



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2797/2
FFK:ahc

2015 SENATE BILL 492

January 4, 2016 – Introduced by Senators LAZICH, DARLING, GUDEx and WANGGAARD, cosponsored by Representatives SKOWRONSKI, NERISON, R. BROOKS and ALLEN. Referred to Committee on Education.

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

Analysis by the Legislative Reference Bureau

This bill requires the Department of Instruction (DPI) to operate a one-year pilot program during the 2016–17 school year; under the pilot program three school districts must maintain records of crimes and other incidents, such as bullying and violations of local ordinances, that occur on school district property, on transportation provided by the school district, or at a school district sanctioned event. Under the bill, a school district participating in the pilot program must report its aggregate data on crimes and other incidents to DPI twice: once halfway through the school year and once at the end of the school year. After receiving the participating school districts' reports, DPI is required to report to the legislature aggregate data derived from the reports submitted by the participating school districts. Finally, the bill requires a participating school district to omit or redact any personally identifiable information before releasing any records it maintains under the pilot program and prohibits a participating school district from including the identity of any individual involved in a crime or other incident in a report submitted to DPI under the pilot program.

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For further information see the *state and local* 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.** 20.255 (1) (a) of the statutes is amended to read:

2 20.255 (1) (a) *General program operations.* The amounts in the schedule for
3 the improvement of curriculum, instruction, and educational resources for local
4 educational agencies, expenditures under 2015 Wisconsin Act ... (this act), section
5 3 (1) (h), and the improvement of library services. The amounts include the matching
6 of federal funds available under applicable federal acts or programs.

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

9 20.255 (1) (a) *General program operations.* The amounts in the schedule for
10 the improvement of curriculum, instruction, and educational resources for local
11 educational agencies, ~~expenditures under 2015 Wisconsin Act ... (this act), section~~
12 ~~3 (1) (h)~~, and the improvement of library services. The amounts include the matching
13 of federal funds available under applicable federal acts or programs.

14 **SECTION 3. Nonstatutory provisions.**

15 (1) STUDENT SAFETY INCIDENT TRACKING PILOT PROGRAM.

16 (a) In this subsection, “membership” has the meaning given in section 121.004
17 (5) of the statutes.

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

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1 1. A school district the membership of which is fewer than 3,000 pupils.

2 2. A school district the membership of which is 3,000 to 6,999 pupils.

3 3. A school district the membership of which is 7,000 pupils or more.

4 (c) The department of public instruction shall establish procedures for school
5 districts to apply to participate in the pilot program developed under this subsection.

6 School district participation in the pilot program is voluntary.

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

11 1. A crime.

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

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

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

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

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

19 (e) The record maintained by a school district under paragraph (d) shall include
20 details related to each incident to the extent known by the school district, including
21 the time, date, location, and nature of the incident, the age and identity of each
22 individual involved in the incident, any referrals to or involvement of other state or
23 local agencies, and the result of any proceeding related to the incident. Before
24 releasing a record maintained under paragraph (d) or any portion of a record
25 maintained under paragraph (d), a school district shall omit or redact all personally

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1 identifiable information, as defined in section 19.62 (5) of the statutes, from the
2 record or portion of the record.

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

5 (g) 1. A school district that participates in the pilot program under this
6 subsection shall submit 2 reports to the department of public instruction that include
7 aggregate data derived from the record maintained by the school districts under
8 paragraph (d). The school district shall submit its first report to the department of
9 public instruction no later than January 31, 2017, and shall include in the report
10 aggregate data for incidents that occur from July 1, 2016, to December 31, 2017. The
11 school district shall submit its 2nd report to the department of public instruction no
12 later than July 31, 2017, and shall include in the report aggregate data for incidents
13 that occur from July 1, 2016, to June 30, 2017. The school district may not include
14 in a report submitted to the department of public instruction the identity of any
15 individual involved in an incident included in the school district's record under
16 paragraph (d).

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

24 (h) The department of public instruction may expend, from the appropriation
25 under section 20.255 (1) (a) of the statutes, up to \$25,000 to develop and implement

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1 the pilot program under this subsection, including to provide grants to school
2 districts participating in the pilot program.

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

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

7 (END)