960
LEIBHAM, Joseph (R-26)	123-West	6-0656	WOOD, Wayne (D-44)	104-North	6-7503
LIPPERT, Mary Ann (R-70)	8-North	6-8366	YOUNG, Leon (D-16)	120-North	6-3786
LOEFFELHOLZ, Gabe (R-49)	317-North	6-1170	ZIEGELBAUER, Bob (D-25)	207-North	6-0315
McCORMICK, Terri (R-56)	115-West	6-7500			

CHIEF CLERK, John Seocos	402-Main	7-4355
Asst. Chief Clerk, Patrick Fuller	402-Main	6-5811
Exec. Asst. Linda Hanson	402-Main	6-7674
Records (Ken)	402-Main	6-2406
Bulletins (Jody)	402-Main	6-2545
Journals (Kay)	402-Main	6-5550
Per Diem/Roll Calls (Doris)	402-Main	4-8588
Assembly Printing (Mary)	402-Main	6-1108
Assembly Office Accts. (Julanne)	402-Main	6-3826
Telephones/General Info. (Lonni)	402-Main	6-1501
Legislative Human Resources	514-MLK	4-8471
Denise Solie, Sgt-at-Arms	411-West	7-9808
Sergeant's Staff	411-West	6-1503
Democratic Caucus	501 SF	6-3866
Republican Caucus	601 SF	6-1452

Supplies / Document Room	L-Main	6-2400
Supplies/Capitol Annex	B39-West	4-8603
Quick Copy Center	17 SF	6-5591
Leg. Audit Bureau	22 E. Mifflin	6-2818
Leg. Council	401-Main	6-1304
Leg. Fiscal Bureau	301-Main	6-3847
LRB-Reference Section	2nd-Hamilton	6-0341
LRB-Bill Drafting	5th-Hamilton	6-3561
Legislative Hotline	L-Main	6-9960
(Toll-free number)	800-362-9472	
Hearing Impaired	800-228-2115	7-9528
LTSB Technical Support	400 SF	7-9528
Call Forwarding to SGT	411-West	6-3044
Maintenance for Capitol	B42-North	6-1485
CAPITOL POLICE DEPT.	B2-North	6-7700
Leg. Post Office	B25-West	6-5837

Mailing Address: P.O. Box 8952 (Reps A-L) P.O. Box 8953 (Reps M-Z) Madison, WI 53708
 HEARING ROOMS: NHR(2ND FL) 4-8317...417 NORTH (GAR) 4-8318...225 NW 6-3454...328 NW 6-2403...415 NW 6-2411...424 NE 6-2848

