



# TODD NOVAK

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TO: Assembly Committee on Education  
FROM: Representative Todd Novak  
DATE: March 20, 2018  
SUBJECT: Special Session Assembly Bill 1

Thank you Chairman Thiesfeldt and members for the opportunity to testify in favor of Special Session Assembly Bill 1. This bill creates a \$100 million grant program administered by the Office of School Safety under the Department of Justice and working with the Department of Public Instruction to implement safety upgrades at schools around Wisconsin.

In the shadows of these terrible tragedies, we often waste no time polarizing our opinions and taking sides in an effort to stop something like this from ever happening again. As elected officials, it is up to us to come to the table and pass meaningful legislation to protect our students and provide a safe learning environment for future generations.

The allowable uses for these grants has purposefully been left open-ended, allowing for school districts to identify solutions that best fit their needs. This flexibility also allows for innovation and the ability to experiment with solutions which may have not been possible under their current budget.

In order to provide some guidance, we have suggested uses such as the hiring of school safety officers, safety upgrades to school buildings and facilities, and training opportunities for faculty.

A focal point of this legislation, armed security personnel, or police liaison officers as they are sometimes called, will provide more than just a physical barrier to an individual looking to cause harm. In my home school district of Dodgeville, we have a police officer assigned to the school district. This officer notes that relationships are the most important part of his job. Spending lunch periods getting to know the students, he is working to become a figure whom students can trust and feel comfortable coming to if they notice irregular behavior. The value of these trained officers goes far beyond just another man with a gun.

States like Ohio have implemented plans similar to the one before you today. Ohio has provided a total of \$15 million to over 3,000 Ohio schools to enhance emergency communication and entrances. Improvements have included panic buttons in each classroom and ID scanners at entrances that notify staff if an individual entering the school has a criminal warrant.

Let's approve this funding so our schools can implement innovative security measures and provide a safe environment for our children. Our students and teachers deserve to feel safe at school. Thank you again for the opportunity to testify. I am happy to answer any questions you may have.

Sincerely,

Todd Novak



**STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION**

Scott Walker, Governor  
Ellen Nowak, Secretary

**GOVERNOR WALKER'S SCHOOL SAFETY PLAN  
TESTIMONY OF DOA SECRETARY NOWAK AND DOA DEPUTY SECRETARY ZEUSKE  
ASSEMBLY COMMITTEE ON EDUCATION  
MARCH 20, 2018**

Chairman Thiesfeldt and members of the Assembly Committee on Education, thank you for the opportunity to be here today to discuss Governor Walker's School Safety Plan, outlined in the special session bills before the Committee today. My name is Ellen Nowak, and I am Secretary of the Department of Administration. With me today is Cate Zeuske, Deputy Secretary at the Department.

**SECRETARY NOWAK:**

No student, teacher, parent, or school employee should feel unsafe at school. That's why we are here today. The special session bills, proposed by Governor Walker, will provide the tools and resources necessary to improve school safety around the State, regardless of the school's size, budget, or location. Just like the federal government changed security and safety procedures for planes and airports after the terrorist attacks on September 11, 2001, we need to do the same for our schools.

Working with Attorney General Brad Schimel, the Wisconsin Association of School Boards, and numerous other stakeholders, this package will achieve our shared goal of protecting students by:

1. Establishing the Office of School Safety under the Wisconsin Department of Justice
2. Creating a \$100 million School Safety Grant Program
3. Requiring mandatory reporting for any threats of school violence
4. Amending statutes to include prompt parental notification when bullying occurs
5. Incorporating Trauma-Informed Care (TIC) and Adverse Childhood Experiences (ACE) into training programs
6. Strengthening school safety plan requirements; and
7. Encouraging cooperating with local law enforcement

First, I would like to highlight the new Office of School Safety that is created under this plan. The Office of School Safety will provide best practices and appropriate training for all schools around the State. Having this law-enforcement based resource available will allow Wisconsin schools to have access to the most current data and best practices as they work to ensure a safe learning environment for students, teachers, and school employees.

The Governor and First Lady Tonette Walker have been leaders nationally in the discussion of mental health and Trauma-Informed Care. Recognizing the impact Adverse Childhood Experiences have on a child's development and the importance of Trauma-Informed Care, this package requires that the Office of School Safety provide training so more teachers, coaches, counselors, and administrators utilize Trauma-Informed Care and recognize how it will help students.

Additionally, the Office will become a centralized location for important school documents, including blueprints of school buildings and required school safety plans. Comprehensive school safety plans are vital in any school safety discussion. Governor Walker's proposal will improve upon the currently required school safety plans by having resources available to assist in safety plan development and will encourage schools and local law enforcement to collaborate.

The Governor's School Safety Plan also includes a \$100 million investment in school safety. Let me repeat that: a \$100 million investment in school safety. The \$100 million investment will fund a new School Safety Grant Program, administered by the Office of School Safety. All of this is in addition to the historic investment of \$11.5 billion into K-12 education Governor Walker included in the current state budget - which includes a \$6.65 million new investment for mental health services within the schools.

The grants will be available to all schools in Wisconsin for building security improvements, training opportunities, and school resource officers, which can be current or retired law enforcement officers. The grant program allows all local schools and school districts to apply for funding based off what they specifically need to ensure the safety of all students and teachers.

**DEPUTY SECRETARY ZEUSKE:**

To ensure the \$100 million investment achieves maximum impact in Wisconsin, Governor Walker also issued an Executive Order last week directing DOA's Bureau of Procurement to ensure schools have access to the State's contracts and services so they can get the best possible price for safety capital improvements. Grant funding, coupled with additional buying power, will give every school, no matter its size or location, the chance to make school safety improvements that meet their specific needs.

