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## WISCONSIN LEGISLATIVE COUNCIL

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### SCHOOL SAFETY

Room 225 Northwest  
State Capitol

October 7, 2008  
10:00 a.m. – 2:45 p.m.

[The following is a summary of the October 7, 2008 meeting of the Special Committee on School Safety. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

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#### Call to Order and Roll Call

Chair Lehman called the meeting to order. The roll was called and it was determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Sen. John Lehman, Chair; Rep. Don Pridemore, Vice Chair; Sen. Luther Olsen; Rep. Sondy Pope-Roberts; and Public Members Betsy Georg, Tom Grogan, Terry Milfred, Gary Myrah, Robert Rosch, Luke Valitchka, Laura Vernon, and Luis Yudice.

COMMITTEE MEMBERS EXCUSED: Public Members Richard Anderson and Vincent Flores.

COUNCIL STAFF PRESENT: Russ Whitesel, Senior Staff Attorney and Melissa Schmidt, Staff Attorney.

APPEARANCES: Freddi Adelson, Madison Metropolitan School District; Morna Foy, Executive Assistant, Wisconsin Technical College System; Steven Fernan and Jennifer Kammerud, Department of Public Instruction; Senator Neal Kedzie; Dr. Pat Robinson, Dean, Criminal Justice Division, Fox Valley Technical College; and Claire Smith, Department of Health Services.

## **Approval of the Minutes of the September 9, 2008 Meeting**

*Public Member Robert Rosch moved, seconded by Public Member Gary Myrah, to approve the minutes of the September 9, 2008 meeting of the Special Committee. The motion passed on a voice vote.*

### **Chairperson's Remarks**

Chair Lehman explained that at the beginning of this meeting, the committee would continue gathering information and that during the latter portion, it would start narrowing the list of issues the committee would address as final products. He stated that the committee would determine the final list of committee proposals at the November meeting.

### **Description of Materials Distributed**

Russ Whitesel, Legislative Council Senior Staff Attorney, asked if committee members were receiving all of the materials distributed by Council staff. No committee members expressed any problems receiving them. Mr. Whitesel proceeded to explain the handouts distributed.

Mr. Whitesel explained that the two handouts highlighting educational opportunities to expelled students were distributed in response to questions asked at the last meeting. It includes best practices after 9/11 as reported by the Department of Public Instruction (DPI).

Mr. Whitesel then highlighted Memo No. 2, which provided background information on the anti-bullying legislation Senator Neal Kedzie introduced this past legislative session, 2007 Senate Bill 42. In response to questions, Mr. Whitesel said that there was not enough time at the end of the legislative session to pass this bill. He reminded the committee that legislation will be the committee's end product and this bill was one example of what legislation looks like. Mr. Whitesel concluded by saying that the DPI report on bullying prevention guidelines would be addressed later in the meeting.

### **Presentations on BadgerCare**

[Note: Testimony and documents referred to by the speakers are posted on the committee's Internet site.]

#### ***Claire Smith, Department of Health Services***

Ms. Smith stated that BadgerCare Plus is Governor Doyle's insurance program for affordable healthcare. She explained that it went into effect on February 1, 2008. It has since then, served 85,000 new individuals, of which 55,000 are children. She testified that under BadgerCare Plus, affordable healthcare is when an employer pays 80% or more of healthcare premiums. She said all children, regardless of income are eligible. She also said the program allows, under certain conditions, pregnant women who meet income eligibility standards to participate. Ms. Smith said the Department of Health Services' (DHS) emphasis is to make sure that all children have access to affordable, comprehensive healthcare.

Ms. Smith said that there are two BadgerCare Plus plans for kids, the standard plan and the benchmark plan. She explained that the standard plan was similar to Medicaid, with eligibility up to 200% of the federal poverty level. She said this plan has very comprehensive services. The benchmark plan is similar to private healthcare insurance, with premiums and slightly higher tiered co-pays ranging from \$10-\$90 per month, per child.

Ms. Smith outlined some of BadgerCare Plus's mental health services. She said the standard plan provides full coverage for mental health and substance abuse treatment, but that this does not include room and board. She emphasized that the co-pay ranges from \$0.50-\$3.00 per visit, limited to 15 hours or the first \$500 of services, per calendar, whichever comes first. The co-pay is not required, she said, for services provided in a hospital setting. Ms. Smith explained that the benchmark plan's mental health coverage is based on Wisconsin's State Employee's plan.