WISCONSIN STATE SENATE

SENATOR	PHONE	ROOM	STAFF			
(9) BAUMGART, James	6-2056	306 S.	James Wexler, Anne Eskeitz, Patrick Henderson, Duane Nigh			
(12) BRESKE, Roger	6-2509	18 S.	Vaughn Vance, Elizabeth Piliouras, Sarah Lundquist Nuutinen, Cindi Winters			
(3) BURKE, Brian	6-8535	316 S.	Cindy McGinnis, Barry Ashenfelter, Julie Swiderski, Robert Allen, Tanya Bjork, Raghu Devaguptapu			
(16) CHVALA, Charles	6-9170	211 S.	Susan Meinholz, Douglas Burnett, Maribeth Witzel-Behl, Michael Browne, Paula McGuire			
(2) COWLES, Robert	6-0484	7 S.	Roger Frings, Jennifer Halbur, Sarah Grygiel			
(8) DARLING, Alberta	6-5830	22 S.	Jessica Tormey, James Villa, Andy Gustafson, Michael Richards			
(29) DECKER, Russell	6-2502	323 S.	Barbara Worcester, Patrick Walsh, Joshua Simenstad, Barbara Anderson			
(19) ELLIS, Michael	6-0718	108 S.	Lynn Nelson, Kurt Schultz, Genie Martinez			
(27) ERPENBACH, Jon	6-6670	319 S.	Nancy Bills, Tryg Knutson, Julie Laundrie, Carrie Templeton			
(33) FARROW, Margaret	6-9174	106 S.	Delora Newton, Jeff Grothman, Matthew Phillips			
(13) FITZGERALD, Scott	6-5660	308(H)	Cindy Block, Thomas Rhatican, Judi Rhodes-Engels			
(6) GEORGE, Gary	6-2500	118 S.	Dan Rossmiller, Roemel Brown, Dave Begel			
(7) GROBSCHMIDT, Richard	6-7505	104 S.	Lisa Moen, Julie Sebastian, John Sumi, John Wagnitz			
(30) HANSEN, Dave	6-5670	19 S.	Jay Wadd, Lisa Ellinger, Rich Schuster, Lance Walter, Paul Szelc			
(10) HARSDORF, Sheila	6-7745	407(H)	Jack Jablonski, Christian Schneider, Kimberly Tohm			
(11) HUELSMAN, Joanne	6-2635	5 S.	Pat Rasmussen, Janean Cleveland, Scott Manley			
(25) JAUCH, Robert	6-3510	313 S.	David Jahr, Linda Kleinschmidt, Adam Korbitz			
(1) LASEE, Alan	6-3512	109 S.	Shari Lord, Kenlyn Harris, Allison Coakley			
(28) LAZICH, Mary	6-5400	304(H)	James Gehrke, Kathryn Kemfert			
(32) MEYER, Mark	6-5490	20 S.	Grant Huber, Angela Pozdol, Bryan Brooks			
(31) MOEN, Rodney	6-8546	8 S.	Margaret Haker, Bruce Humphrey, Melissa White, Terry Tuschen			
(4) MOORE, Gwendolynne	6-5810	409 S.	Shirley Ellis, Leanne Bergstrom, Kelly Bablitch, Jessica Clark			
(20) PANZER, Mary	6-7513	202 S.	Maureen McNally, Tad Ottman, Rose Lemke, Lisa Davidson			
(21) PLACHE, Kimberly	6-1832	415 S.	Denise Stromme, John Anderson, Brian Rieselmann, Debra Sybell			
(26) RISSER, Fred	6-1627	220 S.	Leslie Travis, Cindy Ashley, Sarah Briganti, Dianne Cieslewicz			
(15) ROBSON, Judy	6-2253	15 S.	Kathleen Soderbloom, Kelley Flury, David Austin, Mary Graylow			
(18) ROESSLER, Carol	6-5300	403(H)	Karen Asbjornson, Sara Jermstad, Melissa Tabbert			
(5) ROSENZWEIG, Peggy	6-2512	305(H)	Connie Schulze, Ryan McAlvey, Mark Grapentine			
(17) SCHULTZ, Dale	6-0703	303(H)	Thomas Jackson, John O'Brien, Todd Allbaugh			
(24) SHIBILSKI, Kevin	6-3123	10 S.	Aaron Nuutinen, Kristi Winters, Todd Holschbach, Jessica Mogilka			
(14) WELCH, Robert	6-0751	404(H)	Mary Ellen Boario, Shayne Clausen, Christopher Newhouse, Bradley Boycks, Tricia Tolliver			
(22) WIRCH, Robert	7-8979	310 S.	Pat Erickson, Amber Meyer, Peter Anderson, Rachel Roller			
(23) ZIEN, David	6-7511	3 S.	Robert Seitz, Peter Hanson, John Hogan			
Senate Chief Clerk	6-2517	501 (M)	Donald J. Schneider	Legislative Council	6-1304	4th Fl. (E)
Leg. Human Resources	4-8471	514 (M)	Joel Warnick	Senate Mailroom	6-1006	L115(E)
Senate Office Accounts	6-2517	501 (M)	Moni Rohr	Legislative Hotline	6-9960	L109(E)
Journals & Records	6-1803	501 (M)	Donna Doyle	(Tollfree Number)	1-800-362-WISC	(9472)
LTSB Help Desk	7-9528	17 (SF)		Hearing Impaired		1-800-228-2115
Senate Printing/Citations	6-1803	501 (M)	Sarah Burhop	Copy Ctr. (Docutech)	6-0367	L114(E)
Roxanne Nelson	7-4477	LL (M)		Capitol Police	6-7700	B2-N(C)
Senate Photographer	7-4347	501 (M)	Richard Hanson	Leg. Audit Bureau	6-2818	22 East Mifflin
Sergeant-At-Arms	6-1801	B35S(C)	Jon Hochkammer	Tour Information	6-0382	(C)
Senate Bulk Mailings	6-2515	B26S(C)	Patty Neerland	Document Rm/Supplies	6-2400	L107 (E)
Hearing Rooms' Sched.	6-2506	B32S(C)	Edward Blazel	Leg. Fiscal Bureau	6-3847	3rd Fl. (E)
Democratic Caucus	6-2257	750 (FSP)	Jon Carson	L R B (Drafting)	6-3561	5th Fl. (H)
Republican Caucus	6-8820	324 (FSP)	Brian Fraley	L R B (Reference)	6-0341	2nd Fl. (H)
Web Page Development	7-2476	501 (M)	Laurene Bach	Leg. Website: www.legis.state.wi.us/		

