



GENERAL INFORMATION		
Rule No. PI 42	Relating to Incidents of crime and other safety-related incidents	Rule Type Permanent

SIGNATURE		
State Superintendent Review <input type="checkbox"/> Approved. <i>Begin Drafting Rule</i> <input type="checkbox"/> Disapproved. <i>Reason for Disapproval</i>	State Superintendent Signature ➤	Date Signed Mo./Day/Yr.

NARRATIVE

1. Finding/nature of the emergency (Emergency Rule only).

N/A

2. A description of the objective of the proposed rule.

The proposed rule change will be to create a new administrative code chapter, ch. PI 42, which will govern procedures for reporting incidents of crime and other safety-related incidents. This proposed rule is in response to changes in statute under 2023 Wisconsin Act 12, which requires the department to promulgate rules for administering the reporting requirements.

3. A description of the existing policies and new policies included in the proposed rule and an analysis of policy alternatives.

2023 Wisconsin Act 12 created a provision, s. 118.124, Wis. Stats., relating to statistics of crime and other safety-related incidents. Under the Act, beginning in the 2024-25 school year, a school board of a public high school, including a charter school that operates high school grades, and a private high schools participating in a parental choice program shall collect, maintain, and report to the department statistics of incidents of the following: 1) homicide; 2) sexual assault; 3) burglary, robbery, and theft; 4) battery, substantial battery or aggravated assault; 5) arson; 6) use or possession of alcohol, a controlled substance, or a controlled substance analog; 7) possession of a firearm; or 8) a violation of a municipal ordinance relating to disorderly conduct. This requirement applies only to incidents that: 1) occur during school hours, a school-sanctioned event that occurred before or after school hours, or the transportation of pupils to or from school; 2) occur on property own or leased by the school district in which the public high school was located, by the operator of the charter school, or by the governing body of the participating private high school, or transportation provided by the public high school, participating private high school, or school district; and 3) the incident was reported to law enforcement, and a charge was filed or a citation was issued as a result of the incident.

Section 118.124 (4), Wis. Stats., requires the department to promulgate rules to administer the statutes, including a rule that requires public high schools, including charter schools that operate high school grades; private high schools participating in a parental choice program; and school districts to collect and report statistics of incidents under this section in accordance with the uniform crime reporting system of the department of justice. A rule is therefore needed to effectuate the purpose of the statutes. Without a rule change, department rules will not be in compliance with the statutes. Without a rule, code will not be in compliance with the statutes.

4. The statutory authority for the proposed rule.

Under s. 118.124 (4), Wis. Stats., the department shall promulgate rules to administer this section of statute relating to incidents of crime and other safety-related incidents. This includes a rule that requires including public high schools, including charter schools that operate high school grades; private high schools participating in a parental choice program; and school districts to collect and report statistics of incidents in accordance with the uniform crime reporting system of the Wisconsin Department of Justice.

5. An estimate of the amount of time agency employees will spend developing the proposed rule and of other resources needed to develop the rule.

The amount of time needed for rule development by department staff and the other resources necessary to develop the rule are indeterminate.

NARRATIVE (cont'd)

6. A description of all of the entities that will be affected by the proposed rule.

Public high schools, including charter schools that operate high school grades; private high schools participating in a parental choice program; and school districts will be affected by the proposed rule.

7. A summary and preliminary comparison of any existing or proposed federal regulation that addresses or is intended to address the activities to be regulated by the proposed rule.

N/A