



**STATE OF WISCONSIN
JOINT LEGISLATIVE COUNCIL**

REPORT NO. 6 TO THE 1999 LEGISLATURE

LEGISLATION ON SCHOOL DISCIPLINE AND SAFETY

1999 SENATE BILL 239,

Relating to Grants to School Districts and Cooperative Educational Service Agencies to Reduce Violence and Disruption in Schools; Safe School Plans; Establishing a Hotline in the Department of Justice for the Reporting of Information Regarding Dangerous Weapons and Criminal Activity in Schools; Required Reporting by Certain School Personnel of Pupils Without a Parent or Guardian; Increasing the Amount of Parental Liability for Certain Acts of a Minor Child Affecting a School; Medical Assistance Reimbursement to School Districts and Cooperative Educational Service Agencies; Authorizing School Districts to Expel or Suspend a Pupil for Making a Threat to the Health or Safety of a Person or Making a Threat to Damage Property; Suspension and Expulsion Information in the School Performance Report; Treatment of Days of Absence Due to a Suspension or Expulsion to Determine Truancy and Habitual Truancy; Obtaining Federal Funds Relating to School Safety; Threats to Cause Death, Bodily Harm or Property Damage in Certain Places; Making an Appropriation; and Providing a Penalty

Legislative Council Staff

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JOINT LEGISLATIVE COUNCIL
REPORT NO. 6 TO THE 1999 LEGISLATURE*

LEGISLATION ON SCHOOL DISCIPLINE AND SAFETY

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* This Report was prepared by Jane R. Henkel, Deputy Director, and Don Salm, Senior Staff Attorney, Legislative Council Staff.

PART I

**KEY PROVISIONS OF LEGISLATION; COMMITTEE AND JOINT
LEGISLATIVE COUNCIL VOTES**

A. 1999 SENATE BILL 239

The key provisions of 1999 Senate Bill 239, introduced by the Joint Legislative Council, do the following:

- **Grant Program**

Create a grant program under which a school district or cooperative educational service agency (CESA) may apply for a three-year grant to implement a comprehensive range of research-based prevention and intervention strategies for reducing violence and disruption in schools. The bill appropriates \$5 million general purpose revenue (GPR) for the grants in each of the fiscal years 1999-2000 and 2000-01.

- **Safe School Plans**

Require each school district in the state to have in effect a safe school plan for each of its schools.

- **Suspension or Expulsion for a Threat**

Explicitly state that a pupil may be suspended or expelled for making threats to a person or property, if the threat is made while the pupil is at school or under the supervision of a school authority or the threat is directed against a school board member or employe or against school property.

- **Hotline**

Require the Department of Justice (DOJ) to maintain a hotline for persons to anonymously report information regarding dangerous weapons or criminal activity in public or private schools.

- **Parental Liability**

Increase, from \$5,000 to \$10,000, the maximum dollar amount of parental liability for damages caused to a public or private school as a result of certain violence-related acts and threats of minor children. In addition to other types of damages, a school district or private school may recover its costs in loss of instructional time directly resulting from the act or threat.

- **Reporting a Pupil Without a Parent or Guardian**

Require any teacher, school administrator, school counselor or school social worker who knows that a child does not have a parent or guardian to report that fact as soon as possible to the appropriate department of social services.

- **Suspension and Expulsion Data in School Performance Report**

Expand the information related to suspensions and expulsions that a school district must include in its school performance report. To simplify reporting, information will be reported according to categories.

- **Habitual Truancy and Suspensions or Expulsions**

Explicitly state that a pupil is not truant while he or she is absent from school due to a suspension or expulsion and that such absences will not be counted for purposes of determining whether the pupil meets the definition of “habitual truant.”

- **Medical Assistance (MA) Reimbursement**

Provide that a school district or CESA that provides medical services may receive the entire federal share of the Medical Assistance (MA) reimbursement for allowable charges and allowable administrative costs.

- **Seeking Federal Funds**

Direct DOJ and the Department of Public Instruction (DPI) to aggressively seek and apply for federal funds relating to school safety and reducing violence and disruption in schools, and report to the Legislature and the Governor on their progress.

- **Felony for Threatening to Cause Death, Injury or Property Damage at a School or Government Building**

Provide that it is a Class E felony for any person to threaten to use a dangerous weapon or explosives to cause death, bodily harm or property damage at a government building, a school or an institution of higher education.

The bill is described in more detail in Part III of this report.

Special Committee Votes

At its May 21, 1999 meeting, the Special Committee on School Discipline and Safety (described in detail in Part II, below) approved 10 bill drafts* and one additional proposal for recommendation to the Joint Legislative Council for introduction in the 1999-2000 Session of

*Three of the drafts were amended by the Special Committee and approved, as amended.

the Legislature. The Special Committee agreed that Chairperson Darling would determine how to combine the proposals for recommendation to the Joint Legislative Council. Subsequently, Chairperson Darling determined to combine all of the proposals into a single draft. That draft was LRB-3176/1.

The votes on the individual drafts and other proposal were as follows:

a. A proposal to amend the annual school performance report to require school districts to include in the report additional information on suspensions and expulsions: Ayes, 18 (Sens. Darling and Roessler; Reps. Ladwig, Williams, Sinicki and Underheim; and Public Members Anderson, Duchac, Farner, Garza, Grogan, Holzem, Joyal, Moeser, Olkes, Roy, Wenzel and Young); Noes, 0; and Absent, 5 (Sen. Jauch; Rep. Duff; and Public Members Franke, Mayorga and McDonald).

b. WLCS: 0135/1, relating to grants to school districts and CESAs for implementing prevention and intervention strategies for reducing violence and disruption in schools and making an appropriation, as amended: Ayes, 17 (Sens. Darling and Roessler; Reps. Ladwig, Sinicki and Underheim; and Public Members Anderson, Duchac, Farner, Garza, Grogan, Holzem, Joyal, McDonald, Moeser, Olkes, Roy and Wenzel); Noes, 1 (Rep. Williams); and Absent, 5 (Sen. Jauch; Rep. Duff; and Public Members Franke, Mayorga and Young).

c. WLCS: 0140/1, relating to safe school plans, as amended: Ayes, 17 (Sens. Darling and Roessler; Reps. Ladwig, Williams, Sinicki and Underheim; and Public Members Anderson, Duchac, Farner, Garza, Grogan, Holzem, Joyal, McDonald, Moeser, Olkes and Roy); Noes, 1 (Public Member Wenzel); and Absent, 5 (Sen. Jauch; Rep. Duff; and Public Members Franke, Mayorga and Young).

d. WLCS: 0143/1, relating to authorizing school districts to suspend or expel a student for making a threat to the health or safety of a person or making a threat to damage property: Ayes, 14 (Sens. Darling and Roessler; Reps. Sinicki and Underheim; and Public Members Duchac, Farner, Garza, Grogan, Holzem, Joyal, Moeser, Olkes, Roy and Wenzel); Noes, 3 (Rep. Williams; and Public Members Anderson and McDonald); and Absent, 6 (Sen. Jauch; Reps. Ladwig and Duff; and Public Members Franke, Mayorga and Young).

e. WLCS: 0146/1, relating to treatment of days of absence due to a suspension or expulsion for the purposes of determining truancy or habitual truancy: Ayes, 15 (Sens. Darling and Roessler; Reps. Williams and Sinicki; and Public Members Anderson, Duchac, Farner, Garza, Grogan, Joyal, McDonald, Moeser, Olkes, Roy and Wenzel); Noes, 0; and Absent, 8 (Sen. Jauch; Reps. Ladwig, Duff and Underheim; and Public Members Franke, Holzem, Mayorga and Young).

f. WLCS: 0130/1, relating to a hotline in the DOJ for the reporting of information regarding dangerous weapons and criminal activity in schools: Ayes, 9 (Sen. Darling; Rep. Underheim; and Public Members Anderson, Duchac, Garza, Grogan, McDonald, Moeser and Wenzel); Noes, 7 (Sen. Roessler; Reps. Williams and Sinicki; and Public Members Farner, Joyal,