DIRECT ALL SENATE CORRESPONDENCE TO: P. O. BOX 7882, MADISON, WI 53707-7882

(C)=Capitol, (E)=1E. Main, (H)=100 N. Hamilton, (SF)=S. Fairchild, (FSP)=Firststar Plaza, (M)=119 MLKB *Effective: March 19, 2001*

November 26, 2001

now

Senator Rod Moen, Chair
Senate Health, Utilities, Veterans and Military Affairs Committee
122 South State Capitol
Madison, WI 53703

Dear Senator Moen:

I am writing to request that a public hearing be held on Senate Bill 202, relating to authorizing an employee of a school district, CESA, charter school, private school, the WI School for the Deaf, or the WI Center for the Blind and Visually Impaired to subject an individual's blood to a test for the presence of the virus that causes acquired immunodeficiency syndrome.

I introduced SB202 at the request of a teacher in my district, Cheryl Hartman, and the Oshkosh School District. Cheryl teaches in a program called Second Chance, which is for severely emotionally disturbed students grades 6 through 12. Last year she came in contact with a student's blood, and needed to be tested for HIV and Hepatitis B and C. After several court hearings, her request to have the student tested was finally approved. The violent incident that led up the blood exposure was traumatic enough for Cheryl, the on going court battle only intensified her stress.

Because teachers spend a significant amount of time with students and the chance of blood exposure is pretty good, I agree with Cheryl and the Oshkosh School District that teachers should be added to list of people who can request a blood test from the source of a blood exposure. I respectfully request that a public hearing be held on this bill soon so that it can be placed on the Senate calendar before the end of the session next spring.

Your immediate attention to this matter is greatly appreciated.

Sincerely,

CAROL ROESSLER
State Senator
18th Senate District

CR/srj/Moen-pub hear SB202

TO: Members of the Legislature

FROM: Senator Carol Roessler

DATE: May 24, 2001

RE: Correction to LRB-2130, relating to authorizing an employee of a school district, cooperative educational service agency, charter school, private school, the Wisconsin School for the Deaf, or the Wisconsin Center for the Blind and Visually Impaired to subject an individual's blood to a test for the presence of the virus that causes acquired immunodeficiency syndrome

On May 8, I sent around a co-sponsorship memo, indicating that I will be introducing legislation that will add teachers - specifically, employees of a school district, cooperative educational service agency, charter school, private school, the Wisconsin School for the Deaf and the Wisconsin Center for the Blind and Visually Impaired - to the list of people who are eligible to require that the blood of the individual, to whom they were exposed, be tested to determine the presence of the HIV/AIDS virus.

It recently came to my attention that a provision was inadvertently left out of the bill that would limit this right of teachers to apply only to when they are performing the duties required of their employment - those individuals currently allowed to require a test, can only do so when performing their respective employment duties as well.

