



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5582/1
FFK:skw

2019 ASSEMBLY BILL 965

February 28, 2020 - Introduced by Representatives KERKMAN, DITTRICH, SARGENT, EDMING, MILROY and WICHGERS, cosponsored by Senators COWLES, CARPENTER and L. TAYLOR. Referred to Committee on Education.

1 **AN ACT to amend** 118.07 (4) (a), 118.07 (4) (b), 118.07 (4) (c), 118.07 (4) (cf), 118.07
2 (4) (cm) (intro.), 118.07 (4) (cp), 118.07 (4) (d), 118.07 (4) (e) (intro.), 118.07 (4)
3 (e) 1., 118.07 (4) (e) 2., 118.07 (4) (e) 4. and 118.07 (4) (e) 5.; and **to create** 165.28
4 (4) of the statutes; **relating to:** school safety plans.

Analysis by the Legislative Reference Bureau

Under the bill, the requirements related to school safety plans that apply to school boards and governing bodies of private schools also apply to operators of independent charter schools. Specifically, under the bill, an operator of an independent charter school must do the following:

1. Have in effect a school safety plan that includes a) an individualized safety plan for each school building and facility that is regularly occupied by pupils; b) general guidelines specifying procedures for emergency prevention and mitigation, preparedness, response, and recovery; c) guidelines and procedures to address school violence and attacks, threats of school violence and attacks, bomb threats, fire, weather-related emergencies, intruders, parent-student reunification, and threats to extracurricular events; and d) a process for reviewing the methods for conducting drills required to comply with the safety plan.

2. Review and approve the school safety plan at least once every three years after the plan goes into effect

3. Upon the creation and review of the school safety plan, submit blueprints of each charter school building and facility to local law enforcement and to the Office of School Safety in the Department of Justice.

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4. Annually, conduct a drill at each school building regularly occupied by pupils to practice the proper response to a school violence event in accordance with the school safety plan in effect for that school building.

5. File a copy of the school safety plan with the OSS.

The bill also reduces the frequency with which school boards, private schools, and independent charter schools must submit school safety plans to the OSS. Under current law, school safety plans must be submitted to the OSS annually. Under the bill, school safety plans must be submitted to the OSS at least once every three years and following a modification to the school safety plan.

Finally, under the bill, the OSS must annually review a random sampling of school safety plans and provide feedback to the school board, independent charter school, or private school that submitted the plan on whether the school safety plan complies with state law and, if applicable, how to improve the school safety plan.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 118.07 (4) (a) of the statutes is amended to read:

2 118.07 (4) (a) Each school board, the operator of each charter school under s.
3 118.40 (2r) or (2x), and the governing body of each private school shall have in effect
4 a school safety plan.

5 **SECTION 2.** 118.07 (4) (b) of the statutes is amended to read:

6 118.07 (4) (b) A school safety plan shall be created with the active participation
7 of appropriate parties, as specified by the school board, operator of the charter school
8 under s. 118.40 (2r) or (2x), or governing body of the private school. The appropriate
9 parties may include the department of justice, local law enforcement officers, fire
10 fighters, school administrators, teachers, pupil services professionals, as defined in
11 s. 118.257 (1) (c), and mental health professionals. Before creating or updating a
12 school safety plan, a school board, operator of a charter school under s. 118.40 (2r)
13 or (2x), or governing body of a private school shall, in consultation with a local law
14 enforcement agency, conduct an on-site safety assessment of each school building,

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1 site, and facility that is regularly occupied by pupils. The on-site assessment shall
2 include playgrounds, athletic facilities or fields, and any other property that is
3 occupied by pupils on a regular basis.

4 **SECTION 3.** 118.07 (4) (c) of the statutes is amended to read:

5 118.07 (4) (c) The school board, operator of the charter school under s. 118.40
6 (2r) or (2x), or governing body of the private school shall determine which persons
7 are required to receive school safety plan training and the frequency of the training.
8 The training shall be based upon the ~~school district's or private school's~~ prioritized
9 needs, risks, and vulnerabilities of the school board, charter school, or private school.

10 **SECTION 4.** 118.07 (4) (cf) of the statutes is amended to read:

11 118.07 (4) (cf) Upon the creation of a school safety plan under par. (a) and upon
12 each review of a school safety plan under par. (d), a school board shall submit a copy
13 of the most recent blueprints of each school building and facility in the school district
14 to each local law enforcement agency with jurisdiction over any portion of the school
15 district and to the office of school safety. Upon the creation of a school safety plan
16 under par. (a) and upon each review of a safety plan under par. (d), an operator of a
17 charter school under s. 118.40 (2r) or (2x) shall submit a copy of the most recent
18 blueprints of the charter school and all of its facilities to each local law enforcement
19 agency with jurisdiction over the charter school and to the office of school safety.