Olkes and Roy); and Absent, 7 (Sen. Jauch; Reps. Ladwig and Duff; and Public Members Franke, Holzem, Mayorga and Young).

g. WLCS: 0134/1, relating to required reporting by certain school personnel of pupils without a parent or guardian: Ayes, 15 (Sens. Darling and Roessler; Reps. Williams and Underheim; and Public Members Anderson, Duchac, Farner, Garza, Grogan, Joyal, McDonald, Moeser, Olkes, Roy and Wenzel); Noes, 0; and Absent, 8 (Sen. Jauch; Reps. Ladwig, Duff and Sinicki; and Public Members Franke, Holzem, Mayorga and Young).

h. WLCS: 0137/1, relating to increasing the amount of parental liability for certain violence-related acts of a minor child affecting a school, as amended: Ayes, 14 (Sens. Darling and Roessler; Reps. Williams and Underheim; and Public Members Anderson, Duchac, Farner, Grogan, Joyal, McDonald, Moeser, Olkes, Roy and Wenzel); Noes, 0; and Absent, 9 (Sen. Jauch; Reps. Ladwig, Duff and Sinicki; and Public Members Franke, Garza, Holzem, Mayorga and Young).

i. WLCS: 0142/1, relating to MA reimbursement to school districts and CESAs of the federal share of allowable charges for school medical services: Ayes, 15 (Sens. Darling and Roessler; Reps. Williams and Underheim; and Public Members Anderson, Duchac, Farner, Garza, Grogan, Joyal, McDonald, Moeser, Olkes, Roy and Wenzel); Noes, 0; and Absent, 8 (Sen. Jauch; Reps. Duff, Ladwig and Sinicki; and Public Members Franke, Holzem, Mayorga and Young).

j. LRB-3010/P1, relating to threats to cause death, bodily harm or property damage in certain places and providing a penalty: Ayes, 11 (Sens. Darling and Roessler; Rep. Underheim; and Public Members Duchac, Farner, Garza, Grogan, Joyal, Moeser, Roy and Wenzel); Noes, 2 (Rep. Williams and Public Member Anderson); and Absent, 10 (Sen. Jauch; Reps. Ladwig, Duff and Sinicki; and Public Members Franke, Holzem, Mayorga, McDonald, Olkes and Young).

k. WLCS: 0149/1, relating to efforts of the DOJ and DPI to seek and obtain federal funds relating to school safety: Ayes, 14 (Sens. Darling and Roessler; Reps. Williams and Underheim; and Public Members Anderson, Duchac, Garza, Grogan, Joyal, McDonald, Moeser, Olkes, Roy and Wenzel); Noes, 0; and Absent, 9 (Sen. Jauch; Reps. Ladwig, Duff and Sinicki; and Public Members Farner, Franke, Holzem, Mayorga and Young).

Joint Legislative Council Votes

At its September 23, 1999 meeting, the Joint Legislative Council adopted an amendment to LRB-3176/1 (the combined draft) to reduce the increase in the parental liability provision from \$20,000 to \$10,000 by a vote of Ayes, 16 (Reps. Kelso, Bock, Freese, Huber, Krug, Schneider, Seratti and Stone; and Sens. Risser, Chvala, Cowles, Erpenbach, George, Grobschmidt, Rosenzweig and Zien); Noes, 3 (Reps. Foti, Gard and Jensen); and Absent, 3 (Sens. Burke, Ellis and Robson).

The Joint Legislative Council then voted to introduce LRB-3176/1, as amended, by a vote of Ayes, 18 (Reps. Kelso, Bock, Foti, Freese, Gard, Huber, Jensen, Schneider, Seratti and

Stone; and Sens. Risser, Chvala, Cowles, Erpenbach, George, Grobschmidt, Rosenzweig and Zien); Noes, 1 (Rep. Krug); and Absent, 3 (Sens. Burke, Ellis and Robson). The proposal was introduced as 1999 Senate Bill 239.

PART II

COMMITTEE ACTIVITY

A. ASSIGNMENT

The Joint Legislative Council established the Special Committee on School Discipline and Safety and appointed the chairperson by a June 24, 1998 mail ballot. The Special Committee was directed to study issues relating to school discipline and safety, including procedures for placement of unruly, disruptive or dangerous pupils; alternative educational placement options and recommendations for funding alternative education; training of school district staff in student behavior and management; limitations on liability of school district staff and officers and school boards for disciplining pupils; disciplining children with disabilities; effective strategies for reducing violence and disruption in schools; and adequacy of data collection regarding suspension, expulsion and other discipline of unruly, disruptive or dangerous pupils, all within the limits of current public resources.

The membership of the Special Committee, as appointed by August 21 and September 4, 1998 mail ballots, consisted of three Senators; six Representatives and 14 Public Members. As a result of subsequent changes in the Legislature and changes to the membership of the Special Committee made by December 10, 1998, March 4, 1999 and April 8, 1999 mail ballots, at its conclusion, the Special Committee consisted of three Senators, five Representatives and 14 Public Members.

A membership list of the Joint Legislative Council is included as **Appendix 1**. A list of the Special Committee membership is included as **Appendix 2**.

B. SUMMARY OF MEETINGS

The Special Committee held nine meetings, eight at the State Capitol, in Madison, and one in Milwaukee, on the following dates:

October 1, 1998	March 11, 1999
November 12, 1998	April 22, 1999
December 17, 1998 (Milwaukee)	May 10, 1999
January 21, 1999	May 21, 1999
February 25, 1999	

At the October 1, 1998 meeting, Committee members received testimony from the following representatives of the DPI: Nancy Holloway, Executive Assistant (on behalf of State Superintendent John Benson), Thomas Beebe, Coordinator of the School Performance Report; Michael Thompson, Director, Student Services/Prevention and Wellness, Division for Learning Support: Equity and Advocacy; and Sheila Ellefson, Special Education Attorney. These persons described the State Superintendent's "safe schools initiative," DPI's *Citizenship Tool Kit*, data on

suspensions and expulsions collected by DPI, the *Wisconsin Youth Risk Behaviors Survey* (April 1998) and discipline of children with disabilities.

The Committee also heard from Dr. Ryan Champeau, Principal, Waukesha North High School, Waukesha (Wisconsin School Administrators Alliance); Jack Coe and Katie Stout, Legislative Consultants, Madison (Wisconsin Education Association Council); and John Hawley, President, Random Lake School Board, Random Lake (Wisconsin Association of School Boards). Each of these speakers was asked to identify those items of the Special Committee's charge of particular interest to them and the groups they represented; the nature and extent of the problem relating to those areas of concern; and suggestions they had for legislative responses in their areas of concern.

At the November 12, 1998 meeting, the Special Committee heard presentations by Judy Olkes, Principal, and students from Dane County Transition Schools; William Punkyo, Assistant Principal, Bayfield School District; John Eyerly, Director of Pupil Services, Ashland School District; Kathy Gorenson, School Counselor, Cassville High School; Anton Anday, high school teacher, Stevens Point; Thomas Potterton, Director of Pupil Services, Hayward School District; and Helen Schall, elementary teacher, President of the Green Bay Educational Association and member of 1996 State Superintendent of Public Instruction's Expulsion Task Force. These speakers identified factors they believe contribute to discipline and safety problems in schools and discussed the discipline and safety needs of their schools.