Because of this change, I will be extending the deadline to **Friday, June 1**. If you would like to sign on, or have questions or concerns, please contact my office at 266-5300.

TO: Members of the Legislature

FROM: Senator Carol Roessler

DATE: May 8, 2001

RE: Co-sponsorship of LRB-2130/1 relating to authorizing an employee of a school district, cooperative educational service agency, charter school, private school, the Wisconsin School for the Deaf, or the Wisconsin Center for the Blind and Visually Impaired to subject an individual's blood to a test for the presence of the virus that causes acquired immunodeficiency syndrome

I will be introducing legislation that will add teachers - specifically, employees of a school district, cooperative educational service agency, charter school, private school, the Wisconsin School for the Deaf and the Wisconsin Center for the Blind and Visually Impaired - to the list of people who are eligible to require that the blood of the individual, to whom they were exposed, be tested to determine the presence of the HIV/AIDS virus.

This legislation is being introduced at the request of the Oshkosh School District, who has experienced several incidents involving staff members who have been exposed to students' blood while on the job.

The bill is attached for your review. If you are interested in signing onto LRB-2130/1, please contact Senator Roessler's office by **Tuesday, May 29, 2001**.

Hep B & C

Concerns:

- not included in Ch 252.15 (HIV/AIDS)
- ~~testing~~ ^{requiring} ~~to~~ testing for Hep B & C will meet ~~opposition~~ ^{opposition}
- ** - Can already do testing if have blood (ie. if have blood for HIV, can be used to test for Hep B & C) \Rightarrow putting additional guidelines on bks ~~could~~ ^{complicate}

Parallel language could be appropriate

• OSHA regulations \rightarrow plan be created

\rightarrow education

(Blood borne) \rightarrow Hep B & vaccine (w/in 10 days)
 \rightarrow reasonably come in contact

\rightarrow similar standards for state employees

\rightarrow what to do

\rightarrow go to source, & request test
Consent has been left up to test

HIV is only ^{one} ^{informed} ^{consent} on books \rightarrow rare

CDC coming out w/ new guidelines soon

whenever come in contact,

252.15 if do mandate test, should have
Due Process protections \rightarrow in HIV

Under OSHA,
teacher in
special ed
setting should
already have

Facsimile Cover Sheet
Fax 608-266-0423



Carol Roessler

STATE SENATOR • 18TH SENATE DISTRICT

Number of pages attached, including cover page: 4

If pages are not all received or are illegible,
please call 1-888-736-8720

Please deliver this fax to:

Cheryl Hartman

Fax number of addressee: 920-966-1085

Message:

Draft legislation to add school employees to the list of those who can request an HIV test.

Jermstad, Sara

From: Cherie Hartman [hartwitt@prodigy.net]
Sent: Wednesday, March 14, 2001 3:21 PM
To: Sara.Jermstad@legis.state.wi.us

fax = Pat Bishop med
Dean med JAT
283-7387

nurse Pat
252-5039

Dear Sara,

Thank you for the copy of the amendment to the bill regarding blood exposure. The only thing I could think of which may be helpful to include is in addition to HIV. I also had to be tested for Hepatitis B and C. I am not sure if these could be added. I suppose there is a chance that the original law did not include these diseases because they were not such an issue back then. Also Mary Salzer who is a supervisor with Social Services and works with our program will also be emailing you about the concerns of social workers in potentially violent situations. Thanks for keeping me apprised of what is going on. This has been much more informative than anything I got from Mr. Underheime.

Find out why Hep B & C be included:
Cyril Hetsko - CE's Dr
nurse pat

Debra Kennedy

Hep grossly under diagnosed

Cheryl Hartman

6-8 weeks after exposure
6-7 weeks after exposure

Hepatitis B & C are under Fed blood borne pathogens standards

1) ^{course} Hepatitis B surface antigen source

then test infected for baseline exposure
OR
Hep B surface antibody if received vaccination

→ not critical, but give peace of mind.