Ms. Smith explained that BadgerCare Plus tries to remove barriers to the application process by allowing online applications and partnering with various organizations other than county welfare offices. She said that there are 100 partners around the state, ranging from neighborhood Boys and Girls Clubs to day care providers. She said there are also 31 partners who have been awarded up to \$25,000 mini-grants to help sign up applicants; for each family successfully enrolled, DHS gives the partner \$50.

Ms. Smith said that the challenge is finding unserved families, who hesitate to apply because of the stigma. She testified that Milwaukee has a taskforce of 75 organizations to help inform families of BadgerCare Plus. She also said DHS is working with Covering Kids and Families to enroll families into the program. Ms. Smith described how the organization helped find 51 eligible families during Madison Public Schools' open enrollment day on August 16<sup>th</sup>, of which 14 signed up for coverage that day. She also said that 62 families signed up for more information or sign up later. Ms. Smith said that DHS will work with more school districts to replicate this enrollment activity. For more information Ms. Smith directed the committee to the BadgerCare website: [www.badgercare.org](http://www.badgercare.org).

***Freddie Adelson, Madison Metropolitan School District***

Ms. Adelson stated that she has worked in the Madison Metropolitan Public Schools for about 25 years, mostly as a school nurse. She began her presentation by discussing the problem of mental health. She distributed a handout from the National Center for Children in Policy, which reported 1 in 10 youth have a serious mental health problem severe enough to impair how they function at home, school, or in the community. She indicated that the onset of mental health can be as early as 10-11 years of age. She explained that mental health problems are more likely for children of low-income families and that there is a disparity of care between ethnic groups.

Ms. Adelson described a success story about a 9 year-old student, illustrating how wrap-around mental health services can help children. She said that school employees originally were unsure if he had a learning disability or mental health problems. She said that there was a building consultation to provide a school assessment, where representatives from various professionals come together to determine how to help children. She shared how a school social worker acted as contact point while the student, and his family received services from various organizations. Ms. Adelson explained that the student's attendance rate went from 80% to above 94%, has maintained progress at grade level for two years, and continues to have strong connections with school and his peers. Ms. Adelson said this story highlights the need for coordinated care organized by social workers, in partnership with schools and

community services. In response to questions, Ms. Adelson explained that the collaboration in Madison is informal.

Ms. Adelson explained the Children's Mental Health Collaborative effort in Madison. For the last six years, Madison Public Schools has invited various community groups to help improving access to mental health services through prevention, early intervention, and treatment. There are roughly 10 organizations including the Madison Metropolitan School District involved in this effort.

***Russ Whitesel, Wisconsin Legislative Council Senior Staff Attorney***

Mr. Whitesel reported that the US Congressional Financial Rescue package, as passed by Congress, included mental health parity provisions. He said that information about these provisions will be provided to the committee at the November meeting.

**Presentations on Fox Valley Technical College Program**

***Dr. Pat Robinson, Dean, Criminal Justice Division, Fox Valley Technical College and Morna Foy, Executive Assistant, Wisconsin Technical College System***

Ms. Foy introduced Dr. Robinson, Dean of Fox Valley Technical College's (FVTC), Criminal Justice Division. Dr. Robinson described FVTC's efforts training and providing technical assistance in school safety and child protections. She explained that FVTC has received federal and state grants to provide these services since 1993. She said that the training is aimed towards law enforcement and school administrators. Dr. Robinson shared that FVTC received a state grant to develop the Wisconsin Crime Prevention Resource Center website in 2007. FVTC has also provided technical assistance, such as an audit of the 28 schools in Appleton.

In her presentation on a statewide school resource center, Dr. Robinson said that only about half of the states in the country have one. She said that Minnesota is developing one, but the Midwest does not have many. She indicated that there were many services that FVTC could provide if they were to develop a resource center. These services include a web-based virtual library which provides "best practice" resources, a training and events calendar, in an effort to develop community partnerships and connect schools with training and technical services. Dr. Robinson said that FVTC could host conferences, provide training and technical assistance, and add information to their website. She indicated that FVTC could do a lot more if it was given more money.

