



WISCONSIN LEGISLATIVE COUNCIL

SCHOOL SAFETY

Legislative Council Conference Room
Madison, Wisconsin

September 9, 2008
10:00 a.m. – 3:10 p.m.

[The following is a summary of the September 9, 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>.]

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; Sen. Luther Olsen; Rep. Sondy Pope-Roberts; and Public Members Vincent Flores, Betsy Georg, Tom Grogan, Terry Milfred, Gary Myrah, Robert Rosch, Laura Vernon, and Luis Yudice.

COMMITTEE MEMBERS EXCUSED: Rep. Don Pridemore, Vice Chair; and Public Members Richard Anderson and Luke Valitchka.

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

APPEARANCES: Attorney General J.B. Van Hollen, Wisconsin Department of Justice (DOJ); Joe Ray, Retired School Administrator; Steve Fernan, Department of Public Instruction (DPI); Barbara Dorff, Director of Student Services, Green Bay Public Schools; and Deb Parman, Director of Pupil Services, Beaver Dam Public Schools.

Approval of the Minutes of the July 22, 2008 Meeting

Public Member Gary Myrah moved, seconded by Public Member Laura Vernon, to approve the minutes of the July 22, 2008 meeting of the Special Committee. The motion passed on a voice vote.

Description of Material Distributed

Mr. Whitesel briefly described Memo No. 1., *School Safety Plans*, dated August 25, 2008. He said that the information would be a useful reference for the statutes and discussion relating to school safety.

Presentations by Invited Speakers

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

Attorney General J.B. Van Hollen, Wisconsin DOJ shared his views related to school safety with the committee. He indicated that as he travels through the state meeting with law enforcement officials and other community leaders he finds that school safety issues are often among their primary public safety concerns. He briefly reviewed some of the activities that he has been involved in as Attorney General and also activities supported by the Wisconsin DOJ.

Attorney General Van Hollen advocated for state and federal lawmakers to examine privacy laws in an effort to remove barriers to affect information-sharing particularly as it relates to law enforcement access to educational and school information. He also spoke about not only restrictions under state law but also those under the Family Educational Rights and Privacy Act (FERPA). In this regard, the Attorney General suggested that Wisconsin law be modified to make it no more restrictive than the federal law. Included in suggestions to support this approach, he suggested a repeal of s. 118.128, Stats., regarding access to educational records by noninstructional personnel. He also suggested that mechanisms for sharing pupil records with law enforcement personnel be simplified.

In addition, he recommended that school liaison officers be defined as "school officials" for the purpose of record sharing under s. 118.125, Stats. He recommended that the state definition of "directory data" be modified to conform to federal law so that there is consistency between the two laws. He also suggested that legislators should consider a mandatory reporting requirement to law enforcement if criminal activities occur on school grounds.

The Attorney General recommended that a school should get information of legal proceedings when a student is tried as an adult. He explained that this is not currently the situation.

The Attorney General recommended that schools should *not* be compelled to notify students and guardians when they receive information from law enforcement regarding student activities. In this regard, he suggested repealing s. 118.127 (1). In his final recommendation, the Attorney General

suggested that the confidentiality of records provisions include a statement of purpose that s. 118.125 is not intended to be an obstacle to school safety and that school boards should be authorized not only to adopt regulations to maintain the confidentiality of records, but also to adopt regulations designed to facilitate information-sharing permitted by law. The Attorney General offered the assistance of his office to aid the committee.

Joe Ray, Retired School Administrator

Mr. Ray provided information on his extensive work experience as a school administrator in Wisconsin. In his presentation, he suggested that the committee consider a series of issues relating to school safety and facilities management. He asserted that the statutory “safe and healthful school facilities” standard is not being adequately enforced. He recommended that responsibility for coordinating all activities relating to the safety and health consideration of the facilities for the entire school district should be assigned to one individual. He further recommended that that person be given the full support of all other administrators and the board of education. He also recommended that the designated person have the documented and delegated responsibility authority support time and compensation to carry out these additional professional responsibilities.

Mr. Ray also expressed concern regarding the need for a long-range plan for the maintenance of district-operated facilities. He cited both administrative and statutory provisions relating to these requirements. He suggested that there needs to be additional annual inspections conducted of all school buildings. He suggested that additional consultants could assist in enforcing these regulatory needs.

