



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1704/P5
CMH:cjs&amn

DOA:.....Schmidt, BB0217 - Transfer the office of school safety from DOJ to
DPI

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

JUSTICE

1. Moving office of school safety to DPI

This bill moves the Office of School Safety from DOJ to DPI. The office of school safety was created in [2017 Wisconsin Act 143](#) to create model practices for school safety, to compile blueprints and geographic information system (GIS) maps of schools for use by law enforcement agencies, to award grants to schools for expenditures related to improving school safety, and to offer training to school staff on school safety. Under the bill, all of those duties, except for the duty to offer training to school staff on school safety move with the office to DPI. Under the bill, DOJ retains the duty to offer such training.

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

SECTION 1. 15.253 (3) of the statutes is renumbered 15.374 (2) and amended to read:

15.374 (2) OFFICE OF SCHOOL SAFETY. There is created an office of school safety in the department of public instruction. The director of the office shall be appointed by the ~~attorney general~~ state superintendent of public instruction in the classified service.

SECTION 2. 20.455 (2) (f) of the statutes is renumbered 20.255 (2) (f) and amended to read:

20.255 (2) (f) *School safety*. As a continuing appropriation, the amounts in the schedule to provide grants under s. ~~165.88~~ 115.945 (2).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 3. 20.455 (2) (im) of the statutes is amended to read:

20.455 (2) (im) *Training to school staff*. All moneys received from fees collected under s. ~~165.28 (3)~~ 165.25 (20) to provide training to school staff under s. ~~165.28 (3)~~ 165.25 (20).

SECTION 4. 20.923 (4) (c) 6. of the statutes is repealed.

SECTION 5. 115.28 (15) (a) of the statutes is amended to read:

115.28 (15) (a) Establish, by rule, standards for the approval of the abilities of certified teachers and counselors and their aides participating in bilingual-bicultural education programs under subch. VII VIII to read, write and speak a non-English language and to possess knowledge of the culture of limited-English proficient pupils.

SECTION 6. 115.28 (15) (b) of the statutes is amended to read:

115.28 (15) (b) Establish, by rule, minimum standards for bilingual-bicultural education programs under subch. VII VIII.

SECTION 7. Subchapter VII (title) of chapter 115 [precedes 115.94] of the statutes is created to read:

CHAPTER 115

SUBCHAPTER VII

OFFICE OF SCHOOL SAFETY

SECTION 8. Subchapter VII (title) of chapter 115 [precedes 115.95] of the statutes is renumbered Subchapter VIII (title) of chapter 115 [precedes 115.95].

SECTION 9. Subchapter VIII (title) of chapter 115 [precedes 115.997] of the statutes is renumbered Subchapter IX (title) of chapter 115 [precedes 115.997].

SECTION 10. 118.017 (1) (a) of the statutes is amended to read:

118.017 (1) (a) Those programs established under subch. ~~VII~~ VIII of ch. 115 where instruction shall be in the English language and in the non-English language of the bilingual-bicultural education program.

SECTION 11. 119.04 (1) of the statutes, as affected by 2019 Wisconsin Act (this act), is amended to read:

119.04 (1) Subchapters IV, V, and ~~VII~~ VIII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.367, 115.38 (2), 115.415, 115.445, 115.447, 115.448, 115.449, 115.457, 115.458, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.237, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3),

(14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board.

****NOTE: This is reconciled s. 119.04 (1), as affected by this act. This SECTION has been affected by drafts with the following LRB numbers: LRB-0974/P2, LRB-1301/P2, LRB-1704/P4, LRB-1746/P2, LRB-1787/P2, LRB-1801/P4, and LRB-2165/P1.

SECTION 12. 165.28 (intro.) of the statutes is renumbered 115.94 (intro.).

SECTION 13. 165.28 (1) of the statutes is renumbered 115.94 (1) and amended to read:

115.94 (1) In conjunction with the department of ~~public instruction~~ justice, create model practices for school safety. The department of ~~public instruction~~ justice shall provide any resources or staff requested by the office to create the model practices. The office shall also consult the Wisconsin School Safety Coordinators Association and the Wisconsin Safe and Healthy Schools Training and Technical Assistance Center when creating the model practices.

SECTION 14. 165.28 (2) of the statutes is renumbered 115.94 (2).