Statutes

Specific civil procedures b/c privacy issue at stake

2) Hep C

if add B & C to

when exposed to blood:

3 tests are conducted

3) Serology HIV baseline exposure

1) Hep B → source: Hep B surface antigen
exposed: Hep B baseline test
OR Hep B surface antibody if received vaccination

2) Hep C → source: Hep C serology
exposed: Hep C baseline

3) HIV → source: HIV
exposed: HIV baseline exposure

Jermstad, Sara

Subject: FW: Update

-----Original Message-----

From: Cherie Hartman [mailto:hartwitt@prodigy.net]

Sent: Tuesday, March 13, 2001 4:15 AM

To: Sen.Roessler@legis.state.wi.us

Subject: Update

Dear Senator Roessler,

I am the teacher who wrote to you about being exposed to a student's blood during a violent confrontation and the problems of having the right to find out about what was in that blood. Yesterday I got a letter from the Dept of Corrections telling me he will be released from Lincoln Hills next week. This is about 5 months after the event. I find it amazing in this day of increased awareness and concern about violence in our schools, that a student can threaten to kill a teacher, chase a number of staff out the door swinging a baseball bat, close a school, and be back in town before HIV testing is even completed. To tell you the truth between this, QEO the law that gave me a raise of about 70 cents a day, finding out our district is about a million dollars behind in paying into our retirement fund and asking that it be forgiven, I can not remember why I ever thought teaching would be a profession worth doing. And all I ever hear about is holding teachers and schools accountable. Will there ever be a time when government and this society has any accountability to educators? My next job is to try to make sure that kid has his last HIV test and I am notified. Are we getting anywhere with changing that law to protect us?

One thing I do know for sure is if a young person I cared about ever approached me about teaching as a career, I would tell them do anything that society places some value in. However that certainly isn't teaching.

Cheryl Hartman
917 W. 6th Ave.
Oshkosh, WI 54902

Marjorie Huerie 6-5819
Jim Vergeront

Vote Record

Committee on Health, Children, Families, Aging and Long Term Care

Date: 9-4-03

Moved by: Roessler

Seconded by: Kanavas

AB _____

SB 230

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment _____

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Carol Roessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith <u>Robson</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Senator Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Senator Tim Carpenter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 8 1 _____

Roll Open until 5PM

Note who was present

Motion Carried

Motion Failed

SB230

Halbur, Jennifer

From: CHERYL HARTMAN
Sent: Tuesday, November 18, 2003 9:31 AM
To: jennifer.halbur@legis.state.wi.us
Cc: hartwitt@prodigy.net
Subject: SB230

Carol - I sent her the attached response. Jennifer

Jennifer,

I realize this bill is now out of Senator Roessler's hands. I keep getting emails from reporters who want to cover the progress and I am not sure what to tell them. Can we expect the bill to have the same number in the Assembly? Do they have to vote on this since it has already passed in the Senate or do they have the option to let it die again? Is there anything I should be doing to lobby this in the Assembly? I am also sending a copy of this to my computer at home, because I am sending it from school and want a copy of what I am writing.

Thanks for the time you and Senator Roessler have spent on this matter. I don't want to keep bugging you, but I am in uncharted territory. Believe me this has been a Civics lesson like nothing I could ever imagine.

Thank you,

Cheryl Hartman

CR today

Halbur, Jennifer

To: CHERYL
Subject: RE: SB230

Cheryl,

No problem at all! The bill will remain SB 230 in the Assembly. The bill is currently in the Speaker's Office waiting to be referred to an Assembly Committee. Senator Roessler recently sent a letter to Speaker Gard to request that this bill be referred to a Committee so that it can continue through the Legislative process.

Once SB 230 is referred to a Committee, it will need to be heard at a public hearing (just like we did when the bill was in Sen. Roessler's Health Committee). A vote will need to be taken by Committee members. If the bill passes, it would be available for scheduling before the full Assembly. If the Assembly scheduled the bill and passed it without amendment, it would be sent to the Governor for his signature. If the Assembly passes any amendments, the bill will be sent back to the Senate.

I will make sure that Senator Roessler sees your e-mail. This is a priority bill for her.