The December 17, 1998 meeting of the Special Committee was held in Milwaukee and focused on issues relating to and programs of the Milwaukee Public Schools (MPS). The Committee heard presentations by: Estelle Spewer, Director of Special Services, and Derek Brewer, Director of School Safety and Security, MPS; Wally Watson, Director, and Kris Protz, Director of School and Nontraditional Club Operations, Boys and Girls Clubs, Milwaukee; Judge John Franke, Circuit Court Judge, Milwaukee, representing the Milwaukee children's court system; Gary Graika, Manager, Youth Development Program, Social Development Commission, Milwaukee; Daniel Grego, Ph.D., Director, Educational Services Division, Transcenter for Youth, Inc., Milwaukee; Sid Hatch, Assistant Executive Director, Milwaukee Teachers Education Association, Milwaukee; Kenneth Mueller, Milwaukee Police Department, District #4, Milwaukee; Thomas Balistreri, Principal, Rufus King High School, MPS; Nancy Connor, Principal, Washington High School, MPS; Michael Sonnenberg, Principal, Polaski High School, MPS; Jaclyn Patterson, Principal, Milwaukee Education Center, MPS; and Johnell Sharp, Principal, Lee Elementary School, MPS.

At the January 21, 1999 meeting, the Special Committee heard presentations by: Michael Thompson, Director, Student Services Prevention and Wellness, and Thomas Beebe, Coordinator for the School Performance Report, DPI, relating to information contained in Memo Nos. 1, 2, 3, 5 and 7, previously distributed to Special Committee members, and a letter, dated December 8, 1998, from State Superintendent John Benson, regarding his opinion on "how safe are Wisconsin schools?" The Special Committee also heard from John Ross, Assistant Administrator, Division of Juvenile Corrections, Department of Corrections (DOC), relating to information sharing between DOC and schools. Public Member Dr. Lynn McDonald described to the Special Committee the October 15, 1998 White House Conference on School Safety.

Following the presentations, the Special Committee divided into two informal discussion groups to identify issues and recommendations Committee members wish to pursue further.

At the February 25, 1999 meeting, the Special Committee heard presentations by Noel Adams, K-12 Coordinator, Menominee Falls High School; and LuAnn Koenen, Principal, and Mary Bruyette, teacher, Appleton Central Alternative School, regarding their schools' prevention, intervention and alternative programs and their recommendations for legislation. The Special Committee also heard from Professor Martin Haberman, Milwaukee Teacher Education Center (MTEC), Milwaukee, regarding the MTEC program for training teachers for urban settings, and Professor Haberman's recommendations related to teacher training.

Following the presentations, the Special Committee again divided into two informal discussion groups to continue to identify issues to pursue further.

At the March 11, 1999 meeting, the Special Committee heard presentations related to the Eau Claire Area School District's programs from Dr. Gregg Butler, Principal, and Tom Kidd, Sally Gordon and Kriss Webert, staff, Delong Middle School, and Dr. Holly Hart, facilitator, Crisis Intervention Project, Eau Claire Area School District. In addition, the Special Committee heard presentations related to children with disabilities and related topics from Sheila Ellefson, Special Education Attorney, DPI; Thomas Backes and Michelle Cheyne, Hamilton High School, MPS; Jeffrey Spitzer-Resnick, Managing Attorney, Wisconsin Coalition for Advocacy; Karen Morgenson, Burlington, Parent Education Project and a parent of a child with a disability; Jodie Grailer, Associate Program Director, Mental Health Center of Dane County; and Professor Billie Jo Rylance, Professor of Special Education, UW-Oshkosh. The Special Committee also briefly discussed possible recommendations relating to alternative placements of disruptive students.

At the April 22, 1999 meeting, the Special Committee heard presentations related to teacher preparation from: Robert Rauh, Principal, Marva Collins Preparatory School, Milwaukee; Peter Burke, Director, Teacher Education and Licensing, DPI; Diane Gardner-Gletty, Assistant Professor, and Jackie Haas, Associate Professor, Education Department, Alverno College, Milwaukee; Jack Kean, Associate Dean, School of Education, UW-Madison; Joanne Anderson, Chairperson, Undergraduate Initial Certification Department, Cardinal Stritch College, Milwaukee; and Professor Wilfred E. Roy, Associate Professor, Curriculum and Instruction, UW-Milwaukee.

At the May 10, 1999 meeting, the Special Committee reviewed Memo No. 13, *Committee Members' Proposals for Legislation and Other Recommendations Related to School Discipline and Safety* (May 4, 1999), and began developing its recommendations for legislation. After substantial discussion, the Special Committee directed staff to draft proposals related to the following topics for review at the Special Committee's next meeting: (1) school safety plans; (2) a comprehensive grant proposal; (3) teacher training and mentoring; (4) a requirement to refer a child who does not have a parent or guardian to court for the appointment of a guardian; (5) the relationship of a period of suspension or expulsion to habitual truancy; (6) creation of a weapons and criminal activity hotline; (7) threats as a permissive grounds for the suspension or expulsion of a pupil; (8) local ordinance authority relating to school safety and violence; and (9) parental

liability for damages caused by their children. The Special Committee agreed to also discuss other data collection related to suspensions and expulsions.

At the May 21, 1999 meeting, the Special Committee reviewed the drafts prepared pursuant to the Committee's directive at its May 10, 1999 meeting and related proposals. The Committee approved 10 bill drafts and one additional proposal for recommendation to the Joint Legislative Council. The Special Committee agreed that Chairperson Darling would decide how to combine the drafts for recommendation to the Joint Legislative Council. Subsequently, Chairperson Darling decided to combine all of the proposals into a single draft. That draft is LRB-3176/1.

C. STAFF MATERIALS AND OTHER MATERIALS

Appendix 3 lists all of the materials received by the Special Committee on School Discipline and Safety. In addition to these listed materials, Legislative Council Staff prepared a number of bill drafts for the Special Committee and a summary of each of the Special Committee meetings. The following documents, prepared by the Legislative Council Staff, may be of particular interest to persons interested in the work of the Committee:

- Information Memorandum 99-1, *Wisconsin Statutes Relating to School Discipline* (January 12, 1999).
- Information Memorandum 99-2, *Laws Relating to the Exchange of Information Between Schools and Law Enforcement Agencies, Courts and Social Services Agencies* (January 14, 1999).

PART III

BACKGROUND; DESCRIPTION OF BILL

This Part provides background information on, and a description of, 1999 Senate Bill 239 introduced by the Joint Legislative Council.

A. GRANTS FOR REDUCING VIOLENCE AND DISRUPTION IN SCHOOLS

1. Background

During its deliberations, the Special Committee received testimony on and discussed a wide variety of prevention and intervention approaches relating to reducing violence and disruption in schools, many of which are currently being pursued in individual schools throughout the state. However, the Special Committee learned that there is a need for incentives to school districts to develop and implement such approaches. Also, the Special Committee heard that funding and revenue limits currently provide a major disincentive for the development of such approaches.

The Special Committee also discussed the variety of school districts in Wisconsin (urban, suburban, rural, large, medium, small, etc.) and concluded that no single approach to reducing violence and disruption is appropriate for all schools or all school districts. Therefore, the Special Committee concluded that any incentives should be flexible to allow school districts to develop and adopt those approaches which would best work for them. However, the Special Committee also concluded that state funding should be limited to approaches that have proven worth, i.e., are research-based, and that school districts will need assistance in identifying such approaches.

2. Description of the Bill

Senate Bill 239 provides that a school district or CESA may apply to DPI for a three-year grant to implement a comprehensive prevention and intervention plan for reducing violence and disruption in schools. In the first year of a grant, a school district or CESA must match at least 25% of the grant amount from local, federal or private sources. The required match is at least 50% in the second year of a grant and at least 75% in the third year. The amount appropriated for the grants is not considered in determining the state's commitment to fund 2/3 partial school revenues.

The DPI shall determine the amount of each grant except that no school district or CESA may be awarded, in any fiscal year, more than 10% of the amount appropriated for the grants. DPI must distribute grants among small, medium and large school districts based on enrollment.

The bill appropriates \$5 million GPR for the grants in each of the fiscal years 1999-2000 and 2000-01.