In addition to providing \$100 million in funding for a school safety grant program and establishing the Office of School Safety, Governor Walker's School Safety Plan includes several other components that will help increase school safety, encourage cooperation with local law enforcement, and ensure proper reporting.

First, the plan expands current mandatory reporting requirements for professions such as teachers, school counselors, doctors and mental health professionals, to include threats of school violence. We want to ensure that when an individual is threatening to commit a serious act of violence against a school, that those who might be aware of that threat are required to report it and start the first steps of intervention.

Second, the Governor's plan amends the Department of Public Instruction's model policy on bullying to include prompt notification to parents or guardians when their child is involved in a bullying incident. This report will need to occur within 48 hours under this change. Alerting parents and guardians promptly to bullying incidents involving their child will ensure that they are involved in and aware of the child's behavior in a school setting.

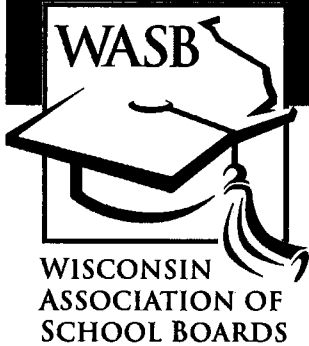
Third, this plan encourages greater cooperation between schools and local law enforcement. Schools are required to have local law enforcement conduct a site assessment of their buildings while developing their school safety plan. Before submitting a grant application for the School Safety Grant Program, schools are required to have sign-off from their local law enforcement on their proposed use of funds. Schools are required to share blueprints with local law enforcement to ensure that those

officers have the tools necessary to respond to emergency situations. Finally, state law is clarified to ensure that live video streams of schools can be shared with law enforcement for the purposes of student and teacher safety.

**SECRETARY NOWAK:**

As you can see, school safety is a priority for Governor Walker. It is why we are creating an Office of School Safety with an expert to provide guidance and best practices. It is why we are requiring certain individuals to report threats of school violence. It is why we are incorporating Trauma-Informed care into training for teachers, counselors and school administrators. And it is why we are investing \$100 million in school safety for all students at all schools and creating opportunities to schools to maximize funding.

The safety of our students, parents, teachers, and school employees is of utmost importance. We need to ensure this safety so our children are free to learn at school, our teachers are free to teach, and our parents can have peace of mind.



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John H. Ashley, Executive Director

**TO: Members, Assembly Committee on Education**  
**FROM: Dan Rossmiller, WASB Government Relations Director**  
**RE: Special Session Assembly Bills 1-6, School Safety Package**  
**DATE: March 20, 2018**

The Wisconsin Association of School Boards (WASB) supports state legislation to provide resources to school districts to help keep their students safe.

**SSAB 1** creates a grant program at DOJ for all schools to improve school safety. The WASB supports the creation of this grant program and the significant investment of \$100 million from the state. We also support DPI having a role in determining how the program will be administered. We hope the grant program will provide resources with the flexibility to deploy them according to local school district needs and that resources are robust enough so that every school district can receive a share sufficient to take steps to make students and staff more secure.

We have also advocated that funding for only “hardening” school facilities, while welcome, is likely not going to be sufficient to address the full range of locally identified needs. We have advocated that, ideally, these grants should be eligible to fund an array of school safety-related expenditures including the following:

1. **Prevention and Intervention** such as the provision of school-based mental health screening and counseling services; state-provided resources to enable local districts to provide educational services for expelled pupils, particularly non special-education pupils who would otherwise be cut loose from contact with the educational system; anti-bullying (prevention and awareness) education, violence prevention curricula, and character education; and conflict resolution and dispute management strategy training.
2. **Collaborative Measures** to ensure that efforts to make schools secure are not undertaken in a silo but are coordinated with law enforcement, mental health professionals and county social services personnel—such as providing schools with technical assistance and training to address emergency preparedness and school violence; encouraging mental health providers to work with law enforcement and schools to develop uniform threat assessment tools to identify potential shooters and then to figure out how to treat them and/or limit their access to people and weapons; developing tip lines or hotlines or other ways for students and parents to report disturbing or threatening behavior. Community-based approaches also can continue after age 21 and offer options for those times when school is not in session.
3. **Security of School Facilities** such as better controlling access and implementing better visitor management systems (student, staff and visitor identification systems); have adequate and functioning school safety equipment (video surveillance systems, sensors, cell phone apps or two-way radios, distress/alarm buzzers, hotlines, designated contact persons); and proper brick and mortar improvements (secured entrances, secure architectural designs, interior door locks, emergency exits, metal detectors); and adequate compensation for armed school security officers who we would prefer are current law enforcement officers (SROs) or retired law enforcement officers who have maintained their training.

**SSAB 2** creates an office of school safety at DOJ to provide model school safety practices and training for schools. The WASB supports creating an office of school safety to be a resource for schools and law enforcement. We understand why that office is located in the DOJ considering their experience with working with local law enforcement agencies. Ultimately, we think the office will be a great resource for our members.

We are pleased that school staff training may include trauma informed care and how adverse childhood experiences have an impact on a child's development and increase needs for counseling or support.

We also believe a repository of school facility blueprints for law enforcement use only makes sense and support allowing grants issued under SSAB1 to be used to mitigate the costs to schools of providing blueprints especially in cases where older buildings may not have any existing blueprints.

**SSAB 3** expands current law requirement for certain professional staff to report child abuse and neglect to also report to a law enforcement agency a reasonable suspicion that a person intends to commit an act of violence involving a dangerous weapon or explosive in or targeting a school. The bill also requires school district employees to be trained in mandatory reporting suspected school violence in addition to identifying child abuse and neglect. The bill also exempts from the state's requirements for confidentiality of patient health information and allows the disclosure by a health care provider of any suspicion of a patient intending to commit an act of violence targeting a school. The WASB supports these provisions.