As far as contacting Representatives in the Assembly, I suggest contacting Speaker Gard (608-266-3387) to request that SB 230 be referred to a Committee. Once it is referred, I suggest calling both the Chairperson and the members of that committee. My guess is that it will be referred to the Assembly Health Committee but I am not sure.

I will follow up with you as soon as there is any further movement on this bill.

Thank you!
Jennifer Halbur
Office of Senator Carol Roessler

-----Original Message-----

From: CHERYL HARTMAN [mailto:hartwitt@prodigy.net]
Sent: Tuesday, November 18, 2003 9:31 AM
To: jennifer.halbur@legis.state.wi.us
Cc: hartwitt@prodigy.net
Subject: SB230

Jennifer,

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Thanks for the time you and Senator Roessler have spent on this matter. I don't want to keep bugging you, but I am in uncharted territory. Believe me this has been a Civics lesson like nothing I could ever imagine.

Thank you,

Cheryl Hartman

11/18/2003

WISCONSIN EDUCATION ASSOCIATION COUNCIL

Affiliated with the National Education Association

*Every kid
deserves a
Great School!*

TO: Members of Assembly Health Committee

FR: Bob Burke, Legislative Program Coordinator
Wisconsin Education Association Council

DA: Tuesday, February 17, 2004

RE: **Support for 2003 Senate Bill 230**

The mission of the Wisconsin Education Association Council is to promote respect and support for quality public education and to provide for the professional and personal growth and economic welfare of members. WEAC's support of this mission is governed by our constitution and bylaws and modified through a resolution process at our annual Representative Assembly. This assembly of nearly 1,000 delegates represents every local in the state and sets our course for general policy guidelines of the organization.

WEAC resolution A-23 outlines our organization's position on comprehensive educational programs concerning AIDS and the HIV virus and has been in effect since 1993. It reads:

WEAC Resolution A-23: AIDS Guidelines

The WEAC encourages schools to implement comprehensive educational programs concerning AIDS and the HIV virus. These programs should encompass prevention options. The Council further believes that students and education employees should not be denied access to public education nor be penalized with loss of employment opportunities because the individual suffers from AIDS or has the HIV virus. Furthermore, the Council opposes mandatory/involuntary AIDS testing of students and school employees.

WEAC supports SB 230 because it would require mandatory testing only under very limited, extraordinary circumstances in order to safeguard our members' interests. WEAC is opposed to mandatory testing that is not directed at redressing a specific situation such as that contemplated by sec. 252.15, Wis. Stats. and that is not subject to the procedural safeguards contained in that statute. When an educational employee has used universal safety precautions and a physician has certified that the employee was significantly exposed (that is, who sustained a contact that carries a potential for transmission of human immunodeficiency virus, the virus that causes acquired immunodeficiency syndrome) while performing employment duties, that employee should have access to the protections afforded by sec. 252.15, Wis. Stats.

WEAC represents approximately 94,000 education professionals and staff in Wisconsin and is dedicated to supporting legislative policies that place kids in classrooms that work, maintain quality staff in our schools and benefit everyone. **WEAC urges your support for passage of 2003 Senate Bill 230 because we believe it will work to maintain a safe and healthy classroom environment for educators and students.**

If you have any questions regarding this statement of support for 2003 SB 230, please feel free to contact me at burkeb@weac.org or by phone at 800-362-8034 ext. 254. Thank you.

Stan Johnson, President
Michael A. Butera, Executive Director

Halbur, Jennifer

From: Asbjornson, Karen
Sent: Friday, March 12, 2004 4:58 PM
To: Halbur, Jennifer
Subject: FW: Thank You Thank You Thank You

TU ✓ CK
✗ JA

Karen Asbjornson
Office of Senator Carol Roessler
(608) 266-5300/1-888-736-8720
Karen.Asbjornson@legis.state.wi.us

SR 230

-----Original Message-----

From: Hartwitt [mailto:hartwitt@prodigy.net]
Sent: Friday, March 12, 2004 4:27 PM
To: Sen.Roessler@legis.state.wi.us
Subject: Thank You Thank You Thank You

Carol,
I don't even know how to begin to thank you for what you accomplished for me. I will always be grateful for the gracious way you responded to me after I had reached my frustration level and unloaded on you. Our whole panel will always be grateful for your help and support. I will never forget the number of personal calls you took the time to make to me. I will always appreciate the courteous, helpful, fun staff you have working with you. It is so gratifying to know that all things political do not have to be rotten or tainted. You have restored my faith in the system and a little bit in humanity. I don't know how you do what you do, but you sure do an excellent job of it. This I will NEVER forget.