A school district's or CESA's grant application must include a plan to implement, in the school district or school districts, a comprehensive range of research-based prevention and intervention strategies to build positive relationships for youth with parents, schools, communities or other youth, or other research-based strategies. The bill lists the following nonexclusive examples of approaches which might be funded:

- a. Alternative educational programs and services for disruptive pupils or pupils who have been suspended or expelled.
- b. Coordination with integrated services programs under s. 46.56, Stats.
- c. Alternatives to suspension or expulsion.
- d. Families and Schools Together (FAST) Programs, as described in s. 115.361 (3) (a), Stats.
- e. Before and after-school activities.
- f. Conflict resolution.
- g. Direct instruction programs or other research-based instruction programs whose skill development and cognition results equal those of direct instruction.
- h. Mentoring programs for teachers in the management of classroom behavior.
- i. Professional staff development classes on managing classrooms, identifying pupils who and situations which may become violent, preventing violence and identifying and communicating with those state and local agencies that can assist in providing services or responses to pupils and situations described in this paragraph.

The application must also include descriptions of:

- a. How the success of the plan in reducing violence and disruption in school will be evaluated.
- b. How activities funded by and funding received under the grant will be coordinated with activities funded by and funding received under any federal grants received for similar activities.
- c. The persons who were involved in developing the plan and the programs or services with which activities under the plan will be coordinated.

The school board or CESA may not receive a grant unless it involves the following persons in developing the plan and coordinates activities under the plan with the following persons, as appropriate:

- a. Parents.

b. The county departments responsible for human services, social services, mental health, alcohol and drug abuse services, developmental disabilities and child welfare services and personnel from the Department of Health and Family Services (DHFS) who are responsible for child welfare services in Milwaukee County.

c. Local public health agencies.

d. Persons involved in administering or providing intervention services for children from birth to age three.

e. Persons involved in administering or providing family preservation and family support services under 42 U.S.C. ss. 629 to 629e.

f. Persons involved in administering or providing integrated service programs for children with severe disabilities under s. 46.56, Stats.

g. Law enforcement agencies.

h. Courts.

The bill also requires the Board of Regents of the UW System to direct schools of education and other research-oriented departments in the system to work with the State Technical College Board, school districts, private schools and DPI to present to school districts and private schools the results of research on models for and approaches to improving school safety and reducing discipline problems in schools and at-school activities. The bill creates a similar requirement applicable to the State Technical College Board.

B. SAFE SCHOOL PLANS

1. Background

The Special Committee concluded that every school in every school district in the state should have in place a safe school plan. For example, recent shootings at Columbine High School in Littleton, Colorado, and numerous bomb scares at schools throughout this state indicate the need to be able to respond to emergencies and safely evacuate pupils from school. Such plans should not, however, be limited to responding to emergencies but should also include prevention measures. A safe school plan should ensure that each school is as safe and secure from disruption and violence as possible and that the area surrounding each school, including the routes and methods of transportation that pupils take to and from school, are safe and secure.

In general, the Special Committee believed that such plans need to be developed in cooperation with law enforcement, local fire departments and emergency medical units, courts, parents, social services agencies and others. However, the Special Committee concluded that it should dictate neither the contents of safe school plans nor the persons involved in developing them. These are issues that should be determined by each school board for each school in the school district.

2. Description of the Bill

Senate Bill 239 requires each school board in the state to have in effect a safe school plan for each school in the school district.

The requirement takes effect on the first day of the *sixth month* beginning after publication of the act.

C. SUSPENSION OR EXPULSION FOR A THREAT

1. Background

Under current law, a school district:

a. May suspend a pupil for noncompliance with a school rule and may expel a pupil for repeated refusal to obey the rules.

b. May suspend or expel a pupil for conduct while at school or under the supervision of a school authority which endangers the property, health or safety of others, and must suspend and expel a pupil for possession of a firearm while at school or under the supervision of a school authority.

c. May suspend or expel a pupil for conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority or endangers the property, health or safety of any employe or school board member of the school district.

d. May suspend or expel a pupil for knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives (i.e., making a *bomb threat* to destroy school property).

e. May expel a pupil who is at least 16 years old for repeated conduct while at school or under the supervision of a school authority that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or a school-sponsored activity, if such conduct does not constitute grounds for expulsion under items a. to d., above.

[ss. 119.04 (1), 119.25 and 120.13 (1) (b), (bm), (c) and (e), Stats.]

During its deliberations, the Special Committee discussed the lack of explicit statutory authorization to suspend or expel a pupil for threats other than bomb threats. Special Committee members noted that a school rule relating to threats could only serve as the basis for an expulsion if a pupil engaged in repeated violations of school rules (see item a., above) or was 16 years old and engaged in repeated disruptive conduct (see item e., above). However, it was also noted that if a threat rose to the level of “endangerment,” a pupil could be either suspended or expelled under items b. and c., above.

2. Description of the Bill

Senate Bill 239, explicitly states that, for the purposes of pupil suspensions and expulsions, conduct which endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property. Thus, the Bill makes it clear that such a threat may serve as the basis of a pupil's suspension or expulsion under item 1. b. or c., above.

D. HOTLINE

1. Background

Under current law, DOJ is required to maintain a toll-free telephone number during normal retail business hours for persons to provide information regarding suspected violations of laws concerning controlled substances (dangerous drugs).

The Special Committee recommends expanding the hotline to include reporting information regarding dangerous weapons and criminal activities in school primarily for two reasons. First, children say that they do not want to call 911 to report such activities because their identities are not confidential if they do so and they believe they do not get the kind of respect that adults get when they call 911. Second, the Special Committee concluded that 911 is more appropriate for emergencies; the hotline proposed by the Special Committee would cover other situations as well.

2. Description of the Bill

Senate Bill 239 expands the current controlled substances hotline by requiring DOJ to maintain a single toll-free telephone number both for information regarding suspected controlled substances law violations and for persons to anonymously provide information regarding dangerous weapons or criminal activity in public or private schools.

If a call is made to the toll-free telephone number after normal retail business hours, DOJ must provide for the call to be received by a telephone answering system or service. That system or service shall provide a recorded message that requests the person calling to call "911" or a local law enforcement agency if the person is calling to provide information regarding dangerous weapons or criminal activity in a school.

The bill also provides that, immediately upon receiving any information regarding dangerous weapons or criminal activity in a school, or immediately at the beginning of the next retail business day if the information is not received during normal retail business hours, DOJ must provide the information to the administration of the school and the appropriate law enforcement agency for the municipality in which the school is located.

E. PARENTAL LIABILITY

1. Background

Under current law, a parent with custody of a juvenile may be liable for damages resulting from the acts of the juvenile. However, current law sets forth certain limits on parental liability for such acts. In general, except for recovery for retail theft (which has separate provisions on amounts recoverable), the maximum recovery from any parent or parents with custody may not exceed \$5,000 for damages resulting from any one act of a “juvenile” in addition to costs and reasonable attorneys fees. If two or more minors are in the custody of the same parent or parents, the total recovery may not exceed \$5,000, in addition to costs and reasonable attorneys fees. [s. 895.035 (4), Stats.] The Special Committee concluded that because of the serious effect such damages to schools have on the operations of the schools, the often substantial amount of such damages due to loss of instruction time, and the resulting perception amongst some students, faculty and the public that schools are no longer “safe places,” the parental liability maximum should be increased.

2. Description of the Bill

Senate Bill 239 increases, from \$5,000 plus costs and reasonable attorneys fees to **\$10,000** plus costs and reasonable attorneys fees, the maximum dollar amount recoverable from a parent or parents with custody for damages caused to a **public school district or a private school** by any of the following violence-related acts of a minor child:

a. An act or threat which endangers the health or safety of others at school or under the supervision of a school authority and which results in a substantial disruption of a school day or a school activity.

b. An act intended to, or a threat to damage the property of a school district, a private school or a person at school or under the supervision of a school authority and that results in a substantial disruption of a school day or school activity.

c. A violation of any of the following:

- (1) Section 943.01, Stats., relating to damage to property.
- (2) Section 943.02, Stats., relating to arson of buildings and damage of property by explosives.
- (3) Section 943.03, Stats., relating to arson of property other than a building.
- (4) Section 943.05, Stats., relating to placing combustible or explosive materials in or near property with intent to set fire or blow up such property.
- (5) Section 947.015, Stats., relating to bomb scares.