**SSAB 4** DPI's model school policy on bullying must contain certain components, including a procedure for investigating reports of bullying that requires notifying the parent or guardian of each pupil involved in a bullying incident. This bill requires that the parent or guardian of each pupil involved in the bullying incident be notified within 48 hours of the incident being reported to a school district employee. The WASB asks for a simple amendment to this provision to provide language to accommodate for weekends/holidays/snow days that may follow an incident. A more flexible approach might provide that this notice must be provided no later than the third day on which school is in session.

**SSAB 5** requires that, before creating or updating a school safety plan, a school board must work with local law enforcement to conduct an on-site safety assessment and subsequently develop an individualized safety plan of each school building, site, and facility that is regularly occupied by pupils.

The bill also says a school safety plan may not include restrictions on how school district employees report emergencies, school violence or threats of school violence, or suspicious individuals or activities to law enforcement.

It also requires that each school building regularly occupied by pupils are drilled annually in the proper response to a school violence event. The principal (or person in charge) of each building must submit a written evaluation of the drill to the school board.

Finally, each school board must annually submit its school safety plan, and various information related to the implementation of the school safety plan, to DOJ.

We are not going to argue against any of these mandates but will urge that the DOJ & DPI ensure that costs to comply are eligible for grant monies under SSAB1. We will also continue to advocate for state resources moving forward to comply with these continuing mandates. WASB recognizes that not all local law enforcement agencies share the same expertise in school security. For that reason, we have also suggested that perhaps our technical college system, which operates statewide and provides a range of law enforcement training, could be used to provide expertise to schools to ensure that their safety plans are vetted and reflect current understanding of best thinking and best practices. It could also certify people with expertise on developing school safety plans so that schools get high quality advice.

**SSAB 6** creates a specific exception to the requirement that pupil records be kept confidential for safety camera footage that is made available to a law enforcement agency if sharing that footage serves a legitimate safety interest. The WASB proposed this idea to the governor's office and supports this bill.

March 19, 2018

Memo to: Governor Walker and Members of the Wisconsin Legislature

From: The Southeastern Wisconsin Schools Alliance (SWSA)

Regarding: School Safety Proposals

The Southeastern Wisconsin Schools Alliance (SWSA) represents 31 public school districts and educates 24% of the students in Wisconsin. Our membership represents superintendents and school board members from a wide spectrum of K-12, K-8, and Union High Schools. These school districts vary in size, demographics, revenue limits, and fiscal comparisons. They are urban, suburban, and some even find themselves facing transportation issues like a rural school (99 square miles in one district).

We are grateful that Governor Walker has begun the conversation to address school safety by introducing a series of bills and an investment in physical upgrades. However, we believe there are additional key elements that need to be included for this to be a comprehensive approach to school safety.

With the wide variety of public school districts that we represent and communities we serve, we would like to provide input into the school safety conversation that is taking place at a rapid pace here in Wisconsin.

1. **School safety is not a "school" issue; it is a community issue.** SWSA hosted a School Safety Forum two weeks ago and our panelists included law enforcement, a school psychologist, mental health professionals, county crisis personnel, and school district representatives. Any legislation that is developed should provide opportunities for all members of the community to work together to resolve safety issues collectively. No one entity is going to be able to do this on their own and this is a conversation that must be on-going.
2. **School safety is not only "hardening" the physical components of our schools, but also providing an increased investment in mental health support services.** If Wisconsin is serious about making our schools and communities safer, then policy must include a comprehensive approach to safety that includes an increased investment in mental health support services in collaboration with community partners.
  - The proposed legislation from Governor Walker does not include any increased funding to support mental health services. Incorporating Trauma Informed Care (TIC) and Adverse Childhood Experiences (ACEs) is important, but we need more long-term sustainable financial investment into behavioral and mental health programming. Currently the state is set to invest just over \$6 million to support school mental health staff and community and school collaborative mental health grants. These are valuable programs, and we appreciate the support from the Governor and legislature in the current budget, but more can be done.
3. **School safety legislation to support improving physical safety must be flexible, sustainable, and outside of the revenue limit.** Many school districts have already hired Student Resource Officers (SROs) in collaboration with their communities and made significant investments to school safety in their buildings.

- a. **Flexibility:** The proposed legislation from Governor Walker includes grant funding that cannot be utilized by districts that have already embedded SROs and spent thousands of dollars for security upgrades to support their school safety plan. *Every school district can identify more needs to support school safety than they can afford.* Providing flexibility for the grants at the local level would alleviate this concern.
- b. **Sustainability:**
  - i. The proposed grant funding to support SROs is eliminated after three years. An SRO is providing so much more than an “armed guard” might provide. These SROs play a critical role in developing and revising safety plans as well as developing strong relationships with the student body. It is these relationships and the trust that is built that help district personnel avert potential threats to safety. It simply does not make sense to pull this funding from a school district after three years.
  - ii. Although school districts are grateful for the consideration of the investment, school safety is not a “one-time” expense. Providing a sustainable funding stream to address safety issues annually should be considered.
- c. **Safety Expenditures outside the Revenue Limit:** Restoring the revenue limit adjustment for school safety expenditures would also help schools implement safety features and provide flexibility at the local level. The \$40,000 cap should be removed as that number would be reached very quickly in making safety improvements to multiple buildings in a school district. It would be extremely helpful to allow school districts and their communities to make these decisions *at the local level.*

Dr. Patricia Deklotz, Superintendent from the Kettle Moraine School District stated, *“We should not be excluded simply because we were wise enough to reduce programming in order to provide for an SRO (School Safety Officer). School Safety should not end up as an unfunded mandate. Twenty-five years ago, SROs were not even considered. Society has changed and our children need the same protections we afford individuals at our airports. Providing for this expense is outside the scope of what current funding should support.”*

The safety of our students is an important discussion for all community members to engage in. It is unfortunate that school district personnel only had 24 hours to review and respond to these extremely important school safety bills.

