

**1999 DRAFTING REQUEST**

**Senate Amendment (SA-SA1-SSA1-AB133)**

Received: **06/30/99**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Republican Caucus**

By/Representing: **Seitz**

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

Drafter: **mlief**

May Contact:

Alt. Drafters: **nelsorp1**

Subject: **Education - miscellaneous**

Extra Copies: **PG  
PG**

**Pre Topic:**

No specific pre topic given

**Topic:**

School discipline and safety

**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> |
|--------------|---|----------------------|--------------------|----------------|--------------------------|--------------------------|-----------------|
| /?           | mlief<br>06/30/99<br>nelsorp1<br>06/30/99 | chanaman<br>06/30/99 |                    | _____          |                          |                          |                 |
| /1           |   |                      | haugca<br>06/30/99 | _____          | lrb_docadmin<br>06/30/99 | lrb_docadmin<br>06/30/99 |                 |

FE Sent For:

<END>

**1999 DRAFTING REQUEST**

**Senate Amendment (SA-SA1-SSA1-AB133)**

Received: 06/30/99

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Senate Republican Caucus

By/Representing: Seitz

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Alt. Drafters: nelsorp1

Subject: Education - miscellaneous

Extra Copies: PG  
~~PG7~~

**Pre Topic:**

No specific pre topic given

**Topic:**

School discipline and safety

**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> |
|--------------|----------------|-----------------|--------------|------------------|------------------|-----------------|-----------------|
| 1?           | mlief          | cm4<br>1        | CH<br>6-30   | CK<br>cm4<br>WLS |                  |                 |                 |
| FE Sent For: |                | 6/30            |              |                  |                  |                 |                 |

<END>

**Grant, Peter**

---

**From:** Seitz, Robert  
**Sent:** Wednesday, June 30, 1999 5:17 PM  
**To:** Miller, Steve  
**Cc:** Grant, Peter  
**Subject:** RE: SRC amendments

Education Amend. 1: Milwaukee Parental Choice Program Eligibility : Remove SDC language, return to JFC. (Chvala Super Simple)

Education Amend. 2: Charter School Petition Process Modifications: Remove SDC provisions, return to current law. (Chvala Super Simple)

*ND* Education Amend 3: School Safety Plans: Remove SDC language, replace with Legislative Council Bill. (Chvala Super Simple)

Education Amend 4: UW Funding: Remove SDC language relating to Madison Initiative, Remove GPR position authority, Insert ARC Madison Initiative, Insert ARC tuition flexibility. (Chvala Super Simple)

Education Amend 5: Applied Technology Centers: Remove SDC language related to financing of Capital Expenditure for Applied Technology Centers. (Chvala Super Simple)

Education Amend 6: Gambling Device for Education :Remove SDC language relating to the possession and transfer for gambling devices for educational purposes. (Chvala Super Simple)

Education Amend 7: TO THE JFC SUB: Remove the \$200 million in bonding authority to the redevelopment authority of Milwaukee. (JFC)

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

**From:** Miller, Steve  
**Sent:** Wednesday, June 30, 1999 12:48 PM  
**To:** Seitz, Robert  
**Cc:** Grant, Peter; Dykman, Peter; Kuesel, Jeffery; Kennedy, Debora; Tradewell, Becky; Hubli, Scott  
**Subject:** RE: SRC amendments

Bob,

Please send a "cc" (e-mail) of all SRC amendment requests to Peter.Grant@legis.state.wi.us

It is better to send them as soon as you can, one or two at a time, rather than bundling them up.

Thanks  
Steve

1999

Date (time) needed 4:00

LRB b. 16071

**BUDGET AMENDMENT**

M J L. Cmly  
J RPN

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**S AMENDMENT  
TO S AMENDMENT 1  
TO SENATE SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133**

At the locations indicated, amend the amendment as follows:  
(fill ONLY if "engrossed ...." or "as shown by ....")

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

ARC:.....Dake - School discipline and safety

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 Page 119, line 21: after that line insert:

3 Page 503, line 3: after that line insert:

4 "SECTION 887d. 36.11 (36m) of the statutes is created to read:

5 36.11 (36m) SCHOOL SAFETY RESEARCH. The board shall direct the schools of  
6 education and other appropriate research-oriented departments within the system,  
7 to work with the technical college system board under s. 38.04 (27), school districts,  
8 private schools and the department of public instruction to present to school districts  
9 and private schools the results of research on models for and approaches to  
10 improving school safety and reducing discipline problems in schools and at school  
activities." ) ,

→ <sup>Item #</sup> Page 123, line 12: after that line insert:

① " <sup>543m</sup> Page 509, line 6: after that line insert:

2 FRZ "SECTION 896m. 38.04 (27) of the statutes is created to read:

3 38.04 (27) SCHOOL SAFETY. The board shall work with schools of education and  
4 other departments of the University of Wisconsin System under s. 36.11 (36m),  
5 school districts, private schools and the department of public instruction to present  
6 to school districts and private schools the results of research on models for and  
7 approaches to improving school safety and reducing discipline problems in schools

⑧ <sup>Item #</sup> and at school activities." >>  
→ Page 251, line 10: after that line insert:

⑨ " <sup>868m</sup> Page 1094, line 22: after that line insert:

10 FRZ "SECTION 2042<sup>h</sup> 115.28 (43) of the statutes is created to read:

11 115.28 (43) SCHOOL SAFETY FUNDING. With the department of justice, seek and  
12 apply for federal funds relating to school safety and reducing violence and disruption  
13 in schools, including funds for alternative schools or programs. Each department  
14 shall make a report by January 1, 2001, and January 1, 2003, of its progress in  
15 applying for and obtaining funds under this subsection. The report shall be provided  
16 to the legislature in the manner provided under s. 13.172 (2) to the cochairpersons

⑰ of the joint committee on finance and to the governor." >>  
→ Item # Page 255, line 3: after that line insert:

18 " <sup>874</sup> Page 1096, line 8: after that line insert:

19 FRZ "SECTION 2048<sup>m</sup> 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1.

20 and amended to read:

21 115.38 (1) (b) 1. Other indicators of school and school district performance,  
22 including dropout, attendance, retention in grade and graduation rates; numbers of  
23 suspensions and expulsions; percentage of habitual truants, as defined in s. 118.16  
24 (1) (a); percentage of pupils participating in extracurricular and community

1 activities and advanced placement courses; percentage of graduates enrolled in  
2 postsecondary educational programs; and percentage of graduates entering the  
3 workforce.

4 **SECTION 2048t.** 115.38 (1) (b) 2. of the statutes is created to read:

5 115.38 (1) (b) 2. The numbers of suspensions and expulsions; the reasons for  
6 which pupils are suspended or expelled, reported according to categories specified by  
7 the state superintendent; the length of time for which pupils are expelled, reported  
8 according to categories specified by the state superintendent; whether pupils return  
9 to school after their expulsion; the educational programs and services, if any,  
10 provided to pupils during their expulsions, reported according to categories specified  
11 by the state superintendent; the schools attended by pupils who are suspended or  
12 expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled  
13 and whether the pupils are children with disabilities, as defined in s. 115.76 (5). )

→ Item #. Page 267, line 7: after that line insert:  
14 11 5. Page 1103, line 16: after that line insert:

15 **SECTION 2068m.** 118.16 (1m) of the statutes is created to read:

FRZ

16 118.16 (1m) The period during which a pupil is absent from school due to a  
17 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an  
18 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause  
19 for the purposes of sub. (1) (c).

20 **SECTION 2068r.** 118.175 of the statutes is created to read:

21 **118.175 Pupils without parents or guardians; report required.** (1) This  
22 section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11)  
23 or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m)  
24 (a).

1 (2) If a pupil is a child who is without a parent or guardian, any school teacher,  
2 school administrator, school counselor or school social worker who knows that the  
3 child is without a parent or guardian shall report that fact as soon as possible to the  
4 county department under s. 46.22 or 46.23 or, in a county having a population of

5 500,000 or more, to the department of health and family services." ) )

*Item # Page 271, line 7: delete the material beginning with that line and ending with page 272, line 12, and substitute:*

6 *B.* Page 1117, line 12: after that line insert:

7 *899m*

"SECTION 2108m. 119.04 (1) of the statutes is amended to read:

8 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),

9 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38

10 (2), 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14,

11 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19,

*118.435*

12 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43,

13 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25) (26), 120.125, 120.13 (1), (2) (b) to

14 (g), (3), (14), (17) to (19), (26), (34) and (35) and 120.14 are applicable to a 1st class

15 city school district and board." ) )

*Item # Page 273, line 4: delete lines 4 to 7 and substitute:*

16 *907m* Page 1121, line 18: after that line insert:

17 "SECTION 2124m. 120.12 (26) of the statutes is created to read:

18 120.12 (26) SCHOOL SAFETY PLANS. Have in effect a school safety plan for each  
19 school in the school district.