20 Upon the creation of a school safety plan under par. (a) and upon each review of a
21 safety plan under par. (d), a governing body of a private school shall submit a copy
22 of the most recent blueprints of the private school and all of its facilities to each local
23 law enforcement agency with jurisdiction over the private school and to the office of
24 school safety.

25 **SECTION 5.** 118.07 (4) (cm) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 965**SECTION 5**

1 118.07 (4) (cm) (intro.) Neither a school board, an operator of a charter school
2 under s. 118.40 (2r) or (2x), nor a governing body of a private school may include in
3 a school safety plan any of the following:

4 **SECTION 6.** 118.07 (4) (cp) of the statutes is amended to read:

5 118.07 (4) (cp) Each school board, the operator of each charter school under s.
6 118.40 (2r) or (2x), and the governing body of each private school shall ensure that,
7 at each school building regularly occupied by pupils, pupils are drilled, at least
8 annually, in the proper response to a school violence event in accordance with the
9 school safety plan in effect for that school building. The person having direct charge
10 of the school building at which a drill is held under this paragraph shall submit a
11 brief written evaluation of the drill to the school board or governing body of the
12 private school within 30 days of holding the drill. The school board, operator of the
13 charter school under s. 118.40 (2r) or (2x), or governing body of the private school
14 shall review all written evaluation submitted under this paragraph. A drill under
15 this paragraph may be substituted for a school safety drill required under sub. (2)
16 (a).

17 **SECTION 7.** 118.07 (4) (d) of the statutes is amended to read:

18 118.07 (4) (d) Each school board, the operator of each charter school under s.
19 118.40 (2r) or (2x), and the governing body of each private school shall review and
20 approve the school safety plan at least once every 3 years after the plan goes into
21 effect.

22 **SECTION 8.** 118.07 (4) (e) (intro.) of the statutes is amended to read:

23 118.07 (4) (e) (intro.) ~~Before January 1, 2019, and before each January 1~~
24 ~~thereafter,~~ At least once every 3 years after a school safety plan goes into effect and
25 if a school safety plan is modified, by the January 1 following the date on which the

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1 modification takes effect, each school board, operator of a charter school under s.
2 118.40 (2r) or (2x), and the governing body of each private school shall file a copy of
3 its school safety plan with the office of school safety. At the time a school board,
4 operator, or governing body files a school safety plan, the school board, operator, or
5 governing body shall also submit all of the following to the office of school safety:

6 **SECTION 9.** 118.07 (4) (e) 1. of the statutes is amended to read:

7 118.07 (4) (e) 1. The date of ~~the annual~~ each drill ~~or drills~~ under par. (cp) that
8 was held during the previous year since a school safety plan was last filed under this
9 paragraph.

10 **SECTION 10.** 118.07 (4) (e) 2. of the statutes is amended to read:

11 118.07 (4) (e) 2. Certification that a written evaluation of ~~the~~ each drill ~~or drills~~
12 under ~~par. (ep)~~ subd. 1. was reviewed by the school board, operator, or governing body
13 under par. (cp).

14 **SECTION 11.** 118.07 (4) (e) 4. of the statutes is amended to read:

15 118.07 (4) (e) 4. The most recent date on which the school board, operator, or
16 governing body reviewed and approved the school safety plan.

17 **SECTION 12.** 118.07 (4) (e) 5. of the statutes is amended to read:

18 118.07 (4) (e) 5. The most recent date on which the school board, operator, or
19 governing body consulted with a local law enforcement agency to conduct on-site
20 safety assessments required under par. (b).

21 **SECTION 13.** 165.28 (4) of the statutes is created to read:

22 165.28 (4) (a) Annually, review a random sample of school safety plans
23 submitted under s. 118.07 (4) (e).

24 (b) For each school safety plan reviewed under par. (a), provide to the school
25 board, operator of the charter school under s. 118.40 (2r) or (2x), or governing body

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SECTION 13

1 of the private school that submitted the school safety plan written guidance on
2 whether or not the school safety plan complies the requirements under s. 118.07 (4)
3 and, if applicable, how to improve the school safety plan.

4 (END)