SWSA urges you to continue this conversation and welcomes any questions you might have for our members.

Respectfully submitted,



Terri Phillips  
SWSA Executive Director  
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swsaexecdirector@gmail.com





March 20, 2018

To: Chairman Jeremy Thiesfeldt and members of the Assembly Committee on Education  
From: Wisconsin Chiefs of Police Association  
Re: March 2018 Special Session on School Safety

The Wisconsin Chiefs of Police Association (WCPA) represents law enforcement leaders in 700 communities across our state. Our Association believes the six bills currently introduced for the March 2018 Special Session are a step in the right direction, but not as comprehensive as they could be, to ensure the safety of our school children. Our position paper from last week, which is attached, outlines a comprehensive approach to this serious problem which our state is facing. With yet another school shooting reported on the east coast this morning, this issue needs to be taken seriously.

Ensuring our schools are structurally secure from mass shooter threats is only one aspect of school safety. An equally important aspect is ensuring that those who need mental health counseling receive the help they need, and it is done in a timely manner once a concern about an individual has been identified. Students often initially identified by parents, teachers, coaches, and other school personnel, as needing mental health services, need to get that help, not just a report flagging a concern.

The recent shooting in Parkland, Florida and the countless others that have preceded it, illustrate that beefed up school safety policies and door locks might have helped reduce or even prevented the number of young lives lost. However, that should be only one part of this conversation. The trauma inflicted on a community, parents, survivors, school personnel, and even law enforcement, needs to be a part of the dialogue and public policy changes.

The WCPA respectfully requests that we be a part of future discussions of any comprehensive school safety proposals. Our profession, more than any other, is intimately involved in addressing school safety concerns. We were not consulted on any of the broad range of bills before you today. Many other stakeholders affected and involved in school violence should also be at the table for discussion as well.

The WCPA supports Special Session Assembly Bill 2 that creates an office of School Safety in the Dept. of Justice with one time funding. We support a simple amendment that will clarify local law enforcement must always have the latest blue print plans for a school, not just the DOJ. The WCPA also supports Special Session Assembly 6 that allows a school board to share safety camera footage. We are registering for information only on the remaining bills. They are certainly a step in the right direction and we appreciate the Governor and Legislature understanding violence in schools leaves no one immune from a potential tragedy.

We look forward to being a part of the solution that addresses a comprehensive approach to safety in our schools. Safe schools and helping troubled youth get access to mental health services in a timely fashion before they ever consider reaching for a weapon is the best way to prevent senseless violence and the devastation reaped upon innocent victims, their families and our communities.

Thank you for your willingness to listen to our concerns.

*2018 WI Chiefs of Police President: Police Chief Peter Nimmer (Shorewood) 414 847-2616*

*2018 WI Chiefs of Police Legislative Co chair: Police Chief Greg Leck (Stoughton) 608 873-4057*

*2018 WI Chiefs of Police Legislative Co Chair: Police Chief Bernie Coughlin (Verona) 608 845-7623*



March 13, 2018

To: Governor Scott Walker and Members of the Wisconsin Legislature

From: Wisconsin Chiefs of Police Association

RE: Improving School Safety Proposals

The devastating shootings in our schools by troubled youth is the new reality. The thousands of men and women in the law enforcement community across our state, see day to day, how violence and crime increase due to a lack of services for those in need of urgent mental health services and easy access to guns. We also recognize that many of our schools do not have the proper safety measures in place to deal with a crisis like a school shooting. The Wisconsin Chiefs of Police Association representing law enforcement leaders in 700 communities across our state, urge careful consideration of policies that the Wisconsin legislature and Governor Walker endorse to make our schools safer.

As law enforcement officials from many different backgrounds of protective service, we would like to suggest that any proposals enacted into law, come with the appropriate funding to ensure their effectiveness, if Wisconsin wants to be serious about preventing a school tragedy from happening here.

Below are our comments and recommendations.

- **Violence in schools *cannot* be solved with arming teachers.** It takes hundreds of hours to properly train a police officer, including the use of force procedures and when lethal force is appropriate to use. Teachers are focused on their classrooms and not possible threats that are coming down the hallway. Asking them to take on the weighty demands of using lethal force against an active shooter is not appropriate. This is not their field of expertise and we believe more harm than good would come of this.
- **Sufficient funds should be allocated to increase the number of school resource officers who are fully trained law enforcement officers and not merely armed security guards, who do not come close to law enforcement training standards.** The ability to use lethal force in a school, should only be given to highly trained law enforcement officers. Law enforcement should not be forced to operate under existing revenue caps when the public is clamoring for more safety for their children. Relief from the revenue caps for public safety expenditures, so those communities that need to hire more law enforcement officers to address local community issues, can do so.
- **Sufficient funds should be allocated for school security improvements.** Improvements needed include: a single secure access point, securely locked exits throughout the school, security cameras which law enforcement can view in real time, metal detectors, school resource officers, and alarm systems on emergency exits and all classroom doors. Many schools are old and outdated. School districts should be allowed to exceed state-imposed revenue limits for security related expenditures.
- **Sufficient funds should be allocated for mental health services for teachers, students, and kids who need help.** While policymakers have spent sufficient time studying the broken mental health service delivery system, there has been no comprehensive and sustainable effort to address the insufficient funding for the crushing demands of those in need of mental health services. Provide funds for training, including trauma informed care for teachers, guidance counselors, and school coaches so they can recognize potentially violent behavior from students. Currently, there is "no one" responsible for follow-up with troubled individuals. Additional educational resources for expelled students should be considered. The current system is underfunded, and operations are independent of one another, which is why critical communication is intermittent, uncoordinated, and sporadic.