Mr. Ray pointed out that school administrators are not required to have adequate formal instructions in the areas of school facilities administrative oversight and school safety administrative oversight for their administrative license. He suggested that the training of administrators be increased to include the requirement of instruction in school facilities and school safety. He also suggested that the Department of Commerce could certify school district safety coordinators as they currently do with local fire chiefs.

Mr. Ray suggested that school safety requirements would be improved if school boards were required to have a trained and qualified school district safety coordinator and school district facilities manager. In this regard, he proposed that the requirements for licensure under current DPI rules be modified to require specific coursework in school safety issues. He also suggested the need for additional training in insurance and replacement costs and annual reports prepared by the local school district. Mr. Ray suggested increasing the requirements for reporting energy consumption for schools and maintaining computerized school district preventive and predictive maintenance and management systems for each school building.

In his remarks, Mr. Ray advocated for additional professional input from school safety coordinators with regard to any new or revised school building safety codes. He also indicated his support for allowing additional local expenditure for facilities repair and construction without regard to the constraints of state revenue caps. Finally, Mr. Ray suggested that additional documentation be kept of any health and safety inspections and noted violations.

Mr. Ray answered a series of questions from the committee regarding his remarks. In response to a question, Mr. Ray indicated that he did not have a specific course requirement or standard in mind for licensure and regulation of school safety coordinators.

Steve Fernan, DPI

Mr. Fernan testified at the request of the committee to provide additional information regarding school safety to the committee. Specifically, Mr. Fernan shared additional information about the data collection methods and results from the Wisconsin Youth Risk Benefits survey, and information regarding expenditures of funds by Wisconsin school districts from the Federal Safe and Drug-Free Communities program over the last three years. Mr. Fernan also shared information collected about the three most recently opened statewide school safety centers in the country.

Included in Mr. Fernan's testimony related to the risk survey, was information regarding the significant reduction in the amount of violence in the form of weapon carrying and fighting as discerned by the risk survey. He indicated growth in the area of concern with bullying in the schools and suggested that the concern for personal safety remains high due to the persistent bullying and harassment in the school place.

He pointed out that the survey shows a significant number of youth are affected by mental health issues. He stated that approximately one out of every five Wisconsin high school students reported feeling sad or hopeless for a period that lasted two or more weeks at a time in the last year.

Mr. Fernan also provided information indicating that additional alcohol consumption is being reported and noted that the department awards approximately \$5 million annually to alcohol and drug addiction prevention or early intervention grants with state appropriations. These funds are used to support programs in over 100 Wisconsin communities. Mr. Fernan reiterated the department's call for legislation to create mental health and substance abuse parity bills: a mental health substance abuse parity bill that requires adequate insurance benefits for those in need of such treatment.

Mr. Fernan also provided information on the expenditures from the budgets of the safe and drug-free community and grants awarded to each Wisconsin public school district annually. In particular, expenditures for security personnel and school security equipment were traced to the extent possible. He indicated that somewhat less than 10% annually is dedicated to specific safety and security expenditures. He indicated that this may be a function of the number of additional issues these funds are required to address. Mr. Fernan also reiterated the department's support for a dedicated, categorical grant program to expand the scope of what the safe and drug-free school and communities programs is designed to address.

With regard to the statewide school safety center, Mr. Fernan indicated that in addition to the 20 states previously noted three states have created centers in the past two years: Texas, Colorado, and Minnesota. He provided information on each one of these with regard to their budgets and their source of funding. He indicated that of the current centers, approximately 1/3 are housed in state departments of education, 1/3 are housed in state public safety/justice agencies, and 1/3 are housed in universities.

At the request of the Chair, Jennifer Kammerud supplied a response to the issues raised by Joe Ray in his testimony regarding DPI's role and responsibility in administering school licensing and inspection programs.

Barbara Dorff, Director of Student Services, Green Bay Public School District

Ms. Dorff expressed her appreciation for the opportunity to present information regarding the Green Bay School District security plan. She provided some biographical background and also a history of the development of Green Bay's security plan. In that description, she also provided the make-up of the committee that was instrumental in developing the plan.

During her testimony, Ms. Dorff went through a number of scenarios as well as "lessons learned" and needs identified that have lead to changes and improvements in the school security plan. She also provided detailed information regarding the East crisis situation that developed on September 14, 2006.