The bill specifies that, in addition to other types of damages, a school district or school may recover the cost to the school district or school in loss of instructional time directly resulting from the act of the minor child.

If two or more minors in the custody of the same parent or parents commit the same act, the total recovery may not exceed \$10,000, in addition to costs and reasonable attorneys fees.

F. REPORTING A PUPIL WITHOUT A PARENT

1. Background

During its deliberations, the Special Committee learned that school personnel sometimes become aware that a pupil has no parent or guardian. In order to help ensure that no minor pupil is without a parent or guardian, the Special Committee recommended the creation of a reporting requirement.

2. Description of the Bill

Senate Bill 239 creates a new reporting requirement relating to a pupil without a parent or guardian. Under the bill, any school teacher, school administrator, school counselor or school social worker who knows that a pupil is without a parent or guardian must report that fact as soon as possible to the appropriate county department of social services or, in Milwaukee County, to the DHFS.

This requirement does not apply to a pupil who has a legal custodian or is cared for by a kinship care relative, under s. 48.57 (3m), Stats., or long-term kinship care relative, under s. 48.57 (3n), Stats.

G. SUSPENSION AND EXPULSION DATA IN SCHOOL PERFORMANCE REPORT

1. Background

Under current law, the State Superintendent of Public Instruction must develop a school and school district performance report for use by school districts. Each school board must distribute the report to the parent or guardian of each pupil enrolled in the school district, including pupils enrolled in charter schools, or give the report to each pupil to bring home to his or her parent or guardian. The State Superintendent must publish and distribute to the Legislature a summary of the school districts' reports.

Current law specifies that the report must include indicators of academic achievement; other indicators of school and school district performance; staffing and financial information; data on pupils participating in the part-time open enrollment program; and the method of reading instruction and reading textbooks used in the school district. Among the required list of "other indicators" of school and school district performance are numbers of suspensions and expulsions. [s. 115.38, Stats.]

The Special Committee believed that policymakers, including the Governor, the State Superintendent of Public Instruction and the Legislature, need information on suspensions and expulsions in addition to the numbers of suspensions and expulsions, in order to develop policy which may help reduce the need for suspensions and expulsions and effectively deal with pupils who have been suspended or expelled.

2. Description of the Bill

Senate Bill 239 specifies that, in addition to numbers of suspensions and expulsions, school districts' school and school district performance reports must include all of the following:

- a. The reasons for which pupils are suspended or expelled, reported according to categories specified by the State Superintendent.
- b. The length of time for which pupils are expelled, reported according to categories specified by the State Superintendent.
- c. Whether pupils return to school after their expulsions.
- d. The educational programs and services, if any, provided to pupils during their expulsions, reported according to categories specified by the State Superintendent.
- e. The schools attended by pupils who are suspended or expelled.
- f. The grade, gender and ethnicity of pupils who are suspended or expelled and whether the pupils are children with disabilities.

The bill provides that the first school performance report which must contain the additional information related to suspensions and expulsions required under this Bill, is the report that must be filed by *January 1, 2002*.

H. HABITUAL TRUANCY AND SUSPENSIONS OR EXPULSIONS

1. Background

In *In the Interest of Isaac J.R.*, 220 Wis. 2d 251, 582 N.W.2d 476, 1998 Wisc. App. LEXIS 729 (1998), the Wisconsin Court of Appeals, District IV, held that a suspension is not an "acceptable excuse for an absence" for the purposes of counting unexcused absences to determine whether a child is a "habitual truant," as defined in s. 118.16 (1) (a), Stats., unless a suspension is defined as an excused absence in the school board's attendance policy under s. 118.16 (4), Stats. Further, the court concluded that a suspension that is not defined as an excused absence under the school board's attendance policy is not a "legal cause" for an absence, as that phrase is used in the definition of "truancy" in s. 118.16 (1) (c), Stats. The court's reasoning would apply with equal logic to periods of absence due to an expulsion.

This opinion has not been approved for publication. Unless and until it is, it is of no precedential value and, generally, may not be cited in any court of this state as precedent or authority. [s. 809.23 (3), Stats.] However, if this opinion is followed, it means that a child will be considered to be “truant” while suspended and, further, may be found to be a “habitual truant” as a result of his or her absences during a suspension (or an expulsion). The Special Committee concluded that it is not appropriate to consider such a child to be truant and that the institution of habitual truancy “proceedings” for such children is not appropriate. The Special Committee believed that such children should be dealt with through suspension and expulsion procedures, not habitual truancy procedures.

2. Description of the Bill

Senate Bill 239 explicitly states that the period during which a pupil is absent from school due to a suspension or expulsion is neither an absence without an acceptable excuse for the purposes of the definition of “habitual truant” nor an absence without legal cause for the purposes of the definition of “truancy.”

I. MA REIMBURSEMENT

1. Background

Under current law, a school district or CESA may receive 60% of the federal share of MA reimbursement for allowable charges for “school medical services” provided to MA-eligible pupils. “School medical services” are health care services that are appropriate to a school setting and that are provided in a school to children who are eligible for MA, as provided in the state MA plan. [s. 49.45 (39), Stats.] Since the federal share of the MA reimbursement is 58.76% of these allowable charges, a school district or CESA which applies for such reimbursement receives an amount equal to 35.26% of allowable charges.

This provision of current law was created by 1995 Wisconsin Act 27 (the 1995-97 Biennial Budget Act). As originally proposed, school districts and CESAs would have received the entire federal share, rather than 60% of the federal share. However, during the budget process, the amount of reimbursement to school districts and CESAs was reduced. The Special Committee concluded that the original proposal for 100% reimbursement was more appropriate in light of school districts’ needs and the purpose of the federal share of MA reimbursement.

The 40% of the federal share of MA reimbursement which is not paid to school districts or CESAs is paid into the state’s general fund. For the 1997-98 fiscal year, school districts and CESAs received approximately \$14 million of federal funds through the MA reimbursement; approximately \$9 million was paid into the state’s general fund.

2. Description of the Bill

Senate Bill 239 provides that a school district or CESA which provides school medical services may receive the entire federal share of the allowable charges and allowable administrative costs.

J. CAPTURING FEDERAL FUNDS

1. Background

The Special Committee believed that the state should aggressively seek to capture federal funds relating to school safety and reducing violence and disruption in schools. Such funds can strengthen state and local efforts and provide a complement to the grant program created by this Bill.

2. Description of the Bill

Senate Bill 239 directs DOJ and DPI to aggressively seek and apply for federal funds relating to school safety and reducing violence and disruption in schools. Each department is required to make a report of its progress in applying for and obtaining such funds. The reports, which are to be made by January 1, 2001 and January 1, 2003, are to be submitted to the Legislature, the Cochairpersons of the Joint Committee on Finance and the Governor.

K. FELONY FOR THREATENING TO CAUSE DEATH, BODILY HARM OR PROPERTY DAMAGE AT A GOVERNMENT BUILDING, SCHOOL OR INSTITUTION OF HIGHER EDUCATION

1. Background

Current law prohibits a person from intentionally conveying a threat or false information, knowing the threat or information to be false, concerning an attempt or an alleged attempt being made or to be made to destroy property with explosives (i.e., making a bomb threat).

A person who violates this prohibition is guilty of a Class E felony and may be fined not more than \$10,000 or imprisoned for not more than two years, or both, if the offense occurs before December 31, 1999, or may be fined not more than \$10,000 or imprisoned for not more than five years, or both, if the offense occurs on or after December 31, 1999. [s. 947.015, Stats.]