These additional mental health dollars should also cover a law enforcement officer who suffers from PTSD as a result of his or her involvement in dealing with a school shooting. Mirror language just passed by Florida.

- **Increase funding for more anti-bullying programs in our schools** so those students who see the use of a gun as a method to take out their frustration learn better coping skills and maintain school environments that are compassionate about differences.
- **Provide authority and additional funding for the Department of Justice (DOJ) to develop rules to help schools implement school safety plans** that include guidelines that specify procedures for emergency prevention and mitigation. An annual report shall be submitted and approved to DOJ at least once a year after the plan goes into effect.
- **Require Schools to submit their building blue print plans to local law enforcement agencies to be used as a tactical tool, if ever needed.**
- **Provide sufficient funding for school crisis teams to evaluate threats in schools before they become actual threats.**
- **Require Universal Background Checks for all gun purchases.**
- **Mandate mental health background checks for anyone under the age of 21 to assess whether someone is having mental health difficulties and should not be allowed to purchase a hand gun.** Add Florida language signed into law last week that bans people deemed “mentally defective” or who have been committed to a mental institution from owning or possessing firearms until a court grants relief.
- **Create a lethal violence protective order (LVPO) process in Wisconsin that mirrors existing temporary restraining order (TRO) and injunction processes through our courts, just as Florida just passed last week.** This will create a process for family members and law enforcement to petition a court to have someone’s guns taken away if that person poses a lethal threat to themselves or others. (Five states have such laws and Republican Florida Gov. Rick Scott has endorsed a similar plan.) This would be a petition to the court to temporarily prevent the person from possessing a firearm in effect for 180 days and could be extended if the court believes the individual continues to be a threat to themselves or others. Also allow a law enforcement officer to temporarily seize firearms from someone they have already taken into custody for an involuntary mental health assessment.
- **Reinstate a 48-hour waiting period for gun purchases that was repealed in 2015 or extend to 72 hours or three days, just like Florida law that passed last week.**

Thank you for your consideration.

*For more information please contact:*

*2018 WI Chiefs of Police President: Police Chief Peter Nimmer (Shorewood) 414 847-2616*

*2018 WI Chiefs of Police Legislative Co chair: Police Chief Greg Leck (Stoughton) 608 873-4057*

*2018 WI Chiefs of Police Legislative Co Chair: Police Chief Bernie Coughlin (Verona) 608 845-7623*



To: Members, Assembly Committee on Education  
From: Badger State Sheriffs' Association (BSSA)  
Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA)  
Date: March 20, 2018  
**RE: March 2018 Special Session Assembly Bill 2 and Assembly Bill 6**

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Good morning, I am Sheriff Mark Podoll from Green Lake County. I am here today speaking on behalf of Badger State Sheriffs' Association and Wisconsin Sheriffs and Deputy Sheriffs Association on the March 2018 Special Session Assembly Bill 2 and Assembly Bill 6.

Both bills provide law enforcement with information that is critical in an emergency. Before I speak on how blueprints, GIS maps, and security camera footage will be helpful to law enforcement, I did want to mention one item our organizations would like to clarify in Assembly Bill 2.

Under Assembly Bill 2, initially by July 1, 2018, the school board or governing body will provide all school blue prints to each local law enforcement agency with jurisdiction over any portion of the school district *and* the Office of School Safety in the Department of Justice. Upon the review of the school plan, school boards will be required to submit recent blueprints of each school building and facility in the school district to the Office of School Safety. The Office of School Safety will house all school blueprints and GIS data and will keep the information confidential unless law enforcement requests access to the blueprints or maps in an emergency.

However, upon each review of a school safety plan, the recent blueprints are not required to be submitted again to each local law enforcement agency with jurisdiction over any portion of the school district. We would like to clarify that local law enforcement agencies also receive a copy of the most recent blueprints along with the Office of School Safety. This will ensure the local law enforcement agencies have the most up-to-date information for the schools' in their jurisdiction.

While we have no concerns with the intent of Assembly Bill 2, with this clarification, BSSA and WS&DSA will support the legislation. In addition, our organizations support Assembly Bill 6, which will ensure the sharing of safety camera footage with law enforcement if there is a legitimate safety interest.

Thank you for this opportunity to testify.

**TO:** Members, Assembly Committee on Education

**FROM:** Sharon L. Schmeling, Executive Director



**DATE:** March 20, 2018

**RE:** Special Session Assembly Bills 1, 2, 3, 4, 5, 6: School Security

On behalf of 100,000 students in 600 private K-12 schools across the state and the teachers, principals and superintendents who lead them, thank you for taking up the issue of school security.

Our school staff and parents are eager for your leadership on improving school building safety and security. The recent efforts to improve school security are not new. At previous times in our nation's history, public policy has been updated and changed to recognize new threats to our school children.

Sixty years ago, in Chicago, a fire raged through Our Lady of the Angels School in Chicago, killing 92 students and three nuns. Many more were injured when they tried to escape through corridors and stairways. There were inadequate alarms, fire escapes and fire doors. The disaster shocked the nation and surprised administrators of public and private schools. The disaster led to major improvements in standards for school design and fire safety codes.

We can fan the flames of disagreement about guns, and our justified anger and fear over school shootings. But one thing is fireproof: enacting these initiatives before you today will improve school safety for our children, and the adults who guide them.

We worked with Gov. Walker's office in the development of this package and are here to encourage you to move it forward so that it becomes law. We are very grateful it treats public and private schools equitably and acknowledges that all students and schools are worthy of our state's protection. Just as you would not deny public fire or ambulance services to a burning church and its victims, we trust you would not deny these potentially life-saving initiatives from private schools.