In her presentation, Ms. Dorff reviewed the Green Bay crisis plan which provides summary directions for dealing with lockdowns at various levels, bomb threats, attempted abductions, and the role of building and crisis teams as well as crisis trauma follow-up. Throughout her testimony, Ms. Dorff emphasized the importance of "engagement" of students and staff. She indicated that the availability of information from students and others in the building with regard to behavior and trust was a significant element in the ability of the school to deal with a very difficult crisis situation. She reviewed the many aspects and facets of developing this communication system and means by which it can be used to deal with all levels of problems in schools. Ms. Dorff described the security recommendations made in January 2007 and also provided cost estimates for various school security and safety needs. In addition, she noted for the committee's information the agenda and program for the School Crisis Preparedness Conference scheduled for October 2008.

In response to questions, Ms. Dorff indicated that she was in agreement with the Attorney General regarding the need for additional communication between law enforcement officers and schools. She indicated that she favors a balance of information and privacy but that in time of crisis it is important to be able to get the information that is relevant to the people that need it as quickly as possible. In response to a question regarding how the state might be able to help local schools, she indicated that additional funding would be helpful and she supported the need for a state center for general information and support.

Deb Parman, Director of Pupil Services, Beaver Dam Public School District

Ms. Parman expressed her appreciation for the opportunity to address the committee. She provided information and detail on the consortium and collaboration program in Dodge County involving, among others, the Beaver Dam School District. She indicated that a number of developments had lead to the creation of the consortium, centering on the increased amount of violence and school-related issues that had arisen in the county. She indicated that the consortium had obtained a grant to focus on early intervention, engagement of students and parents and their families, as well as cooperative partnerships throughout the county. She emphasized that the consortium is an attempt to join all levels of services in the county to provide services at various levels in an effort to modify behavior. She indicated that there is not only intervention involved but also extensive training of staff and other personnel. She suggested that there is a critical need for mental health services to be matched with educational needs, given that there are not just physical but mental issues involved with pupil behavior. She suggested in her testimony that the consortiums team approach, coupled with wrap-

around planning could be a model used in other districts and presented charts indicating how the mental health grant and safe schools/healthy students grant is used.

During her testimony, Ms. Parman identified various target components and survey results relating to the level of services available to meet those components. She also presented a chart showing the Dodge County Connections to the mental health grant which involved all participants in the provision of services. She presented an outline of activities with various elements to the committee and spoke in strong support of providing incentives to create more partnerships and collaboration efforts throughout the state.

In response to a question, she indicated that there are many obstacles to such programs but the incentives are needed to showcase effective programs using evidence-based approaches and shared experiences coupled with parental support. She indicated that additional resources may be needed but the main savings would be obtained through prevention.

In response to a question regarding the lack of resources, Ms. Parman suggested that focused attention be put on staff training of recognizing mental health issues and staff involvement in developing identification of issues and services. She also reiterated her support for creating small groups within the school and adopting anti-bullying policies within the schools and even at younger pre-school ages.

Committee Discussion Relating to School Plans

During this portion of the meeting, several committee members provided information regarding school safety issues and school safety plans in their respective districts. Mr. Yudice provided an overview of the Madison School District concerns and plans.

Mr. Myrah presented information regarding the school safety and crisis plan in Port Washington-Saukville School District.

Mr. Milford presented information on the adoption of a crisis plan in Weston School District and indicated that he, as administrator of the district, had gotten considerable help from the Madison School District and also from the School Board Association.

Mr. Flores presented information regarding the Milwaukee Public Schools plan and also on activities currently in place in the Milwaukee School District. Mr. Yudice explained the layered approach used in Madison with regard to school safety and indicated that the engagement approach plus reinforcement is a centerpiece of that plan. He indicated that the use of police procedures at school events has been used in Madison in dealing with student behavior at extra-curricular events as well as other school activities. Ms. Vernon indicated that the schools continue to face increased problems with reduced resources especially with regard to training and compensating professional staff who are capable and available to assist with student behavioral issues.

Plans for Future Meetings

Chair Lehman indicated that the next meeting of the Special Committee will be ***Tuesday, October 7, 2008, in Room 225 Northwest, State Capitol, Madison.*** The meeting will include testimony providing a taxpayer viewpoint of school expenditures as well as information on legislation regarding

bullying. In addition, the committee will hear testimony on mental health care specifically with regard to the availability of services under the BadgerCare Plus program. He indicated that the committee would then begin to focus on possible recommendations with respect to school safety that can be developed in the remaining meetings of the committee.

Adjournment

The meeting was adjourned at 3:10 p.m.

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