Cherie

See you at the bill signing. Hope it isn't during spring break. Patti and I are both going some place warm.

SB 230

Oshkosh Area School District
SECOND CHANCE SCHOOL
725 Butler Ave.
Winnebago, WI 54985

Troy Cota/ Cheryl Hartman
And Kathryn Huddleston
Special Ed. Teachers
(920) 424-1048

Jenny Fahney and Brenda Schaefer
School Social Workers
(920) 424-1047

FAX

Date: 3/30/04

Number of pages: 4 with cover

RE: To Jennifer Haliburton
Sen Roessler

From Cheryl Hartman

March 30, 2004

Dear Governor Doyle:

URGENT!!!! SB 230 is now sitting on your desk waiting for signing. I am the teacher behind that bill. I am a teacher in the Oshkosh Area School District. I teach in a program called Second Chance for severely emotionally disturbed students grades 6 through 12. All of our students have failed in the traditional school setting and have had problems in the home and community. Most have juvenile criminal records, many of them including violent behavior. They are all court ordered to come to school. I come to work each day knowing I work with a very troubled population. However, after 10 years teaching in the program, three and one half years ago I found out how little protection I may have when something goes wrong.

We had a student become verbally abusive and physically aggressive and he had to be placed in one of our time-out rooms by the staff to ensure the safety of everyone else in school. While we waited for the police to come, he destroyed a desk and broke out the safety glass window which is there so staff can see to make sure students in time out are OK. In the process of breaking the window he injured himself and began bleeding. Before the police could arrive he was able to reach through the window and open the door and get out. He grabbed a baseball bat and started to return to the classroom screaming he was going to kill one of the teachers on the staff. I found myself suddenly standing just a few feet away from him. We were in the process of removing all other students from the area, and I did not want to take the chance of him getting back into the classroom before we had everyone out. I stepped in front of him and began shouting at him to put down the bat and think about what he was going to do. He was bleeding quite heavily from one arm while all this was happening. He did eventually lower the bat and began screaming his story at me. While he was screaming, he began waving his arms around and in the process inadvertently splashed his blood in my eye. I immediately left the classroom and went to have my eye flushed out because I knew this was a significant blood exposure and I was working with an extremely high risk population in terms of drug use and unsafe sexual behavior.

The student was eventually apprehended by the police, but only after he chased other staff members out of the classroom, completely contaminated the classroom with his blood, and smashed the window of the school van with the bat. Students had to be sent home, parents had to be contacted, and a cleaning crew had to come in to make the school safe again. I knew I had to be tested for HIV, Hepatitis B and C immediately as our school policy mandates. While talking to the police officer for his report, I asked that the student be tested also. Little did I know that this was just the start of my nightmare when it came to getting the information I needed to see if I had been exposed to any of these diseases.

I returned to the administration building after my blood work was done and found out I had no legal right to ask for the student to be tested. I found out that educators were not

part of the protected professions when it came to blood borne pathogens. Even though I sit through a blood borne pathogen in-service every year and had done everything correctly there was no law in effect to protect me. The next month became one of extreme anxiety for my entire family and me as we slowly worked our way through the court system to try to obtain this information. I had to leave school twice and go to court and listen to the DA plead my case for needing this information. I had to obtain documentation from my personal doctor indicating we needed this information. I had to be in the courtroom when he was sentenced and listen to his father whisper in my ear "Are you happy now", when the blood work was finally ordered. We both have to be tested for the next 6 months so my blood relationship with this student continues even though he was placed in Lincoln Hills for this incident.