We especially support the inclusion of private schools in the grant program provided in **Special Session Assembly Bill 1**. Through security reviews and audits of our schools, security experts have counseled that student safety can be greatly enhanced by improving the quality and strength of doors and locks, by expanding coverage provided by cameras, and by improving school intercom and other early warning systems. This bill makes those improvements more likely and possible.

The creation of an office of School Safety provided in **Special Session Assembly Bill 2** also merits support. While the vast majority of our schools conduct safety training exercises, Principals report there is a lack of common understanding of what is adequate, sufficient or best practice when carrying these out. An office of School Safety would help decrease uncertainty and confusion about such exercises.

Archdiocese of Milwaukee

Association of Christian  
Schools International

Christian Schools  
International

Diocese of Green Bay

Diocese of LaCrosse

Diocese of Madison

Diocese of Superior

Lutheran Church  
Missouri Synod  
North Wisconsin District

Lutheran Church  
Missouri Synod  
South Wisconsin District

Wisconsin Association  
of Independent Schools

Wisconsin Conference  
of Seventh Day Adventists

Wisconsin Evangelical  
Lutheran Synod  
Northern Wisconsin District

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Madison, WI 53703

Many of our schools already have safety plans in place and share their floor plans with First Responders. The requirement in **Special Session Assembly Bill 5** to tighten safety plans and create a more comprehensive system of collecting and sharing that information is prudent and one we support.

When deadly violence enters our schools, we all ask why? We know why: there is murder in the heart of the perpetrator. We need to be asking, why are there so many murderous hearts? This is the challenge our school leaders are working on every day, as we shape the character and values of the children in our care towards love and serving the common good. But just as these violent tendencies didn't erupt overnight in our society, they will not be extinguished quickly, either.

So, therefore today, we urge you to approve this package of legislation. It is a good effort that will improve the safety and security of our school children. Please advance it through the legislative process so we can take advantage of the support it provides.

To: Representative Thiesfeldt, Chair, and Members of the Assembly Committee on Education  
From: Disability Rights Wisconsin, Sally Flaschberger, Lead Advocacy Specialist  
Re: For Information Only - AB1, AB2, AB3, AB4, AB5, AB6  
Date: March 20, 2018

Thank you for the opportunity to provide comments on the package of bills being considered to keep schools safe in Wisconsin. Disability Rights Wisconsin is encouraged to see an increased discussion around school safety with a possible \$100 million investment. Multiple proposals have come forward over the last several weeks and the State seems ready to take action to keep students in our schools safe. DRW provides testimony for information only today to share the perspective of students with disabilities on this topic and to share how these proposals could affect students with disabilities.

DRW encourages any final proposal to be flexible and sustainable and one that takes a comprehensive approach to supporting students. All of these proposals should come from a well-vetted process that allows public input from families across the State on the best ways to protect their local school. The legislature should slow down the process and allow for robust input from around the state before making such an important investment.

Disability Rights Wisconsin supports increases in funding for behavioral and mental health and climate and culture proposals suggested by the Department of Public Instruction. The most recent budget included a modest increase for mental health staff, mental health collaborations, and training around mental health screening including trauma informed care. We support the increase to \$25 million in these areas with continued funding in the future to support children in Wisconsin. DPI's proposal also included creating a new categorical aid investment in climate and culture. This would include important services such as suicide screening, wrap-around services, and behavioral systems of supports. By creating a new categorical aid, this funding would continue into the future to help protect our students and school.

Disability Rights Wisconsin strongly recommends an increase in special education categorical aide from 26% to at least 30%. Special education funding has remained flat for a decade, putting greater pressure on teachers and schools to meet the needs of students with disabilities. Students with disabilities continue to have unmet needs in our schools, leading to greater behavioral challenges and being socially isolated. An increase in funding will help our educators be better prepared to work with students with the greatest needs and provide a safer environment for all.

Disability Rights Wisconsin encourages legislators to look to the community for additional supports for children. Our state has robust programs to support children with disabilities but families face barriers to get the needed services. These services provide support in the community and school and can provide those needed wraparound services. The state should consider a "no wrong door" approach for families to be able to access services. This presents an opportunity to invest in re-vamping our support systems for children with disabilities to be sure as many children as possible access needed services.

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MADISON	MILWAUKEE	RICE LAKE	
131 W. Wilson St. Suite 700 Madison, WI 53703	6737 West Washington St. Suite 3230 Milwaukee, WI 53214	217 West Knapp St. Rice Lake, WI 54868	<a href="http://disabilityrightswi.org">disabilityrightswi.org</a>
608 267-0214 608 267-0368 FAX	414 773-4646 414 773-4647 FAX	715 736-1232 715 736-1252 FAX	800 928-8778 consumers & family

**AB1-** Relating to: grants to schools for school safety and safety-related upgrades to school buildings, equipment, and facilities; providing an exemption from rule-making procedures; and making an appropriation.

The bill creates a large investment in school safety, which includes adding armed guards or additional school resource officers in Wisconsin schools. While this one-time investment may lead to better school safety, it may also have the unintended consequence of disproportionately subjecting students with disabilities to additional contact with law enforcement for behaviors that are often a direct result of a student's disability. Students with disabilities are already subject to arrest in our public schools. Wisconsin ranks third in the country for police involvement for students with disabilities. By allowing the additional school resource officers, the bill creates new avenues for students with disabilities to be subject to the school to prison pipeline.

The bill does not clearly set out the roles of these armed guards and the training they would receive related to students with disabilities. Students with disabilities communicate in a number of different ways and if school resource officers or armed guards do not receive proper training on working with students with disabilities, a situation may become unnecessarily unsafe if the student's communication is misinterpreted. Parents of children with disabilities report concern at the thought of untrained armed guards interacting with their child who may exhibit behavioral challenges at school.

