



Legislative Fiscal Bureau

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May 31, 2022

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Department of Justice: Section 13.10 Request for Release of Funding for Critical Incident Mapping Grants -- Agenda Item IV

REQUEST

On April 21, 2022, the Department of Justice (DOJ) submitted a request under s. 13.10 of the statutes for release of \$2,000,000 GPR in 2021-22 from the Committee's supplemental appropriation (s. 20.865(4)(a)) to DOJ's school safety appropriation (s. 20.455 (2)(f)) in 2022-23 for critical incident mapping grants.

BACKGROUND

The Office of School Safety (OSS), created under 2017 Act 143, established school safety grants, made changes related to school safety plans, and required mandatory reporting of threats of school violence. Act 143 also required schools to submit specified information to the OSS. Every school board, governing body of a private school, and operator of a charter school was required to provide blueprints of each school building and facility to the OSS, and to local law enforcement agencies, by July 1, 2018. Every school board and governing body of a private school was also required to file by January 1, 2019, and before each January 1 thereafter, the following with the Office of School Safety: (a) copy of its school safety plan; (b) the date of the required annual safety drill or drills held during the previous year; (c) certification that the school board or governing body reviewed a required written evaluation of the drill or drills; (d) the date of the most recent school training on school safety and the number of attendees; and (e) the most recent date on which the school board or governing body consulted with a local law enforcement agency to conduct required, on-site safety assessments.

For schools that consist of multiple buildings, all buildings must be compliant with Act 143. The Office measures compliance with Act 143 requirements on a building, not school-wide, basis. Each school building must have the five documents listed above uploaded for it on an annual basis

to be considered compliant. Of 2,778 school buildings in Wisconsin, 1,605 do not have blueprints uploaded in OSS's system for 2021. A small portion of the 1,605 school buildings not compliant with the blueprint requirement in Act 143 represent just over 200 schools that have never submitted blueprints.

During the 2021-22 legislative session, 2021 Act 58, placed \$2,000,000 GPR in the Joint Committee on Finance GPR supplemental appropriation in 2021-22 for school safety mapping grants for release upon request and approval by the Committee. Further, on July 7, 2021, Senate Bill 449 creating the statutory criteria for a critical incident mapping grants was introduced. On September 22, 2021, the Senate passed the bill on a 31-0 vote. On October 26, 2021, the Assembly concurred on a 94-0 vote. On December 3, 2021, the bill was enacted as 2021 Act 109.

Act 109 allows school boards and the governing bodies of private schools to submit critical incident mapping data, in lieu of blueprints, to the relevant law enforcement agency and the OSS, and similarly requires the OSS to compile such data and maintain its confidentiality, subject to the exception allowing law enforcement access upon request. Further, act 109 created a grant program to fund school critical incident mapping. Under the act, DOJ is required to award grants to school boards and the governing bodies of private schools to assist in complying with statutory requirements to submit blueprints or critical incident mapping data for each school building and facility to local law enforcement agencies and OSS. Act 109 requires DOJ to submit an annual report providing an account of the awarded grants and the expenditures made with the grant moneys to the Co-Chairs of the Joint Committee on Finance.

ANALYSIS

The Department indicates that it will begin posting the critical incident mapping data grant application for schools starting in late spring 2022, with the first awards made during the summer of 2022. The Department would allow school districts and private school governing bodies to apply for up to \$5,000 per school building, totaling up to \$200,000 per school district or private school governing body. According to DOJ, award amount limits are intended to ensure the equitable availability of funding for critical incident mapping. The Department anticipates funding would be sufficient to support the mapping of at least 400 school buildings.

The Department proposes opening the initial grant program to schools and facilities that are not Act 143 compliant. According to DOJ, local law enforcement agencies would assist in outreach to encourage the mapping of schools for which blueprints and maps are not currently available. Following the initial round of grants, DOJ would open the grant application to all schools for the purpose of improving the information provided under Act 143. In the second round, grants would be awarded on a first-come, first-served basis until the funding is exhausted. Schools would be responsible for contracting for critical incident mapping services and would be reimbursed for actual costs once the critical incident maps are filed with OSS.

Note that the school safety appropriation is a continuing appropriation. As such, funds remain in the appropriation until fully expended. Monies in a continuing appropriation do not lapse at the end of a fiscal year or biennium. The Department's request would place funding in 2022-23 and

establish the base funding for the 2023-25 biennium. As a result, \$2,000,000 GPR annually would be added to the appropriation and could be used for current and future grants.

If the Committee wishes, the Department's request for release of funding could be approved. [Alternative 1] Alternatively, the Committee could approve DOJ's request, but on a one-time basis in 2022-23. [Alternative 2] If the request is denied, funding would remain in the Committee's biennial supplemental appropriation, and DOJ could submit a subsequent request seeking release.

ALTERNATIVES

1. Approve the request and transfer \$2,000,000 GPR in 2021-22 held in the Committee's GPR supplemental appropriation [s. 20.865(4)(a)] to the Department of Justice school safety appropriation [s. 20.455(2)(f)] in 2022-23.
2. Approve the Department's request but specify that funding in 2022-23 would be provided on a one-time basis.
3. Deny the request.

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