

**2015 DRAFTING REQUEST**

**Bill**

Received: 12/15/2015 Received By: fknepp  
For: Van Wanggaard (608) 266-1832 Same as LRB: -3474  
May Contact: By/Representing: Scott  
Subject: Education - miscellaneous Drafter: fknepp  
Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Wanggaard@legis.wisconsin.gov  
Carbon copy (CC) to: fern.knepp@legis.wisconsin.gov  
tracy.kuczynski@legis.wisconsin.gov

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Tracking crimes that occur in schools

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**Instructions:**

Require schools to collect statistics on crimes reported at school and require statistics to be included on the annual report card. Similar to reporting requirements in the federal Clery act.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	fknepp 12/15/2015	wjackson 12/15/2015	_____	sbasford 12/15/2015	sbasford 12/15/2015	State S&L

FE Sent For:

*at intro  
12/18/15*

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/1	fknepp		_____	

Please  
Jacket  
- Thanks  
Fern

FE Sent For:

<END>



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-4106/1  
FFK:amn

RMR  
JBT  
Clawpaw

**2015 BILL**

1     **AN ACT** *to create* 115.385 (1) (d), 115.385 (1g) (e) and 118.124 of the statutes;  
2             **relating to:** reporting crimes and other incidents that occur on school property,  
3             on school transportation, and at school sanctioned events and granting  
4             rule-making authority.

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***Analysis by the Legislative Reference Bureau***

Beginning in the 2017-18 school year, this bill requires public high schools and private high schools participating in a parental choice program to collect statistics on specific crimes and safety-related incidents reported to a principal, school security, or local law enforcement that occur on school property, on transportation provided by the school, or at a school sanctioned event. The bill further requires that these statistics be reported to the Department of Public Instruction (DPI) and included on the annual school and school district accountability report. Finally, the bill clarifies that DPI may not consider crimes statistics reported by a school or school district for purposes of determining a school or school district's performance on the annual school and school district accountability report.

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

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

**BILL**

1           **SECTION 1.** 115.385 (1) (d) of the statutes is created to read:

2           115.385 (1) (d) All of the following information derived from statistics reported  
3 under s. 118.124:

4           1. The total number of incidents per 100 pupils reported by the school or school  
5 district.

6           2. The average total number of incidents per 100 pupils reported statewide.

7           3. The total number of incidents listed under s. 118.124 (2) (a), (b), (d), and (h)  
8 per 100 pupils reported by the school or school district.

9           4. The average total number of incidents listed under s. 118.124 (2) (a), (b), (d),  
10 and (h) per 100 pupils reported statewide.

11           **SECTION 2.** 115.385 (1g) (e) of the statutes is created to read:

12           115.385 (1g) (e) The department may not consider the statistics reported by a  
13 school or school district under s. 118.124.

14           **SECTION 3.** 118.124 of the statutes is created to read:

15           **118.124 Statistics of crimes and other safety-related incidents.** (1) In  
16 this section:

17           (a) “Public high school” means a public school, including a charter school, that  
18 operates high school grades.

19           (b) “Participating private high school” means a private school participating in  
20 a parental choice program under s. 118.60 or 119.23 that operates high school grades.

21           (2) Beginning in the 2017-18 school year, a public high school and a  
22 participating private high school shall collect and maintain statistics of incidents of  
23 all of the following that are reported to the principal, school security, or local law  
24 enforcement and that occur on property owned or leased by the school district in  
25 which the public high school is located, by the operator of the charter school, or by

**BILL**

1 the governing body of the participating private high school; that occur on  
2 transportation provided by the school or school district; or that occur at an event  
3 sanctioned by the school or school district:

4 (a) Homicide, murder, or manslaughter.

5 (b) Sexual assault.

6 (c) Burglary, robbery, or theft.

7 (d) Aggravated assault.

8 (e) Arson.

9 (f) Use or possession of alcohol, a controlled substance, as defined in s. 961.01  
10 (4), or a controlled substance analog, as defined in s. 961.01 (4m).

11 (g) Possession of a firearm in violation of s. 948.605 (2).

12 (h) A violation of a municipal ordinance relating to disorderly conduct.

13 **(3)** (a) Annually, each public high school in a school district other than a charter  
14 school established under s. 118.40 (2r) or (2x) shall report the statistics collected  
15 under sub. (2) to the school board. Annually, by July 31, each school board shall  
16 submit to the department a report that includes the statistics reported under this  
17 paragraph by each public high school in the school district and aggregate statistics  
18 collected under sub. (2) for all of the public high schools in the school district other  
19 than charter schools established under s. 118.40 (2r) or (2x).

20 (b) Annually, by July 31, each operator of a charter school established under  
21 s. 118.40 (2r) or (2x) that operates high school grades and the governing body of each  
22 participating private high school shall submit to the department the statistics the  
23 operator or governing body collected under sub. (2).

**BILL**

1 (c) No school district, public high school, operator of a charter school  
2 established under s. 118.40 (2r) or (2x), or governing body of a participating private  
3 high school may include the identity of a pupil in a report under this subsection.

4 (4) The department shall promulgate rules to administer this section,  
5 including a rule that requires public high schools, participating private high schools,  
6 and school districts to collect and report statistics of incidents under this section in  
7 accordance with the uniform crime reporting system of the department of justice.

8 (5) The department of justice shall cooperate with the department to develop  
9 a reporting system under this section that incorporates the uniform crime reporting  
10 system of the department of justice.

11 **SECTION 4. Initial applicability.**

12 (1) The creation of section 115.385 (1) (d) of the statutes first applies to the  
13 school and school district accountability report published for the 2017-18 school  
14 year.

15 **SECTION 5. Effective dates.** This act takes effect on the day after publication,  
16 except as follows:

17 (1) SCHOOL AND SCHOOL DISTRICT ACCOUNTABILITY REPORT. The treatment of  
18 section 115.385 (1) (d) and (1g) (e) of the statutes takes effect on July 1, 2017.

19 (END)