Current law also prohibits a person from:

a. Recklessly endangering another's safety under circumstances which show utter disregard for human life. Criminal recklessness requires that: (1) the defendant's conduct created an unreasonable and substantial risk of death or great bodily harm to another person; and (2) the defendant was aware that his or her conduct created such a risk. A person who violates this prohibition is guilty of a Class D felony and may be fined not more than \$10,000 or imprisoned

for not more than five years, or both, if the offense occurs before December 31, 1999, or may be fined not more than \$10,000 or imprisoned for not more than 10 years, or both, if the offense occurs on or after December 31, 1999. [s. 941.30 (1), Stats.]

b. Recklessly endangering another's safety (see the definition of criminal recklessness in item a., above). This reckless endangerment crime does *not* require that the act be done under circumstances which show utter disregard for human life. A person who violates this prohibition is guilty of a Class E felony (see the penalties above). [s. 941.30 (2), Stats.]

The Special Committee concluded that because of the significance of these institutions in our society and the serious effects of criminal actions at or against such institutions: (a) there should be a specific criminal statute relating to these types of violations where the death, bodily harm or property damage is caused at a school or institution of higher learning or a governmental building; and (b) the proof requirements should not be as substantial as the criminal provisions cited above.

2. Description of the Bill

Senate Bill 239 creates a new "endangerment" prohibition, requiring proof of fewer elements than the provisions described above, pertaining specifically to government buildings, schools and institutions of higher education.

The bill prohibits a person from threatening to use a dangerous weapon or explosives to cause death, bodily harm or property damage at a government building, a school or an institution of higher education. For purposes of the Criminal Code [chs. 939 to 951, Stats.], including this provision:

a. "Bodily harm" means physical pain or injury, illness or any impairment of physical condition.

b. "Dangerous weapon" means any firearm, whether loaded or unloaded, any device designed as a weapon and capable of producing death or great bodily harm, an electric weapon under s. 941.295 (4), Stats., or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

A person who violates the prohibition created by the Bill is guilty of a Class E felony (see penalties under Section 1., above).

Thus, unlike the provisions in the current Criminal Code, the state would not have to prove: (a) intent and knowledge that the threat or information was false (as required under s. 947.015, Stats.); (b) criminal recklessness and utter disregard for human life (as required under s. 941.30 (1), Stats.); or (c) criminal recklessness (as required under s. 941.30 (2), Stats.). In

addition, the new provision specifically covers dangerous weapons, as defined in the Criminal Code, as well as explosives, covered by the current provisions of s. 947.015, Stats.

JRH:DLS:all:tlu;ksm;jal

JOINT LEGISLATIVE COUNCIL

s. 13.81, Stats.

OFFICERS

Cochairperson

FRED A. RISSER
Senate President
5008 Risser Road
Madison 53705-1365

Cochairperson

CAROL KELSO
Assembly Representative
416 East Le Capitaine Circle
Green Bay 54302-5153

SENATORS

BRIAN BURKE
2029 North 51st Street
Milwaukee 53208-1747

GARY R. GEORGE
1100 West Wells St., #1711
Milwaukee 53233-2326

CHARLES J. CHVALA
1 Coach House Drive
Madison 53714-2718

RICHARD GROBSCHMIDT
912 Lake Drive
South Milwaukee 53172-1736

ROBERT L. COWLES
300 W. Saint Joseph St., #23
Green Bay 54301-2048

JUDITH ROBSON
2411 East Ridge Road
Beloit 53511-3922

MICHAEL G. ELLIS
1752 County Road GG
Neenah 54956-9730

PEGGY ROSENZWEIG
6236 Upper Parkway North
Wauwatosa 53213-2430

JON ERPENBACH
2385 Branch Street
Middleton 53562-2808

DAVID ZIEN
1716 63rd Street
Eau Claire 54703-6857

REPRESENTATIVES

PETER BOCK
4710 West Bluemound Road
Milwaukee 53208-3648

SCOTT R. JENSEN
850 South Springdale Road
Waukesha 53186-1402

STEVEN FOTI
1117 Dickens Drive
Oconomowoc 53066-4316

SHIRLEY KRUG
6105 West Hope Avenue
Milwaukee 53216-1226

STEPHEN J. FREESE
310 East North Street
Dodgeville 53533-1200

MARLIN D. SCHNEIDER
3820 Southbrook Lane
Wisconsin Rapids 54494-7548

JOHN GARD
481 Aubin St., PO Box 119
Peshtigo 54157-0119

LORRAINE M. SERATTI
HC-2, Box 558
Florence 54121-9620

GREGORY HUBER
406 South 9th Avenue
Wausau 54401-4541

JEFF STONE
7424 West Forest Home Ave.
Greenfield 53220-3358

**David J. Stute, Director, Legislative Council Staff
1 East Main Street, Suite 401, P.O. Box 2536, Madison, Wisconsin 53701-2536**

APPENDIX 2

**SCHOOL DISCIPLINE AND SAFETY,
SPECIAL COMMITTEE ON**

OFFICERS

Chairperson

ALBERTA DARLING
Senator
1325 West Dean Road
Milwaukee 53217-2537
ROBERT JAUCH
5271 South Maple Drive
Poplar 54864-9126

Secretary

ANNETTE WILLIAMS
Representative
3927 North 16th Street
Milwaukee 53206-2918

Vice Chairperson

BONNIE LADWIG
Representative
6437 Norfolk Lane
Racine 53406-1859
CAROL A. ROESSLER
1506 Jackson Street
Oshkosh 54901-2942

SENATORS

REPRESENTATIVES

MARC DUFF
306 N., State Capitol, Box 8952
Madison 53708-8952

CHRISTINE SINICKI ⁽¹⁾
3132 South Indiana Avenue
Milwaukee 53207-3035

GREGG UNDERHEIM
1652 Beech Street
Oshkosh 54901-2808

PUBLIC MEMBERS

ROBERT ANDERSON
Project Attorney
WI Council on Children & Families
16 North Carroll Street, Ste. 420
Madison 53703-2762

THOMAS GROGAN
Special Assistant to the Chancellor
UW-Oshkosh
800 Algoma Boulevard
Oshkosh 54901-8601

ELLIOT MOESER
Superintendent, Nicolet High School
Dist.
6701 North Jean Nicolet Road
Glendale 53217-3799

JOHN DUCHAC
School Social Worker
John Burroughs Middle School
2572 North Prospect Avenue
Milwaukee 53211-4143

ROBERT HOLZEM
Hearing Officer, Racine Unified
School District
15610 Mark Drive
Brookfield 53005-3520

JUDY OLKES
Principal, Dane Co. Transition
Schools
2813 Rosellen Avenue
Madison 53711-6508

CONRAD D. FARNER
Principal, Frank Lloyd Wright
Middle School
9501 West Cleveland Avenue
West Allis 53227-3399

LLOYD H. JOYAL
Member, Eau Claire Area Board
of Education
617 East Grant Avenue
Eau Claire 54701-6406

WILFRED E. ROY
Assoc. Prof., Curriculum and
Instruction, UW-Milwaukee
3400 North Cramer
Milwaukee 53211-3555

JOHN FRANKE
Circuit Judge, Milwaukee County
Milwaukee County Courthouse
901 North 9th Street, Room 500
Milwaukee 53233-1425

JULIO MAYORGA ⁽³⁾
Parent Services Coordinator
South Division High School
1515 West Lapham Blvd.
Milwaukee 53204-3296

MARIA WENZEL
Teacher, Longfellow Middle School
1517-1/2 Denton Street
LaCrosse 54601-5771

LUIS GARZA
Director of School Safety & Security
Milwaukee Public Schools
5225 West Vliet Street, Room 116
Milwaukee 53208-2627

LYNN MCDONALD
Sr. Scientist, WI Center for
Education Research, UW-Madison
1025 West Johnson Street
Madison 53706-1796

REBECCA YOUNG ⁽²⁾
639 Crandall Street
Madison 53711-1836

STUDY ASSIGNMENT: The Committee is directed to study issues relating to school discipline and safety, including procedures for placement of unruly, disruptive or dangerous pupils; alternative educational placement options and recommendations for funding alternative education; training of school district staff in student behavior and management; limitations on liability of school district staff and officers and school boards for disciplining pupils; disciplining children with disabilities; effective strategies for reducing violence and disruption in schools; and adequacy of data collection regarding suspension, expulsion and other discipline of unruly, disruptive or dangerous pupils, all within the limits of current public resources. The Special Committee shall report its recommendations to the Joint Legislative Council by May 1, 1999. [Based on SECTION 5 of Enrolled 1997 Senate Bill 274; March 24, 1998 letter from Sen. Calvin Potter; April 9, 1998 email from Rep. Marc Duff; May 13, 1998 letter from Sen. Carol Roessler; and June 1, 1998 letter from Sen. Alberta Darling.]

