



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 1

TO: MEMBERS OF THE SPECIAL COMMITTEE ON SCHOOL SAFETY

FROM: Russ Whitesel, Senior Staff Attorney and Melissa Schmidt, Staff Attorney

RE: School Safety Plans

DATE: August 25, 2008

The Special Committee on School Safety will hear testimony on school safety plans at its September 9, 2008 meeting. The purpose of this Memo is to briefly review the statutory and administrative rule provisions relating directly to school safety plans.

Under s. 120.12 (26), Stats., the school board of a common or union high school district shall “have in effect a school safety plan for each school in the school district.”

In addition, s. 121.02 (1) (i), Stats., provides as one of the school standards that each school board shall “provide safe and healthful facilities.” Under this provision, these facilities must comply with statutes related to the regulation of toxic substances, including asbestos and lead poisoning or lead exposure administered by the Department of Health Services as well as any rule promulgated by that department under those sections.

The Department of Public Instruction (DPI) promulgated administrative rules addressing the school district standards as ch. PI 8, Wis. Adm. Code. Within that rule, DPI requires each school district to maintain safe and healthful facilities. Specifically, that standard requires the following:

Safe and healthful facilities. A long-range plan shall be developed, adopted, and recorded by the school board which defines the patterns and schedule for maintaining the district operated facilities at the level of the standards established for safe and healthful facilities. The school board shall comply with all regulations, state codes, and orders of the department of commerce and the department of health and family services and all applicable local safety and health codes and regulations. The facilities shall be inspected at least annually for potential or demonstrated hazards to safety and health, and hazardous conditions shall be corrected,

compensating devices installed or special arrangements made to provide for safe and healthful facilities. Maintenance procedures and custodial services shall be conducted in such a manner that the safety and health of persons using the facilities are protected. Responsibility for coordinating all activities related to the safety and health considerations of the facilities for the entire district shall be assigned to one individual.

If you have any questions regarding this information, please feel free to contact either of us at the Legislative Council staff offices.

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