



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4106/1
FFK:amn

2015 SENATE BILL 470

December 18, 2015 - Introduced by Senators WANGGAARD and DARLING, cosponsored by Representatives JAGLER, J. OTT, SANFELIPPO, MURPHY, LOUDENBECK, QUINN, R. BROOKS, TITTL, ALLEN, VORPAGEL, WEATHERSTON, HUTTON, KNODL, TRANEL, RIPP, KERKMAN, BRANDTJEN, NYGREN, T. LARSON, PETERSEN, BORN, BALLWEG, E. BROOKS, GANNON and NERISON. Referred to Committee on Education.

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.

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.

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

SENATE BILL 470**SECTION 1**

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

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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).

SENATE BILL 470**SECTION 3**

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)