Established and Chairperson appointed by a June 24, 1998 mail ballot; members appointed by August 21 and September 4, 1998 mail ballots.

23 MEMBERS: 3 Senators; 5 Representatives; and 15 Public Members.

LEGISLATIVE COUNCIL STAFF: Jane Henkel, Deputy Director; Don Salm, Senior Staff Attorney; and Kathy Follett, Administrative Staff.

- (1) Appointed by a March 4, 1999 mail ballot to fill the vacancy created by the completion of Rep. William Murat's legislative term.
- (2) Originally appointed as an Assembly member; appointed to continue as a Public Member by a December 10, 1998 mail ballot.
- (3) Appointed by an April 8, 1999 mail ballot to replace Jane Shibiłski, who resigned from the Committee on January 27, 1999.

COMMITTEE MATERIALS

Staff Materials

1. Information Memorandum 99-1, *Wisconsin Statutes Relating to School Discipline* (January 12, 1999).
2. Information Memorandum 99-2, *Laws Relating to the Exchange of Information Between Schools and Law Enforcement Agencies, Courts and Social Services Agencies* (January 14, 1999).
3. Memo No. 1, *Information on Wisconsin Charter Schools Serving At-Risk Students* (November 2, 1998).
4. Memo No. 2, *State Superintendent's Expulsion Task Force, Expulsion Survey Results and Final Recommendations* (November 2, 1998).
5. Memo No. 3, *Analysis by the Department of Public Instruction of Suspension and Expulsion Data Collected by the Department; Tables From the Department Analyzing Suspension and Expulsion Data; and Five-Year Comparative Analysis of Reasons for Suspensions in the Racine Unified School District* (November 4, 1998).
6. Memo No. 4, *Information Relating to the Code of Classroom Conduct Requirement Under 1997 Wisconsin Act 335; Copy of Sample Code of Classroom Conduct and Related Documents Developed by the Wisconsin Association of School Boards* (November 4, 1998).
7. Memo No. 5, *Alcohol and Other Drug Abuse Prevention Programs in Wisconsin Schools* (November 4, 1998).
8. Memo No. 6, *Background Information: Recent Research Reports and Surveys Relating to School Safety, School Crime and School Discipline* (November 4, 1998).
9. Memo No. 7, *The Wisconsin Children At Risk Program and Other Programs Providing Funding Which May Be Used to Serve At-Risk Students* (November 5, 1998).
10. Memo No. 8, *Revised List of Recommendations Made, to Date, to the Special Committee on School Discipline and Safety* (January 14, 1999; updated February 16 and March 1, 1999).
11. Memo No. 9, *Preliminary List of "Hot Topics" for Discussion by the Special Committee on School Discipline and Safety* (February 17, 1999; updated March 1, 1999).
12. Memo No. 10, *Materials Relating to Disciplining Students With Exceptional Educational Needs* (March 3, 1999).
13. Memo No. 11, *Recently Promulgated Regulations Implementing the Federal Individuals With Disabilities Act* (March 19, 1999).

14. Memo No. 12, *Wisconsin Teacher Training Institutions' Responses to Questions Regarding Teacher Preparation in Classroom Management and How to Deal With Disruptive or Unruly Students* (April 14, 1999).

15. Memo No. 13, *Committee Members' Proposals for Legislation and Other Recommendations Related to School Discipline and Safety* (May 4, 1999).

16. Outline, *Possible Discussion Structure* (January 21, 1999).

17. Memorandum, *Status of the Special Committee on Programs for Prevention Services* (February 24, 1999).--PROOF

18. Memorandum, *Medical Reimbursement for School Medical Services* (April 16, 1999).

Other Materials

1. Letter, from Lynn McDonald, Director, FAST Research Project (September 30, 1998).

2. Memorandum, *WEAC Recommendations on Alternative Education Initiatives*, from John (Jack) W. Coe, Legislative Consultant, Wisconsin Education Association Council (WEAC) (October 1, 1998).

3. Memorandum, from Representative Gregg Underheim (October 1, 1998).

4. Testimony submitted by Ryan D. Champeau, Ph.D. (October 1, 1998).

5. Donohue, Elizabeth, Vincent Schiraldi and Jason Ziedenberg, *School House Hype: School Shootings and the Real Risks Kids Face in America*, Justice Policy Institute (July 1998).

6. Wisconsin Department of Public Instruction (DPI) materials distributed on October 1, 1998:

a. Background paper, *Safe Schools Initiative* (undated).

b. Booklet, *Wisconsin Youth Risk Behavior Survey, Executive Summary and Report, 1997* (April 1, 1998).

c. Pamphlet, *Comprehensive School Health Programs, An Opportunity for Successful Learning* (undated).

d. Information Update, Bulletin No. 94.10, *Behaviors of Children with EEN that Violate School Rules* (August 1994).

e. Information Update, Bulletin No. 95.7, *Children with Exceptional Educational Needs who Bring Firearms to School* (August 1995).

- f. Information Update, Bulletin No. 96.02, *Recent Developments Relating to Pupil Discipline* (March 1996).
 - g. Information Update, Bulletin No. 97.6, *Discipline Provisions of the 1997 Amendments to the Individuals with Disabilities Education Act (IDEA) and the Implementation of IDEA 1997 in Wisconsin* (September 1997).
 - h. Federal Register, Vol. 62, No. 204, 55101-04 (October 22, 1997).
 - i. *Individuals with Disabilities Education Act*, Sec. 1414
 - j. 1997 Wisconsin Act 335, relating to removal of disruptive pupils from class.
 - k. *State Superintendent's Expulsion Task Force Final Report and Recommendations* (August 1996).
 - l. Table, *Intentional Injuries*, and graph, *Trends in Weapons Carrying and Safety* (undated).
 - m. Handout, *Wisconsin Youth Risk Behavior Survey, Weapons and Violence, 1997* (undated).
 - n. *Data Definitions from School Performance Report* (September 1998).
 - o. Registration form, *Fifth Annual Forum on Youth Violence--Keeping Kids, Campuses and Communities Safe, October 22 and 23, 1998*.
 - p. Newsletter, *The Safe Night USA Scene* (September 1998).
 - q. Booklet, *Wisconsin Annual Prevention Conference--Prevention & Wellness: The Keys to a Healthy Life, November 15-17, 1998*.
 - r. Handout, *Wisconsin Department of Public Instruction Citizen Initiative* (undated).
7. Letter from Thomas Henning, Principal, Northwestern High School, Maple, Wisconsin (October 27, 1998).
8. Letter from Thomas Henning, Principal, Northwestern High School, Maple, Wisconsin (October 27, 1998).
9. Letter from Charlene Peterson, Principal, Northland Secondary School at Nelson Dewey School, Superior, Wisconsin (November 3, 1998).
10. Handout, *DCTS, Newspaper Articles*, Dane County Transition Schools (undated).
11. Handout, *Dane County Transition Student Survey Results*, Dane County Transition Schools (October 1998).

