



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 228
[2015 Senate Bill 492]

**Student Safety Incident Tracking
Pilot Program**

PILOT PROGRAM ESTABLISHMENT

2015 Wisconsin Act 228 (the Act) requires the Department of Public Instruction (DPI) to develop a one-year pilot tracking program to operate in three school districts during the 2016-17 school year. The three school districts must include: (1) a school district with fewer than 3,000 pupils; (2) a school district with 3,000 to 6,999 pupils; and (3) a school district with 7,000 pupils or more.

Under the Act, DPI must establish the procedures by which a school district may apply to participate in the pilot program. School district participation is voluntary. DPI may spend up to \$25,000 from an existing appropriation to develop and implement the pilot program, including to provide grants to participating school districts. The spending authority for the pilot program expires on July 1, 2017.

REQUIREMENTS FOR PARTICIPATING SCHOOL DISTRICTS

The Act requires a school district participating in the pilot program to comply with recordkeeping and reporting requirements regarding particular incidents.

Recordkeeping Requirements

The Act requires a participating school district to maintain a record of the following events that occur on property owned or leased by the school district, on transportation provided by the school,¹ or at a school district sanctioned event:

¹ The reporting requirement applies to events that occur on transportation provided by the school district under s. 121.54, Stats.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- A crime.
- A violation of state or federal criminal law that results in a referral for a proceeding under subch. V of ch. 938, Stats. (juvenile proceeding).
- A violation of an ordinance enacted by a city, village, town, or county.
- An incidence of either: (1) harassment that involves a pupil; or (2) bullying that involves a pupil.²

These incidents may be reported anonymously to the school district.

To the extent known by the school district, the records must include details related to each incident, including: (a) the time, date, location, and nature of the incident; (b) the age and identity of each individual involved in the incident; (c) any referrals to or involvement of other state or local agencies; and (d) the result of any proceeding related to the incident.

A participating school district must omit or redact all personally identifiable information from a record or portion of a record before it may release that record or portion.³

Reporting Requirements

The Act requires a participating school district to submit the following two reports to DPI that include aggregate data derived from the maintained incident records:

- By January 31, 2017, a report of incidents occurring during the six-month period from July 1, 2016 to December 31, 2016.
- By July 31, 2017, a report of incidents occurring during the year from July 1, 2016 to June 30, 2017.

The reports to DPI may not include the identity of any individual involved in an incident included in the school district's records.

REPORTS TO THE LEGISLATURE

The Act requires DPI to make the following two reports to the Legislature regarding the aggregate incident data DPI receives from participating school districts:

- By February 15, 2017, a report of the aggregate data compiled from the first reports submitted by participating school districts.

² An incident of harassment that must be recorded is one that meets the definition under s. 813.125 (1), Stats, which means any of the following: (a) striking, shoving, kicking, or otherwise subjecting another person to physical contact; engaging in an act that would constitute abuse under s. 48.02 (1), sexual assault under s. 940.225, or stalking under s. 940.32; or attempting or threatening to do the same; or (b) engaging in a course of conduct or repeatedly committing acts which harass or intimidate another person and which serve no legitimate purpose. An incident of bullying that must be recorded is one that meets the definition in that school district's policy on bullying, adopted under s. 118.46 (2), Stats.

³ "Personally identifiable information" is information that can be associated with a particular individual through one or more identifiers or other information or circumstances. [s. 19.62 (5), Stats.]

- By August 15, 2017, a report of the aggregate data compiled from the second reports submitted by participating school districts.

Effective date: March 3, 2016, except that the provision repealing DPI's spending authority goes into effect on July 1, 2017.

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