20 SECTION 2124t. 120.13 (1) (b) of the statutes is amended to read:

21 120.13 (1) (b) The school district administrator or any principal or teacher  
22 designated by the school district administrator also may make rules, with the  
23 consent of the school board, and may suspend a pupil for not more than 5 school days  
24 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25

*FR2*

*FR2*  
*907m*

*scored comma*  
*strike*



1 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with  
2 such rules or school board rules, or for knowingly conveying any threat or false  
3 information concerning an attempt or alleged attempt being made or to be made to  
4 destroy any school property by means of explosives, for conduct by the pupil while  
5 at school or while under the supervision of a school authority which endangers the  
6 property, health or safety of others, or for conduct while not at school or while not  
7 under the supervision of a school authority which endangers the property, health or  
8 safety of others at school or under the supervision of a school authority or endangers  
9 the property, health or safety of any employe or school board member of the school  
10 district in which the pupil is enrolled. In this paragraph, conduct that endangers a  
11 person or property includes making a threat to the health or safety of a person or  
12 making a threat to damage property. Prior to any suspension, the pupil shall be  
13 advised of the reason for the proposed suspension. The pupil may be suspended if  
14 it is determined that the pupil is guilty of noncompliance with such rule, or of the  
15 conduct charged, and that the pupil's suspension is reasonably justified. The parent  
16 or guardian of a suspended minor pupil shall be given prompt notice of the  
17 suspension and the reason for the suspension. The suspended pupil or the pupil's  
18 parent or guardian may, within 5 school days following the commencement of the  
19 suspension, have a conference with the school district administrator or his or her  
20 designee who shall be someone other than a principal, administrator or teacher in  
21 the suspended pupil's school. If the school district administrator or his or her  
22 designee finds that the pupil was suspended unfairly or unjustly, or that the  
23 suspension was inappropriate, given the nature of the alleged offense, or that the  
24 pupil suffered undue consequences or penalties as a result of the suspension,  
25 reference to the suspension on the pupil's school record shall be expunged. Such

1 finding shall be made within 15 days of the conference. A pupil suspended under this  
2 paragraph shall not be denied the opportunity to take any quarterly, semester or  
3 grading period examinations or to complete course work missed during the  
4 suspension period, as provided in the attendance policy established under s. 118.16  
5 (4) (a).

6 SECTION 2124u. 120.13 (1) (c) 1. of the statutes is amended to read:

7 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it  
8 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a  
9 pupil knowingly conveyed or caused to be conveyed any threat or false information  
10 concerning an attempt or alleged attempt being made or to be made to destroy any  
11 school property by means of explosives, or finds that the pupil engaged in conduct  
12 while at school or while under the supervision of a school authority which  
13 endangered the property, health or safety of others, or finds that a pupil while not  
14 at school or while not under the supervision of a school authority engaged in conduct  
15 which endangered the property, health or safety of others at school or under the  
16 supervision of a school authority or endangered the property, health or safety of any  
17 employe or school board member of the school district in which the pupil is enrolled,  
18 and is satisfied that the interest of the school demands the pupil's expulsion. In this  
19 subdivision, conduct that endangers a person or property includes making a threat

20 to the health or safety of a person or making a threat to damage property." ✓

21 → Item #. Page 306, line 22: after that line insert:  
"963" Page 1174, line 2: after that line insert.

22 "SECTION 2287d. 165.72 (title) of the statutes is amended to read:

Fez

1           **165.72 (title) Controlled Dangerous weapons or criminal activity in**  
2           **schools hotline; controlled substances hotline and rewards for controlled**  
3           **substances tips.**

4           **SECTION 2287e.** 165.72 (1) (a) of the statutes is renumbered 165.72 (1) (aj).

5           **SECTION 2287f.** 165.72 (1) (ad) of the statutes is created to read:

6           165.72 (1) (ad) “Dangerous weapon” has the meaning given in s. 939.22 (10).

7           **SECTION 2287g.** 165.72 (2) (intro.) of the statutes is amended to read:

8           165.72 (2) **HOTLINE.** (intro.) The department of justice shall maintain a single  
9 toll-free telephone number during normal retail business hours, as determined by  
10 departmental rule, for ~~both~~ all of the following:

11           **SECTION 2287h.** 165.72 (2) (c) of the statutes is created to read:

12           165.72 (2) (c) For persons to provide information anonymously regarding  
13 dangerous weapons or criminal activity in public or private schools.

14           **SECTION 2287i.** 165.72 (2g) of the statutes is created to read:

15           165.72 (2g) **AFTER-HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS**  
16 **IN SCHOOLS.** If a call is made outside of normal retail business hours to the telephone  
17 number maintained under sub. (2), the department shall provide for the call to be  
18 received by a telephone answering system or service. The telephone answering  
19 system or service shall provide a recorded message that requests the person calling  
20 to call the telephone number “911” or a local law enforcement agency if the person  
21 is calling to provide information regarding dangerous weapons or criminal activity  
22 in a school.