This was a terrible violent event, but it was almost as distressing to find out there was absolutely no law to protect me even though I was just doing my job. Now there is a bill sitting on your desk that would change all that. Contrary to what opponents say, educators will not be making health decisions with or without the facts about what a significant exposure is. The bill specifically states only a doctor can do this. The opposition totally ignores the advances in rapid testing. Today, if you are knowingly exposed to a positive person, you can begin treatment within hours not days. I have been told only 206 people under the age of 19 are HIV positive. How would we know that unless we had everyone tested? This is not a bill to protect coaches in sports. They are supposed to be trained in using universal precautions when handling blood borne pathogens, so exposure should not be an issue.

This is not a bill that would be used irresponsibly. If that were the case, wouldn't we have already heard of abuses by fire fighters, police officers, prison guards, group home workers and all the other professions presently covered by the bill. This law will not need to be used frequently, but is so very necessary if you are the person that needs the information. Please sign SB 230.

Thank you.

Cheryl Hartman
917 W. 6th Ave
Oshkosh, WI 54902

Jennifer Halbur:

Patti Yana ran into Sen. Roessler said the Governor is unsure if he will sign the bill. I have faxed this letter to his office. Is there anything else I should be doing? You can call me at work 920-424-4048 until 12:30 pm. My Cell 920-410-3236. Home 920-233-2439.

Please advise if there is anything else I should do or if you think this letter should be sent by mail instead of Faxed.

Cheryl

TESTING: Hartman offers advice

FROM PAGE C1

within 48 hours of exposure, which makes getting the test results quickly from the HIV-infected person even more important, Hartman said.

The best advice Hartman had for other citizen-lobbyists is to go to the Capitol with facts and patience. The facts will strengthen any argument, but patience is needed to see the task through to completion.

Although some legislators will say 3 1/2 years is a relatively short wait to get legislation ap-

proved, citizens can tire quickly of the delays and roadblocks opponents will use to defeat your proposal, Hartman said.

The bill will be forwarded to Gov. James Doyle's office within a few weeks.

Roessler expects it to be signed.

When it is, the bill signing ceremony should prompt one more trip to Madison for Hartman and her colleagues, Roessler said.

Kevin Murphy is a freelance writer based in Madison.

Facts, patience gets HIV testing bill approved

3-12-01 n.w. OK

Teachers can demand a test

BY KEVIN MURPHY
for The Northwestern

MADISON - It took Oshkosh teacher Cheryl Hartman 3 1/2 years and two trips to Madison before the state Legislature finally approved a bill Wednesday night that would add teachers to the list of professions who could subject an individual for HIV testing if they have been exposed to their blood.

Hartman, who teaches health and other subjects at the Oshkosh School District's Second Chance program, had blood splashed in her eye when a student became disruptive at school. After seeing her best friend die of AIDS a few years earlier, Hartman's initial concern was about becoming infected.

Later, that worry turned to dismay when it took about a month for a court to order the student's uncooperative parents to have their son tested.

Gratified that the student tested negative, Hartman began e-mailing area legislators seeking to cut through the red tape in getting a student tested and the results released.

Although the first bill

died in a legislative committee two years ago, Sen. Carol Roessler, R-Oshkosh, re-introduced the measure last year and called on Hartman and other district employees and administrators to testify in support of the bill.

Roessler credited the effort of Hartman and the others with getting the bill approved.

"It was her story, and with her help and with several others, it conveyed the real substance of the issue which helped bring the bill to fruition," Roessler said.

Legislators are used to hearing from their colleagues and lobbyists at hearings, but citizen input is often vital to a bill's chances of success, Roessler said.

"They listen to me all the time, but it really helps to have a real person come talk to them about their situation," Roessler said.

Hartman said getting behind the bill gave her a civics lesson she could never get from a textbook.

Most surprising was listening to the bill's opponents using outdated information in making their case. Some witnesses apparently didn't know that the most effective treatment for AIDS can be administered

TESTING, PAGE C2