DRW recommends the removal of armed guards and additional school resources officers from the bill and shifting the investment to mental health services, special education funding, and re-vamping the access points to children's disability services.

**AB3-** Relating to: mandatory reporting of suspected intent to carry out violence involving a dangerous weapon or explosive in or targeting a school and providing a criminal penalty.

DRW raises concerns with the mandatory reporting requirements in the bill. The idea may be well-intentioned, but the bill lacks important details for implementation. These changes could lead to over-reporting of students with disabilities who have no intent to cause harm but may unintentionally or without understanding make statements perceived as a threat of violence. The special education teacher, therapist, or healthcare provider would have no leeway to make a professional judgement call of whether the child has the intent. All current mandated reporters would be required to report threats of violence (with a dangerous weapon or explosive device) made to a school to law enforcement. These reports would again increase contact between students with disabilities and law enforcement, which may not be appropriate. The implementation of this policy would require extensive training in order to be able to understand what threats of violence are and how to work with students with disabilities in determining whether there is "reasonable cause."

**AB4-** Relating to: the Department of Public Instruction's model school policy on bullying pupils.

The U.S. Department of Education states in their tip sheet on bullying, "Children with physical, developmental, intellectual, emotional, and sensory disabilities are more likely to be bullied than their peers. Any number of factors— physical vulnerability, social skill challenges, or intolerant



environments— may increase their risk.” Studies have shown that students with ADHD, Autism Spectrum Disorder, epilepsy, hemiplegia, diabetes, learning disabilities and speech and language disorders have been subject to significant bullying by peers. DRW agrees we need a more robust bullying policy in schools. Parent notification within 48 hours is one step in the right direction. DRW recommends the following changes be included in the policy:

- Include bullying by electronic means (i.e. email, social media, and text messaging) into the model policy;
- Written notice to parents on any bullying or harassment incidents;
- Add a definition of harassment to include harassment as a form of discrimination for a protected class;
- Add a provision that all complaints must be documented in writing, even when made verbally to school staff and a record must be maintained;
- Add a specific timeline for the investigation of a bullying complaint to 10 days;
- Add a provision that requires a written report be provided to the complainant at the end of the investigation;
- Add a specific appeal process to District Administration, School Board, and DPI in that order if parents disagree with the findings of a bullying complaint; and
- Add a requirement for the school personnel to amend the complaint from a bullying complaint to a harassment/discrimination complaint and inform the parent or guardian their rights under Section 118.13, Wis. Stats. and PI 9, Wis. Admin. Code).

These additional requirements will help to more accurately identify bullying and harassment in our public schools.

#### **AB5-Relating to: School Safety Plan**

School safety plans should be required to include the specific provisions for students with disabilities. Students with the most significant disabilities, including intellectual and physical disabilities, will face barriers to follow the school safety plans or the ability to access safe environments. Schools districts need to be required to consider every contingency to protect their most vulnerable students.

Thank you for the opportunity to testify today. We hope to continue to work with members of the legislature in creating a safe school environment for all students, including students with disabilities.

*Disability Rights Wisconsin is the federally mandated Protection and Advocacy agency for the State of Wisconsin.*



WISCONSIN BOARD FOR PEOPLE  
WITH DEVELOPMENTAL DISABILITIES

March 20, 2018

Assembly Education Committee  
Representative Thiesfeldt, Chair  
State Capitol, Room 317 North  
Madison, WI 53708

Dear Representative Theisfeldt and members of the committee:

Thank you for the opportunity to provide public comment on the package of Special Session bills focused on improving school safety.

BPDD supports MR8 AB4 (Model Bullying Policy). Students with developmental disabilities are two to three times more likely to be bullied than their nondisabled peers; one study found that 60% of students with disabilities report being regularly bullied compared with 25% of all students. Bullying negatively impacts students with disabilities' education.<sup>1</sup> Shortening the timeframe whereby parents of all students involved in a reported bullying incident must be notified is an improvement.

BPDD is supportive of several school safety improvement proposals from the Chief of Police Association, Rep. Sody Pope, and Department of Public Instruction, calling for increased funding for mental health services and strategies to improve school climate and culture. Training on trauma informed care for teachers and school professionals, community mental health services specifically tailored to meet the needs of students, and follow up with troubled students (including expelled students) is needed. Funding for mental health training and services is not included in this special session package, and BPDD identifies its omission as a lost opportunity to improve school safety.

BPDD is concerned that elements of MR8 AB3 (Suspected Violence Reporting), specifically the exemption of protections against disclosure for patient health and mental health information, may disproportionately impact students with disabilities and lead to unforeseen consequences.

Health care providers may not be able to assess whether a patient's statement rises to the level of being a probable threat, what information is relevant to disclose, and whether/when it is appropriate or required to disclose it. The scope of what information may be disclosed is undefined in the bill; it appears that there are no parameters limiting the kind of information that can be disclosed. BPDD is concerned that erroneous information—including diagnoses and health care conditions, psychological tests, personality evaluations, records of conversations, physical health records, etc.—could be released that may not be relevant to any perceived threats of school violence but could result in bias and prejudicial responses to the individual student by school staff or law enforcement.

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<sup>1</sup> <http://www.pacer.org/bullying/resources/students-with-disabilities/>

In Section 6, the bill includes health and mental health care providers as mandatory reporters in cases where there is reasonable cause to suspect a patient may intend to commit an action of school violence; mandatory reporters are required to report directly to law enforcement. While the disclosure of information is limited narrowly to law enforcement, once protected information has been disclosed it is unclear whether it becomes part of a permanent law enforcement record that is a public record, creating additional privacy concerns.

BPDD is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities.

Our role is to seek continuous improvement across all systems—education, transportation, health care, employment, etc.—that touch the lives of people with disabilities. Our work requires us to have a long-term vision of public policy that not only sees current systems as they are, but how these systems could be made better for current and future generations of people with disabilities.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Beth Swedeen".

Beth Swedeen, Executive Director, Wisconsin Board for People with Developmental Disabilities



# Wisconsin Family Ties

## **Written Testimony in Opposition: Special Session AB1 and companion bills**

**March 20, 2018**

Contact: Joanne Juhnke, Wisconsin Family Ties Policy Director  
608-320-6165 / joanne@wifamilyties.org

Safe schools are well-resourced schools.

Given the opportunity to spend \$100 million dollars for safer schools, Wisconsin Family Ties requests that the funding be simply and equitably directed for proven solutions: student services staffing and special education categorical aid.

In our work with families, we see every day what happens when students with unmet mental health needs have to struggle in under-funded schools. The \$6 million in the 2017-19 state budget for mental-health related services is a drop in the bucket in comparison to the funding being discussed today, and our state has failed for a full decade to increase special education funding.

For all the years that our country and state has pursued knee-jerk reactions of "hardening" school facilities and spending scarce funding on armed officers, there is no evidence base that this approach reduces violence in schools. Instead, school-based officers become involved in school discipline issues, resulting in charges for low-level offenses, particularly for students of color.

Wisconsin can and must do better. Artificial deadlines notwithstanding, there is still time to go back to the drawing board and create a proposal that takes into account the evidence and the input from constituents, advocates, and stakeholders statewide. We request that you reconsider the school safety special session bills.

*Wisconsin Family Ties, Wisconsin's family voice for children's mental health, is a parent-run nonprofit organization serving families that include children with social, emotional, behavioral or mental health challenges. Founded in 1987, its mission is to change lives by improving children's mental health.*

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*Wisconsin's family voice for children's mental health*

16 North Carroll Street, Suite 230 • Madison, WI 53703 • 608.267.6800 or 800.422.7145 • [www.wifamilyties.org](http://www.wifamilyties.org)

*A Member Agency of Community Shares of Wisconsin and Northwoods United Way*



## District Administrative Center

925 16th Avenue, Suite 3  
Monroe, WI 53566

*"Preparing for the Future, One Child at a Time"*

March 20, 2018

Members of the Wisconsin Assembly Education Committee:

First of all, on behalf of the School District of Monroe, I would like to commend Governor Walker and both houses of our state government for taking action to improve school safety in response to the tragedy in Parkland, Florida and other school shootings. The safety of our students and staff needs to be our number one educational priority.

With that being said, our district does have some concerns about the proposed school safety bills being discussed at today's public hearing. Here are our primary concerns:

- We are concerned about the sustainability of the proposed funding. The gradual reduction of state support for school resource officers or armed guards over the three years, as proposed, would leave our school districts in the unenviable position of making budget reductions in the future to sustain such services, once the gradually reduced funding is gone. We already rely on an operating referendum in our district to maintain programming and services. We worry about having to make cuts or ask for more referendum funding in the future to maintain armed safety officers for our schools. We would prefer that an exemption to the revenue cap for school safety be re-established. If that is not considered, we ask for a commitment from the state that does not gradually reduce the funds available each year as proposed.
- We would like to see more flexibility in the funding than what is proposed. Each of our schools have unique architecture, existing equipment, student age ranges, and staffing needs. We would prefer that there be some flexibility allowed in the funding requests and that these funds be distributed as categorical aid not as competitive grants.
- None of the proposed bills address mental health. The \$6 million that was provided in our current budget only scratches the surface of the need schools face in this area and we would strongly suggest that some of this proposed funding be allowed to be used to serve the acute mental health needs that many of our students face.
- We are concerned that funding being spent creating a new division of the Department of Justice to oversee this spending could be better spent directly on providing safety for our students. We feel that having the Department of

Public Instruction distribute this money would be much more economical and would allow more aid to flow directly to school and students.

Legislation and funding alone will not improve the safety of our schools. The investment we make in improving the safety and security of our schools needs to be coordinated with having the courage to admit that we have a mental health crises in our society. While I commend our lawmakers for responding to recent tragedies, I ask that you make a commitment that funds appropriated directly benefit our students and that the sustainability of any bills considered are considered as the need for keeping our schools safe does not end with the next election.

Sincerely,



Rick Waski  
District Administrator  
School District of Monroe



**FOR IMMEDIATE RELEASE**

March 20, 2015

Contact: Mike Browne

(608) 444-3483

## **The NRA's \$3.5 Million Man Scott Walker Delivering for the Gun Lobby, Again**

***'Legislators Supporting Walker's Sham Are Providing Aid & Comfort  
to the National Rifle Association'***

Madison - The Assembly Education Committee is holding a public hearing today on the bills proposed by Gov. Scott Walker in his politically motivated special session, ostensibly called to address school safety after another mass shooting in February.

The following are the statements of One Wisconsin Now Executive Director Scot Ross:

"Legislators supporting this sham are providing aid and comfort to the National Rifle Association and its \$3.5 million man Scott Walker, who wants nothing more than for this issue to go away.

"The thousands of teenagers who marched in Wisconsin last week are showing more courage standing up to the NRA than Scott Walker. And Walker is the one with the security detail.

"As governor, Scott Walker has signed into law bills putting more guns on our streets, eliminating waiting periods for gun purchases and taking away local school districts' ability to fund their ongoing safety needs. As a member of the legislature, Walker voted to shield the gun industry from lawsuits and prevent local governments from passing their own laws to keep dangerous assault rifles out of their community.

"Now Scott Walker's creating a slush fund for gun lobby lackey Brad Schimel, who literally opened his door to the NRA's top lobbyist on his second day in office and who thinks guns in school is the solution to the crisis of guns in schools."

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