23           **SECTION 2287j.** 165.72 (2m) of the statutes is created to read:

24           165.72 (2m) **TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN**  
25 **SCHOOLS.** Immediately upon receiving any information under sub. (2) (c) regarding

1 dangerous weapons or criminal activity in a school, or immediately at the beginning  
2 of the next retail business day if the information is not received during normal retail  
3 business hours, the department shall provide the information to all of the following:

- 4 (a) The administration of the school.
- 5 (b) The appropriate law enforcement agency for the municipality in which the  
6 school is located.

7 **SECTION 2287k.** 165.72 (7) of the statutes is amended to read:

8 165.72 (7) PUBLICITY. The department shall cooperate with the department of  
9 public instruction in publicizing, in public and private schools, the use of the toll-free  
10 telephone number under sub. (2).” <sup>b)</sup>

*#. Page 866, line 4: after that line insert:*  
11 *1097 m. 2* Page 1431, line 11: after that line insert:

12 **SECTION 3111<sup>p</sup>m.** 895.035 (4) of the statutes is amended to read:

13 895.035 (4) Except for recovery under sub. (4a) or for retail theft under s.  
14 943.51, the maximum recovery under this section from any parent or parents may  
15 not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any  
16 one act of a juvenile in addition to taxable costs and disbursements and reasonable  
17 attorney fees, as determined by the court. If 2 or more juveniles in the custody of the  
18 same parent or parents commit the same act the total recovery under this section  
19 may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs  
20 and disbursements. The maximum recovery from any parent or parents for retail  
21 theft by their minor child is established under s. 943.51.

22 **SECTION 3111<sup>p</sup>m.** 895.035 (4a) of the statutes is created to read:

23 895.035 (4a) (a) The maximum recovery under this section by a school board  
24 or a governing body of a private school from any parent or parents with custody of

1 a minor child may not exceed \$20,000 for damages resulting from any one act of the  
2 minor child in addition to taxable costs and disbursements and reasonable attorney  
3 fees, as determined by the court, for damages caused to the school board or the  
4 governing body of a private school by any of the following actions of the minor child:

5 1. An act or threat that endangers the property, health or safety of persons at  
6 the school or under the supervision of a school authority or that damages the  
7 property of a school board or the governing body of a private school and that results  
8 in a substantial disruption of a school day or a school activity.

9 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or  
10 947.015.

11 (b) In addition to other recoverable damages, damages under par. (a) may  
12 include the cost to the school board or the governing body of a private school in loss  
13 of instructional time directly resulting from the action of the minor child under par.

14 (a).

15 (c) If 2 or more minor children in the custody of the same parent or parents are  
16 involved in the same action under par. (a), the total recovery may not exceed \$20,000,  
17 in addition to taxable costs, disbursements and reasonable attorney fees, as  
18 determined by the court.

19 (d) If an insurance policy does not explicitly provide coverage for actions under  
20 par. (a), the issuer of that policy is not liable for the damages resulting from those  
21 actions." 3).

22 → Item # Page 479, line 15: after that line insert:  
10 Page 1439, line 7: after that line insert:

23 "SECTION 319<sup>6</sup>s. 947.017 of the statutes is created to read:

FRZ →

1           **947.017 Threat to cause death, bodily harm or property damage. (1)**

2           In this section, "governmental unit" means the United States, this state or one of its  
3           political subdivisions, an instrumentality or corporation of any of the foregoing or a  
4           combination or subunit of any of the foregoing.

5           **(2)** A person is guilty of a Class E felony if the person threatens to use a  
6           dangerous weapon or explosives to cause death, bodily harm or property damage in  
7           or on the premises of a structure owned, occupied or controlled by a governmental  
8           unit, a school, as defined in s. 948.50 (2) (a), or an institution of higher education, as  
9           defined in s. 108.02 (18)."

9

→ Item # Page 538, line 6: after that line insert:

10

10 <sup>1299m</sup> ~~11~~ Page 1595, line 5: after that line insert:

11

11           **"(4g) SCHOOL PERFORMANCE REPORTS.** The renumbering and amendment of  
12           section 115.38 (1) (b) of the statutes and the creation of section 115.38 (1) (b) 2. of the  
13           statutes first apply to reports required, under section 115.38 (2) of the statutes, to be  
14           distributed by January 1, 2002."

FRZ

14

→ Item # Page 547, line 3: after that line insert:

15

15 <sup>1352m</sup> ~~13~~ Page 1613, line 6: after that line insert:

FRZ  
16  
1352m  
17

16           **"(1g) SCHOOL SAFETY PLANS.** The creation of section 120.12 (26) of the statutes  
17           takes effect on the first day of the 6th month beginning after publication."

18

(END)