

State of Wisconsin



2015 Senate Bill 492

Date of enactment: **March 1, 2016**
Date of publication*: **March 2, 2016**

2015 WISCONSIN ACT 228

AN ACT *to amend* 20.255 (1) (a) and 20.255 (1) (a) of the statutes; **relating to**: a student safety incident tracking pilot program for school districts and making an appropriation.

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

SECTION 1. 20.255 (1) (a) of the statutes is amended to read:

20.255 (1) (a) *General program operations.* The amounts in the schedule for the improvement of curriculum, instruction, and educational resources for local educational agencies, expenditures under 2015 Wisconsin Act (this act), section 3 (1) (h), and the improvement of library services. The amounts include the matching of federal funds available under applicable federal acts or programs.

SECTION 2. 20.255 (1) (a) of the statutes, as affected by 2015 Wisconsin Act (this act), is amended to read:

20.255 (1) (a) *General program operations.* The amounts in the schedule for the improvement of curriculum, instruction, and educational resources for local educational agencies, ~~expenditures under 2015 Wisconsin Act (this act), section 3 (1) (h),~~ and the improvement of library services. The amounts include the matching of federal funds available under applicable federal acts or programs.

SECTION 3. Nonstatutory provisions.

(1) STUDENT SAFETY INCIDENT TRACKING PILOT PROGRAM.

(a) In this subsection, "membership" has the meaning given in section 121.004 (5) of the statutes.

(b) The department of public instruction shall develop a one-year pilot program under which school districts track the events described in paragraph (d). The department shall operate the pilot program during the 2016–17 school year in 3 school districts. The 3 school districts shall include all of the following:

1. A school district the membership of which is fewer than 3,000 pupils.
2. A school district the membership of which is 3,000 to 6,999 pupils.
3. A school district the membership of which is 7,000 pupils or more.

(c) The department of public instruction shall establish procedures for school districts to apply to participate in the pilot program developed under this subsection. School district participation in the pilot program is voluntary.

(d) A school district participating in the pilot program created under this subsection shall maintain a record of all of the following events that occur on property owned or leased by the school district, on transportation provided by the school district under section 121.54 of the statutes, or at a school district sanctioned event:

1. A crime.
2. A violation of state or federal criminal law that results in a referral for a proceeding under subchapter V of chapter 938 of the statutes.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

3. A violation of an ordinance enacted by a city, village, town, or county.

4. An incidence of any of the following that involves a pupil:

a. Harassment, as defined in section 813.125 (1) of the statutes.

b. Bullying, as defined in the policy the school district has adopted under section 118.46 (2) of the statutes.

(e) The record maintained by a school district under paragraph (d) shall include details related to each incident to the extent known by the school district, including the time, date, location, and nature of the incident, the age and identity of each individual involved in the incident, any referrals to or involvement of other state or local agencies, and the result of any proceeding related to the incident. Before releasing a record maintained under paragraph (d) or any portion of a record maintained under paragraph (d), a school district shall omit or redact all personally identifiable information, as defined in section 19.62 (5) of the statutes, from the record or portion of the record.

(f) Incidents described in paragraph (d) 1. to 4. may be reported anonymously to the school district.

(g) 1. A school district that participates in the pilot program under this subsection shall submit 2 reports to the department of public instruction that include aggregate data derived from the record maintained by the school districts under paragraph (d). The school district shall submit its first report to the department of public instruction no later than January 31, 2017, and shall include in the report aggregate data for incidents that

occur from July 1, 2016, to December 31, 2016. The school district shall submit its 2nd report to the department of public instruction no later than July 31, 2017, and shall include in the report aggregate data for incidents that occur from July 1, 2016, to June 30, 2017. The school district may not include in a report submitted to the department of public instruction the identity of any individual involved in an incident included in the school district's record under paragraph (d).

2. By no later than February 15, 2017, the department of public instruction shall report to the legislature, in the manner provided under section 13.172 (2) of the statutes, aggregate data compiled from participating school districts' first reports received under subdivision 1. By no later than August 15, 2017, the department of public instruction shall report to the legislature, in the manner provided under section 13.172 (2) of the statutes, aggregate data compiled from participating school districts' second reports received under subdivision 1.

(h) The department of public instruction may expend, from the appropriation under section 20.255 (1) (a) of the statutes, up to \$25,000 to develop and implement the pilot program under this subsection, including to provide grants to school districts participating in the pilot program.

SECTION 4. Effective dates. This act takes effect on the day after publication, except as follows:

(1) STUDENT SAFETY INCIDENT TRACKING PILOT PROGRAM; FUNDING. The treatment of section 20.255 (1) (a) (by SECTION 2) of the statutes takes effect on July 1, 2017.