



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBs0380/1  
FFK:amn

**SENATE SUBSTITUTE AMENDMENT 2,  
TO SENATE BILL 470**

February 16, 2016 – Offered by Senator WANGGAARD.

1 **AN ACT to create** 115.385 (1) (d), 115.385 (1g) (e) and 118.124 of the statutes;  
2 **relating to:** reporting certain crimes and other incidents that occur on school  
3 property or school transportation.

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

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

5 115.385 (1) (d) All of the following information derived from statistics reported  
6 under s. 118.124:

- 7 1. The total number of incidents per 100 pupils reported by the school or school  
8 district.
- 9 2. The average total number of incidents per 100 pupils reported statewide.
- 10 3. The total number of incidents listed under s. 118.124 (2) (a) 1., 2., 4., and 8.  
11 per 100 pupils reported by the school or school district.

1           4. The average total number of incidents listed under s. 118.124 (2) (a) 1., 2.,  
2           4., and 8. per 100 pupils reported statewide.

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

4           115.385 (1g) (e) The department may not consider the statistics reported by a  
5           school or school district under s. 118.124.

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

7           **118.124 Statistics of crimes and other safety-related incidents.** (1) In  
8           this section:

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

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

13           (2) (a) Subject to par. (b), beginning in the 2017–18 school year, a public high  
14           school and a participating private high school shall collect and maintain statistics  
15           of incidents of the following:

16           1. Homicide.

17           2. Sexual assault.

18           3. Burglary, robbery, or theft.

19           4. Battery, substantial battery, or aggravated battery under s. 940.19.

20           5. Arson.

21           6. Use or possession of alcohol, a controlled substance, as defined in s. 961.01  
22           (4), or a controlled substance analog, as defined in s. 961.01 (4m).

23           7. Possession of a firearm in violation of s. 948.605 (2).

24           8. A violation of a municipal ordinance relating to disorderly conduct.

1 (b) The requirement under par. (a) applies only to an incident that satisfies all  
2 of the following:

3 1. The incident occurred Monday to Friday between the hours of 6 a.m. and 10  
4 p.m.

5 2. The incident occurred on one of the following:

6 a. Property owned or leased by the school district in which the public high  
7 school is located, by the operator of the charter school, or by the governing body of  
8 the participating private high school.

9 b. Transportation, including all of the methods of transportation described in  
10 ss. 121.55 and 121.555, provided by the public high school, private high school, or  
11 school district.

12 3. The incident was reported to law enforcement, and, as a result of the  
13 incident, a charge was filed or a citation was issued.

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

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

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)