SECTION 15. 165.28 (3) of the statutes is renumbered 165.25 (20) and amended to read:

165.25 (20) TRAINING ON SCHOOL SAFETY. Offer, or contract with another party to offer, training to school staff on school safety. Training subjects may include trauma informed care and how adverse childhood experiences have an impact on a child's development and increase needs for counseling or support. If a school receives under s. 165.88 115.945 (2) (b) a grant for the training under this subsection, the office department may charge a fee for the training.

SECTION 16. 165.88 (title) of the statutes is renumbered 115.945 (title).

SECTION 17. 165.88 (1) (intro.) and (a) of the statutes are consolidated, renumbered 115.945 (1) and amended to read:

115.945 (1) ~~DEFINITIONS~~ DEFINITION. In this section:—(a)—“Independent, “independent charter school” means a charter school established under s. 118.40 (2r) or (2x).

SECTION 18. 165.88 (1) (b), (c) and (d) of the statutes are repealed.

SECTION 19. 165.88 (2) of the statutes is renumbered 115.945 (2), and 115.945 (2) (a) and (b), as renumbered, are amended to read:

115.945 (2) (a) From the appropriation under s. ~~20.455~~ 20.255 (2) (f), the department of ~~justice~~ shall award grants for expenditures related to improving school safety. The department shall accept applications for a grant under this subsection from school boards, operators of independent charter schools, governing bodies of private schools, and tribal schools.

(b) The department of ~~justice~~, in consultation with the department of ~~public instruction~~ justice, shall develop a plan for use in awarding grants under this subsection. The department of ~~justice~~ shall include in the plan a description of what types of expenditures are eligible to be funded by grant proceeds. Eligible expenditures shall include expenditures to comply with the model practices created in s. ~~165.28~~ 115.94 (1); expenditures for training under s. ~~165.28 (3)~~ 165.25 (20); expenditures for safety-related upgrades to school buildings, equipment, and facilities; and expenditures necessary to comply with s. 118.07 (4) (cf). Notwithstanding s. 227.10 (1), the plan need not be promulgated as rules under ch. 227.

SECTION 20. 165.88 (3) of the statutes is renumbered 115.945 (3).

SECTION 21. 165.88 (4) of the statutes is renumbered 115.945 (4) and amended to read:

115.945 (4) REPORT. The department of justice shall submit an annual report to the cochairpersons of the joint committee on finance providing an account of the grants awarded under sub. (2) and the expenditures made with the grant moneys.

SECTION 22. 230.08 (2) (wc) of the statutes is repealed.

SECTION 9127. Nonstatutory provisions; Justice.

(1) TRANSFER OF OFFICE OF SCHOOL SAFETY.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property of the department of justice that is primarily related to the duties of the office of school safety, as determined by the state superintendent of public instruction, is transferred to the department of public instruction.

(b) *Contracts.* All contracts entered into by the department of justice in effect on the effective date of this paragraph that are primarily related to the duties of the office of school safety, as determined by the state superintendent of public instruction, remain in effect and are transferred to the department of public instruction. The department of public instruction shall carry out any obligations under those contracts unless modified or rescinded by the department of public instruction to the extent allowed under the contract.

(c) *Rules and orders.* All rules promulgated by the department of justice in effect on the effective date of this paragraph that are primarily related to the duties of the office of school safety, as determined by the state superintendent of public instruction, remain in effect until their specified expiration dates or until amended or repealed by the department of public instruction. All orders issued by the department of justice in effect on the effective date of this paragraph that are primarily related to the duties of the office of school safety, as determined by the state

superintendent of public instruction, remain in effect until their specified expiration dates or until modified or rescinded by the department of public instruction.

SECTION 9427. Effective dates; Justice.

(1) OFFICE OF SCHOOL SAFETY TRANSFER. The treatment of ss. 15.253 (3), 20.455 (2) (f) and (im), 20.923 (4) (c) 6., 115.28 (15) (a) and (b), 118.017 (1) (a), 119.04 (1) (by SECTION 11), 165.28 (intro.), (1), (2), and (3), 165.88 (title), (1) (intro.), (a), (b), (c), and (d), (2), (3), and (4), and 230.08 (2) (wc), and subch. VIII (title) of ch. 115, the renumbering of subch. VII (title) of ch. 115, the creation of subch. VII (title) of ch. 115, and SECTION 9127 (1) of this act take effect on January 1, 2020.

(END)