Dr. Robinson pointed out that having a resource center at a technical college, rather than a 4-year college, or state agency, makes it more accessible to the community, as they reach out in ways that universities cannot. In response to questions, Ms. Foy stressed that they were not making a case for what technical colleges should be doing, only that FVTC has already established connections.

## **Presentation on Department of Public Instruction School Safety Grant Program Budget Proposal**

*Steven Fernan, Assistant Director of Student Services/Prevention and Jennifer Kammerud,  
Department of Public Instruction*

Mr. Fernan provided an overview of the DPI 2009-2010 budget proposal relating to school safety grants. He explained that DPI requested \$5.25 million in general program revenue to provide grants reimbursing school districts for school safety expenditures allowed under the federal Safe and Drug Free Schools and Communities Act (SDFSCA). Mr. Fernan said that \$5 million would be for the grants, in the form of categorical aid, the rest would be for state operations. He said that since the No Child Left Behind Act, funding for SDFSCA has decreased in half over the last five years, such that Wisconsin schools will receive less than \$4 in funding.

Mr. Fernan testified that these grants would be competitive grants, available to all school districts. He said that schools could use the funding for items such as school-based mental health, truancy, discipline, and security personnel and equipment. In response to questions, Mr. Fernan said that DPI decided against distributing the funding to all schools as this would dilute the effectiveness of the funds. He also said that with this additional funding, DPI could continue providing services such as bullying prevention curriculum. Mr. Fernan testified that this funding would not allow DPI funding to create a statewide safety resource center, but reminded the committee that he provided information describing the 20 state resource centers in a prior handout. In response to questions, Mr. Fernan explained that last year's school safety conferences had roughly 500 participants with no fee as there was federal grant money to cover the costs. Mr. Fernan said this year there is a \$70 registration fee and roughly 250 participants.

## **Presentation on School Bullying Legislation**

*Senator Neal Kedzie, 11th Senate District, State of Wisconsin*

Senator Kedzie provided an overview of 2007 Senate Bill 42. He said that it required DPI to develop model policies on bullying, required schools to adopt bullying policies, and specified the Wednesday of the 4<sup>th</sup> week of September as Bullying Awareness Day as a list of special observances school districts may observe. Senator Kedzie commended school districts that have working policies already in place and said testified that Senate Bill 42 would not require these schools to make changes.

Senator Kedzie reported that 33 states already have bullying policies. He pointed out that research indicates bullying is more severe and self-evident than ever before; bullying now comes in the form of websites and text messages, as well as severe beatings. In response to questions, Senator Kedzie said that the bill only addresses bullying occurring on school property or school sanctioned functions. He recognized that this bill does not solve everything and the effects would not be immediate, but said that it targets younger children, while they are still teachable.

## **Committee Discussion Relating to Access to School Records and Safety Plans By Law Enforcement Personnel and Others**

Senator Lehman suggested committee members discuss why school records are held confidential before discussing what the committee should recommend in terms of information-sharing proposals. Public Member Betsy Georg explained that Wisconsin statutes comply with Health Information Patient Privacy Act (HIPPA) requirements. Public Member Laura Vernon also explained that confidentiality laws also protect children with special needs. Committee members expressed the need for increased information sharing as a way to assist in quick responses to violent behavior. Suggestions for effectuating this goal were: (1) not define “school officers” as overly broad; (2) limit information-sharing to crisis situations; and (3) limit information sharing to situations of imminent dangerousness. Chair Lehman reminded the committee that teachers want a positive environment in their classrooms and may fear losing this if they are required to share information.

## **Committee Discussion of Bullying Legislation**

Mr. Whitesel asked the committee to read and review the text of Senate Bill 42, with a focus on the substitute amendment. In response to questions, he explained that it may be difficult for schools to regulate cyberbullying, as it would require school districts to reach beyond school property and functions. He said that currently some cyberbullying would be subject to regulation law enforcement personnel under Wisconsin’s criminal harassment statutes.

## **Committee Discussion and Plans For Future Meetings**

Chair Lehman said that the committee would discuss how it would address school safety plans at the next meeting. The committee voted to not include proposals related to school administrator licensing and training requirements. The committee will discuss proposals related to the following areas at the next meeting: (1) mental health parity; (2) statewide school safety conferences; (3) a statewide resource center; (4) school safety spending beyond revenue caps; and (5) funding options to support cooperative community efforts.

## **Adjournment**

The meeting was adjourned at 2:45 p.m.

MS:ty