

- 1 **AN ACT** *to amend* 118.07 (2) (a), 118.07 (2) (b) and 120.12 (26) of the statutes;
2 **relating to:** school safety plans.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council’s Special Committee on School Safety.

Under current law, school boards of common or union high school districts must have in place a school safety plan. Wisconsin law does not provide specific details as to what components should be in the school safety plan. Wisconsin law does not have minimum standards for the plan’s training or practice drills. The statutes also do not direct school boards to create or review plans with any specific party.

Current law also requires public, as well as private schools to conduct fire and tornado or other hazard drills. There is no requirement for either public or private schools to practice school safety plans. Only public schools are required, however, to have safety plans.

This draft amends current statutes to provide specific details regarding school safety plans. The draft requires public schools to do all of the following:

1. Create a school safety plan with active participation from appropriate parties such as local law enforcement officers, fire fighters, school administrators, teachers, school social workers, and mental health professionals.
2. Include general guidelines specifying procedures for emergency prevention and mitigation, preparedness, response, and recovery as well as specify the process for reviewing the plan, the persons who are to receive training of the plan’s procedures, and methods for conducting drills required to comply with the plan.
3. Determine who shall receive the school safety plan training, which is based upon the school district’s prioritized needs, risks, and vulnerabilities.
4. Drill school safety plan procedures twice a year.

5. Have the school safety plan in place within 3 years after this bill goes into effect.

6. Review the school safety plan with active participation from appropriate parties such as local law enforcement officers, fire fighters, school administrators, teachers, school social workers, and mental health professionals at least once every 3 years after it goes into effect.

This draft also requires public and private schools to drill school safety plans twice a year. This draft does not, however, expand the school safety plan requirement to also include private schools.

1 **SECTION 1.** 118.07 (2) (a) of the statutes is amended to read:

2 118.07 (2) (a) Once each month, without previous warning, the person having direct
3 charge of any public or private school shall drill all pupils in the proper method of departure
4 from the building as if in case of fire, except when the person having direct charge deems that
5 the health of the pupils may be endangered by inclement weather conditions. At least twice
6 annually, without previous warning, the person having direct charge of any public or private
7 school shall drill all pupils in the proper method of evacuation to a safe location as if in the
8 case of a tornado or other hazard. At least twice annually, without previous warning, the
9 person having direct charge of any public or private school shall drill all pupils in the proper
10 method of evacuation or other appropriate actions as if in the case of a school safety incident.
11 The public school safety drill shall be based on the school safety plan adopted under s. 120.12
12 (26). The school board or governing body of the private school shall maintain for at least 7
13 years a record of each fire drill and tornado or other hazard, and school safety drill conducted.

NOTE: SECTION 1 requires the person in charge of both public and private schools to conduct 2 school safety drills each school year in addition to monthly fire drills and 2 tornado or other hazard drills.

COMMENT: 1. The total number of mandatory drills would increase from approximately 11 to 13 each school year. The committee could decide to retain the requirement of 11 drills if hazard drills were defined to include school safety drills or allow the school safety drills to be done in conjunction with any of the other mandatory drills. Does the

committee want to increase the number of drills or allow school safety drills to be an alternative drill?

2. Under current law, both public and private schools are required to conduct fire and tornado or other hazard drills, but only public schools are required to develop a school safety plan. This draft provides that the drills are mandatory for private schools. Does the committee want to require private schools conduct school safety drills and if so, should they also be required to have a school safety plan?

1 **SECTION 2.** 118.07 (2) (b) of the statutes is amended to read:

2 118.07 (2) (b) In each community having a recognized fire department, the person
3 having direct charge of any public or private school shall annually file a report pertaining to
4 such drills, on a form furnished by the department of commerce, with the chief of the fire
5 department. When no fire drill is held during any month, or when only one or no tornado or
6 other hazard drill, or when only one or no school safety drill is held in a year, the person having
7 direct charge of the school shall state the reasons in the report.

NOTE: SECTION 2 requires the person in direct charge of any public or private school to file fire, tornado or other hazard, or school safety drill reports with the chief of the fire department, as well as explain why a required drill was not conducted.

8 **SECTION 3.** 120.12 (26) of the statutes is amended to read:

9 120.12 (26) SCHOOL SAFETY PLANS. (intro.) Have in effect a school safety plan for each
10 school in the school district.

11 (a) School safety plans shall be created with active participation from appropriate
12 parties specified by the school board, and may include local law enforcement officers, fire
13 fighters, school administrators, teachers, school social workers, and mental health
14 professionals. Each school safety plan shall include general guidelines specifying procedures
15 for emergency prevention and mitigation, preparedness, response, and recovery. The plan

1 shall also specify the process for reviewing the plan, the persons who are to receive training
2 of the plan's procedures, and methods for conducting drills required to comply with the plan.

NOTE: SECTION 3 requires school boards to create a school safety plan with participation from appropriate parties specified by the school board. The suggested list includes law enforcement officers, fire fighters, school administrators, teachers, school social workers, and mental health professionals. Under the draft, school safety plans are required to specify the procedures for prevention and mitigation, preparedness, response, and recovery. School boards are also required to specify the plan's review process the persons who are required to receive school safety plan training, and methods for conducting drills.

COMMENT: The list of persons to be included in creating the plan is a permissive, not mandatory list of possible participants. Does the committee want to modify this provision? This current statute does not require private schools to have a safety plan. However, private schools are currently required to conduct fire and tornado or other hazard *drills*. Under s. 118.07 (2) (a), stats., if the committee decides to require safety plan drills for private schools, should private schools also be required to have a safety plan? [See Comment 2., in SECTION 1.]

3 (b) The school board shall determine which persons are required to receive school
4 safety plan training and the frequency of the training. The training shall be based upon the
5 school district's prioritized needs, risks, and vulnerabilities.

NOTE: This provision allows school boards to determine who receives school safety plan training or how often the training must occur. There is also discretion as to what the training includes, as it is based upon the school district's prioritized needs, risks.

COMMENT: This draft leaves discretion with the school board as to whom should be trained. If the committee specifies the personnel who must receive training, issues may arise with regard to contracted employees that may need to be addressed in the statutes.

6 (c) The person having direct charge of any public school shall drill all pupils in the
7 proper method of evacuation or other appropriate actions specified in the school safety plan
8 as if in the case of a school safety incident as required under s. 118.07 (2) (a).

NOTE: This provision requires school safety drills be practiced according to the school safety plan.

1 (d) The school board shall have in effect a school safety plan for each school in the
2 school district within 3 years of the effective date of this paragraph [revisor inserts date...].

NOTE:

3 (e) The school safety plan shall be reviewed at least once every 3 years after the plan
4 goes into effect.

NOTE: Paragraph (d) provides school boards 3 years from the effective date of this bill to comply with the school safety plan requirements. Paragraph (e) requires school safety plans to be reviewed at least once every 3 years after the plan goes into effect.

5

(END)