12. Memorandum, *Ideas for Legislation Regarding School Violence*, from Dr. Holly Hart, Director of At-Risk Programs, and J. T. Dowmen, Principal, Eau Claire North High School (December 15, 1998).

13. Testimony submitted by Wally Watson, Director, Boys and Girls Clubs, Milwaukee (December 17, 1998).

14. Handout, *Dane County Transition School*, submitted by Judy Olkes (undated).

15. Milwaukee Public Schools materials distributed on December 17, 1998 (for Committee Members only):

a. Booklet, *Parent/Student Handbook on Rights, Responsibilities, & Discipline*, Milwaukee Public Schools, 1998-99 (undated).

b. Attachments, *Student Expulsion Statistics 1997-98 School Year* (August 26, 1998).

c. Table, *Milwaukee Public Schools Suspension Summary Year End 97/98* (July 1, 1998).

d. Table, *Milwaukee Public Schools Monthly Suspension Summary Year End 97/98* (July 1, 1998).

16. Letter, to John T. Benson, State Superintendent, Wisconsin DPI, from Senator Alberta Darling, Chairperson, Special Committee on School Discipline and Safety (December 8, 1998).

17. Letter, from John T. Benson, State Superintendent, DPI (December 22, 1998). (Appendix A to the letter was previously distributed to the Special Committee. Appendix D was distributed to Committee members only.)

18. Memorandum, *Addendum to Testimony on October 1, 1998 to the Joint Legislative Council's Special Committee on School Discipline and Safety*, from Ryan Champeau, Waukesha North High School (October 6, 1998).

19. Memorandum, from Robert Holzem, Public Member of the Special Committee (January 4, 1999).

20. Handout, *Riskwatch 8.1 for Schools, Safe School Software* (undated).

21. Email related to the work of the Special Committee (January 10-19, 1999).

22. Testimony submitted by Thomas Beebe, DPI, on January 21, 1999 (undated).

23. Handout, *Summary*, submitted by Thomas Beebe, DPI, on January 21, 1999 (undated).

24. Handout, *1995-96 Expulsion Survey Summary*, submitted by Michael Thompson, DPI, on January 21, 1999 (undated).

25. “School would aid troubled students” and “School/Program would aid troubled middle schoolers,” *Milwaukee Journal Sentinel* (Monday, December 28, 1998).

26. Participant Packet, *White House Conference on School Safety: Causes and Prevention of Youth Violence* (October 5, 1998).

27. Table showing the number of youth released from juvenile correctional institutions for calendar year 1998, by county released to, prepared by the Division of Juvenile Corrections, Department of Corrections (DOC).

28. Memorandum, to Representative Rebecca Young, *LRBa2028/1, An Amendment to Senate Substitute Amendment ___ (LRBs0577/1) to 1997 Senate Bill 192, Relating to Pupil Expulsions* (March 12, 1998).

29. Memorandum, *Proposal to add “Threats” to the Grounds for Suspension/Expulsion*, from Bob Anderson, Wisconsin Council on Children and Families (March 1, 1999).

30. Memorandum and attachments, *Alternative Educational Schools In Wisconsin, An Overview*, from Michael J. Thompson, Director, Student Services/Prevention and Wellness, DPI (March 4, 1999).

31. Letter, from Daniel Grego, Ph.D., Director of Educational Services, Transcenter for Youth, Inc. (February 24, 1999).

32. Updated information on suspensions and expulsions, prepared by the DPI (undated).

33. Handout, *Parent/Student Handbook, Whatever It Takes!*, Sheboygan Area School District, STRIVE (undated).

34. Handout, *The STRIVE Program*, Sheboygan Area School District (undated).

35. Memorandum, *Comments Related to List of Recommendations as of February 16, 1999*, from Dr. Holly Hart, Eau Claire Area School District (March 8, 1999).

36. Booklet, *Crisis Intervention Plan*, Eau Claire Area School District (undated).

37. Chart, *Eau Claire Area School District Plan as Part of a Community Wide Response to Juvenile Violence and Gang Activity*, Eau Claire Area School District (Revised September 1998).

38. Biography, *The Morgensen Family*, prepared by Karen A. Morgensen, Special Education Parent Consultant, Parent Education Project of Wisconsin, Inc. (undated).

39. Memorandum, *Alternative Education Outline Proposal*, from John W. “Jack” Coe, WEAC (March 11, 1999).

40. E-mail, *School Safety*, from Tom Grogan, University of Wisconsin-Oshkosh (March 8, 1999).
41. Testimony submitted by Jeffrey-Spitzer-Resnick, Managing Attorney, Wisconsin Coalition for Advocacy (March 11, 1999).
42. Handout, *Parent Rights, Roles, and Responsibilities: A Look at Special Education and Its Impact on Your Child*, prepared by the Parent Education Project of Wisconsin, Inc. (April 1998).
43. Article, *The Wraparound Approach--Toward Effective School Inclusion*, The Caliope Journal (February 1995).
44. Brochure, *Cooperating for Change, Together Finding Solutions*, DeLong Middle School (undated).
45. Handout, *Cooperating for Change, Student Assistance Program*, DeLong Middle School (undated).
46. Memorandum, *Initial Disciplinary Guidance Related to Removal of Children with Disabilities from their Current Educational Placement for Ten School Days or Less*, OSEP 97-7, from Judith E. Heurmann, Assistant Secretary, and Thomas Hehir, Director, Office of Special Education Programs, United States Department of Education (September 19, 1997).
47. Outline, *Model Programs for Students with Emotional or Behavior problems* (unattributed and undated).
48. Handout and order form, submitted by the Parent Education Project of Wisconsin, Inc. (undated).
49. Memorandum, *Preliminary List of "Hot Topics" for Discussion by the Special Committee*, from Mike McCabe, Legislative Liaison, Madison Metropolitan School District (March 18, 1999).
50. Letter, and enclosures, from John T. Benson, State Superintendent, DPI (January 29, 1999). (Final Report of the Work Groups on Teacher Assessment, License Stages and License Categories, *Restructuring Teacher Education and Licensing in Wisconsin* (May 1997), enclosed for Committee members only.)
51. Outline, *The Wisconsin Comprehensive Student Effectiveness Support System*, from John Franz (March 15, 1999).
52. Astor, Ron Avi, Heather Ann Meyer, William J. Behre, "Unowned Places and Times: Maps and Interviews About Violence in High Schools," *American Educational Research Journal*, Volume 36, Number 1 (Spring 1999). [For Committee members only.]
53. "School Safety," *Comprehensive Center Region-VI*, Volume 4, No. 1 (Spring 1999). [For Committee members only.]

54. Handout, *Becoming a Constructivist Teacher* (undated).
55. Pamphlet, *Certificate Program in Peace Studies*, University of Wisconsin (UW)-Milwaukee (undated).
56. Pamphlet, *Tools for Building Peace*, UW-Milwaukee (undated).
57. Pamphlet, *Building Relationships to Promote School Safety*, Families and Schools Together (FAST) (undated).
58. Letter from Elliott L. Moeser, Ph.D., District Administrator, Nicolet High School (May 7, 1999).
59. Letter from Holly Hart, Director of At-Risk Services, Eau Claire Area School District (May 4, 1999).
60. Letter from Peter J. Burke, Director, Teacher Education and Licensing, DPI, and enclosure (May 13, 1999).
61. Memorandum, *Additional Information*, from Michael Thompson, Director, Student Services/Prevention and Wellness Team, DPI, and attachments (May 20, 1999).
62. Letter from John T. Benson, State Superintendent, Department of Public Instruction (July 9, 1999).
63. Letter from Joe Leean, Secretary, Department of Health and Family Services (June 29, 1999).
64. Letter from Katharine C. Lyall, President, The University of Wisconsin System (August 6, 1999).
65. Letter from Edward Chin, State Director, Wisconsin Technical College System Board (August 2, 1999).