



State of Wisconsin
2017 - 2018 LEGISLATURE

March 2018 Special Session

LRB-5684/1

FFK:amn

ASSEMBLY BILL 5

March 16, 2018 - Introduced by COMMITTEE ON ASSEMBLY ORGANIZATION and Representative OTT, by request of Governor Scott Walker. Referred to Committee on Education.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to repeal* 118.07 (4) (a) 2.; *to renumber and amend* 118.07 (4) (a) 1.;
2 *to amend* 118.07 (4) (b) and 118.07 (4) (d); and *to create* 118.07 (4) (bm) 1.,
3 118.07 (4) (bm) 3., 118.07 (4) (cm), 118.07 (4) (cp) and 118.07 (4) (e) of the
4 statutes; **relating to:** school safety plans.

Analysis by the Legislative Reference Bureau

Under current law, school boards of school districts and governing bodies of private schools that were in existence on May 27, 2010, are required to have a school safety plan in effect. Current law requires the school board of any school district or the governing body of any private school created or opened after May 27, 2010, to have a school safety plan in effect within three years of the creation or opening of the school district or private school. This bill eliminates this three-year period and requires all school boards and governing bodies of private schools to have a school safety plan in effect. Under the bill, before creating or updating a school safety plan, a school board or governing body of a private school must work with local law enforcement to conduct an on-site safety assessment of each school building, site, and facility that is regularly occupied by pupils. The on-site assessment must include any playgrounds, athletic facilities or fields, and any other property occupied by pupils on a regular basis.

Under current law, a school safety plan must include general guidelines specifying procedures for emergency prevention and mitigation, preparedness, response, and recovery and must specify a process for reviewing drills required to comply with the plan. Under the bill, a school safety plan must also include an

individualized safety plan for each school building and facility that is regularly occupied by pupils and specify guidelines and procedures to address specific types of school safety incidents, including school violence and attacks, threats of school violence and attacks, parent-student reunification, and threats to non-classroom events. Under the bill, a school safety plan may not include restrictions on how school district or private school employees report emergencies, school violence or threats of school violence, or suspicious individuals or activities to law enforcement.

This bill requires each school board and the governing body of each private school to ensure that pupils at each school building regularly occupied by pupils are drilled annually in the proper response to a school violence event. The bill requires the individual having charge of the school building at which a drill is held to submit a written evaluation of the drill to the school board or governing body of the private school and requires the school board or governing body of the private school to review the written evaluation.

Under current law, the school board and the governing body of each private school must review its school safety plan at least once every three years. This bill also requires the school board or governing body to approve its school safety plan at least once every three years.

Finally, the bill requires each school board and governing body of a private school to annually submit its school safety plan, and various information related to the implementation of the school safety plan, to the Department of Justice.

For further information see the *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.** 118.07 (4) (a) 1. of the statutes is renumbered 118.07 (4) (a) and
2 amended to read:

3 118.07 (4) (a) Each school board and the governing body of each private school
4 shall have in effect a school safety plan ~~for each public or private school in the school~~
5 ~~district within 3 years of May 27, 2010.~~

6 **SECTION 2.** 118.07 (4) (a) 2. of the statutes is repealed.

7 **SECTION 3.** 118.07 (4) (b) of the statutes is amended to read:

8 118.07 (4) (b) A school safety plan shall be created with the active participation
9 of appropriate parties, as specified by the school board or governing body of the
10 private school. The appropriate parties may include the department of justice, local

1 law enforcement officers, fire fighters, school administrators, teachers, pupil
2 services professionals, as defined in s. 118.257 (1) (c), and mental health
3 professionals. Before creating or updating a school safety plan, a school board or
4 governing body of a private school shall, in consultation with a local law enforcement
5 agency, conduct an on-site safety assessment of each school building, site, and
6 facility that is regularly occupied by pupils. The on-site assessment shall include
7 playgrounds, athletic facilities or fields, and any other property that is occupied by
8 pupils on a regular basis.

9 (bm) A school safety plan shall include general all of the following:

10 2. General guidelines specifying procedures for emergency prevention and
11 mitigation, preparedness, response, and recovery. ~~The plan shall also specify the~~

12 4. The process for reviewing the methods for conducting drills required to
13 comply with the plan.

14 **SECTION 4.** 118.07 (4) (bm) 1. of the statutes is created to read:

15 118.07 (4) (bm) 1. An individualized safety plan for each school building and
16 facility that is regularly occupied by pupils. The individualized safety plan shall
17 include any real property related to the school building or facility that is regularly
18 occupied by pupils.

19 **SECTION 5.** 118.07 (4) (bm) 3. of the statutes is created to read:

20 118.07 (4) (bm) 3. Guidelines and procedures to address school violence and
21 attacks, threats of school violence and attacks, bomb threats, fire, weather-related
22 emergencies, intruders, parent-student reunification, and threats to non-classroom
23 events, including recess, concerts and other performances, athletic events, and any
24 other extracurricular activity or event.

25 **SECTION 6.** 118.07 (4) (cm) of the statutes is created to read:

1 118.07 (4) (cm) Neither a school board nor a governing body of a private school
2 may include in a school safety plan any of the following:

3 1. A requirement for an employee to contact a school administrator, school
4 official, or any other person before calling the telephone number “911”.

5 2. A prohibition against an employee reporting school violence or a threat of
6 school violence directly to a law enforcement agency.

7 3. A prohibition against an employee reporting a suspicious individual or
8 activity directly to a law enforcement agency.

9 **SECTION 7.** 118.07 (4) (cp) of the statutes is created to read:

10 118.07 (4) (cp) Each school board and the governing body of each private school
11 shall ensure that, at each school building regularly occupied by pupils, pupils are
12 drilled, at least annually, in the proper response to a school violence event in
13 accordance with the school safety plan in effect for that school building. The person
14 having direct charge of the school building at which a drill is held under this
15 paragraph shall submit a brief written evaluation of the drill to the school board or
16 governing body of the private school within 30 days of holding the drill. The school
17 board or governing body of the private school shall review all written evaluation
18 submitted under this paragraph. A drill under this paragraph may be substituted
19 for a school safety drill required under sub. (2) (a).

20 **SECTION 8.** 118.07 (4) (d) of the statutes is amended to read:

21 118.07 (4) (d) Each school board and the governing body of each private school
22 shall review and approve the school safety plan at least once every 3 years after the
23 plan goes into effect.

24 **SECTION 9.** 118.07 (4) (e) of the statutes is created to read:

