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# Frequently Asked Questions (FAQ)

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## 2018 School Safety Initiative

### **Disclaimer:**

*This document broadly discusses - in question and answer format - the School Safety Initiative grant process. Every effort has been made to be as accurate as possible. However, this document does not constitute either an informal or formal opinion of the Wisconsin Attorney General; does not constitute legal advice or guidance; and does not create an attorney-client relationship. This document also only reflects the law, processes, and interpretations as of the date of its posting on the Office of School Safety website and may be superseded or affected by other versions or changes in the law.*

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# Synopsis of 2017 Wisconsin Act 143

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## Office of School Safety

2017 Wisconsin Act 143 (The Act) creates an Office of School Safety (OSS) within the Department of Justice (DOJ), and creates a director appointed by the Attorney General. The Act tasks the OSS with:

1. Creating model practices for school safety, in conjunction with DPI and after consultation with the Wisconsin School Safety Coordinators Association and the Wisconsin Safe and Healthy Schools Training and Technical Assistance Center;
2. Compiling school blueprints and geographic information system (GIS) maps, in coordination with schools and the Department of Administration; and
3. Offering training to school staff on school safety, which may be provided by either DOJ or by a contracted party.
  - a. The school safety training offered by DOJ may include information regarding trauma informed care and how adverse childhood experiences impact a child's development and increase needs for counseling and support. DOJ may charge a school for the safety training, if the school receives school safety grant funds for the training.

The Act also requires schools to submit specified information to the OSS.

1. Every school board, governing body of a private school, and operator of a charter school must provide blueprints of each school building and facility to the Office of School Safety, and to local law enforcement agencies, by July 1, 2018.
2. Every school board and governing body of a private school must also file by January 1, 2019, and before each January 1 thereafter, the following with the Office of School Safety:
  - a. A copy of its school safety plan;

- b. The date of the required annual safety drill or drills held during the previous year;
- c. Certification that the school board or governing body reviewed a required written evaluation of the drill or drills;
- d. The date of the most recent school training on school safety and the number of attendees; and
- e. The most recent date on which the school board or governing body consulted with a local law enforcement agency to conduct required, on-site safety assessments.

## School Safety Grants

The Act creates school safety grants and appropriates \$100 million in funding for this purpose. The Act requires DOJ to award the grants for expenditures related to improving school safety. DOJ must accept grant applications from public schools, private schools, independent charter schools, and tribal schools. DOJ must also develop a plan for awarding the grants, in consultation with DPI, and must include a description of what types of expenditures are eligible to be funded by grant proceeds.

The Act specifies certain eligible expenditures, but does not otherwise limit DOJ authority to determine how grants are awarded or what expenditures are eligible.

The Act requires grant applications to include:

1. A school safety plan;
2. Blueprints of each school building or facility, or a certification that previously submitted blueprints are current; and
3. A proposed plan of expenditure of the grant moneys.

## School Safety Plans

The Act makes changes related to school safety plans that every public and private school must have in effect. As under prior law, every school must have a school safety plan created with active participation of appropriate parties, which may include local law enforcement officers, fire fighters, school administrators, teachers, pupil services professionals, and mental health professionals, and must review the plan every three years. The Act provides that the parties participating in plan creation may also include DOJ, and requires a school board or governing body to approve a school safety plan at least once every three years.

### **Content of School Safety Plans:**

The Act requires an individualized safety plan for each school building and facility that is regularly occupied by students, including any real property related to the building or facility that is regularly occupied by students. A plan must also include guidelines and procedures to address school violence and attacks, threats of school violence and attacks, bomb threats, fire, weather-related emergencies, intruders, parent-student reunification, and threats to nonclassroom events (e.g., recess, athletic events, and concerts).

The Act also prohibits school boards and governing bodies from including certain items in a school safety plan. A plan cannot:

1. Require an employee to contact a school administrator, school official, or other person before calling “911”;
2. Prohibit an employee from reporting school violence or a threat directly to a law enforcement agency; or
3. Prohibit an employee from reporting a suspicious individual or activity directly to a law enforcement agency.

**On-Site Safety Assessments:**

The Act requires public and private schools to conduct an on-site safety assessment, in consultation with a local law enforcement agency, of each school building, site, and facility that is regularly occupied by students. The on-site assessment must be conducted before a school board or governing body creates or updates a school safety plan. The assessment must include playgrounds, athletic facilities or fields, and any other property occupied by students on a regular basis.

**School Violence Drills:**

The Act requires public and private schools to conduct annual drills in the proper response to a school violence event in accordance with the school safety plan for that school building. The person in charge of a particular school building must submit a brief written evaluation of the drill to the school board or governing body within 30 days, and the board or governing body must review the evaluation. A drill regarding a school violence event may be substituted for other required drills relating to fire, tornado or other hazards, or school safety incidents.

## Mandatory Reporting Of School Violence Threats

The Act requires reporting of school violence threats by certain individuals, including teachers, school administrators, school counselors, other school employees, physicians, and other medical and mental health professionals.

- Specifically, an identified individual must report if the person believes in good faith, based on a threat made by an individual seen in the course of professional duties regarding violence in or targeted at a school, that there is a serious and imminent threat to the health and safety of a student, school employee, or the public.
- These individuals must immediately inform a law enforcement agency of the facts and circumstances contributing to the belief that there is a serious and imminent threat.

The Act provides immunity from civil or criminal liability for any person or institution making a report in good faith, as well as immunity for health care providers who do not report based on their good faith belief and professional judgment that a report is not required.

The Act also creates an exemption from mandatory reporting for members of the clergy if certain conditions are met.

The Act mandates that school boards require employees to receive training regarding mandatory reporting of school violence threats.

The mandatory reporting created by the Act applies to threats of violence against public, private, or tribal elementary or secondary schools.

- An intentional violation of the reporting requirement is an unclassified misdemeanor, subject to a fine of \$1,000 or less, imprisonment of six months or less, or both.



## Frequently Asked Questions (FAQ)

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Below are Frequently Asked Questions (FAQ) about the Act. The OSS has determined they are of value to share. Please note the disclaimer inside the front cover of this document.

Q1. What is the relationship between “buildings” and “schools?” The [Grant Announcement](#), page 6, states that Advanced Security funding will be capped at \$20,000/building. My district’s K-8 and 9-12 schools are housed under one roof, or in other words, the same building. However, they are actually two separate schools, with their own entrances and their own principals. DPI recognizes them as separate schools, as shown by their DPI codes. For grant purposes, are we one “building” only eligible for \$20,000, or are we two school buildings eligible for \$40,000?

A1. As used in the grant announcement, the term “building” actually refers to schools designated on the official Department of Public Instruction (DPI) school directory website (as of May 1). Each listing on the DPI website is a “building” for the purposes of this grant announcement.

- 1 DPI school code = 1 building (as defined in grant) = \$20,000.
  - Therefore, if you have 2 DPI school codes in one building, you are eligible for \$40,000,
  - Conversely, if you have 1 DPI school code housed within 3 buildings, you are eligible for \$20,000.

In your scenario, you have two school codes housed in one building. Therefore, you are eligible for \$40,000 of Advanced Security grant funding.

- Public schools can be located here:  
<https://apps4.dpi.wi.gov/SchoolDirectory/Search/PublicSchoolsSearch>
- Private schools can be located here:  
<https://apps4.dpi.wi.gov/SchoolDirectory/Search/PrivateSchoolsSearch>

If you feel your school has been erroneously omitted from the DPI School Directories, please contact DPI for assistance.

Q2. My high school utilizes more than one building (for example, we have the main building, a portable classroom, and an offsite at-risk location) but we are recognized by DPI as one “school.” For grant purposes, are we one school “building” eligible for \$20,000, or are we eligible for \$60,000 (because we have three physical buildings)?

A2. As used in the grant announcement, the term “building” actually refers to schools designated on the official Department of Public Instruction (DPI) school directory website (as of May 1). Each listing on the DPI website is a “building” for the purposes of this grant announcement.

- 1 DPI school code = 1 building (as defined in grant) = \$20,000.
  - Therefore, if you have 2 DPI school codes in one building, you are eligible for \$40,000,
  - Conversely, if you have 1 DPI school code housed within 3 buildings, you are eligible for \$20,000.

In your scenario, you have one school code housed within multiple buildings. Therefore, you are eligible for \$20,000 of Advanced Security grant funding.

- Public schools can be located here:  
<https://apps4.dpi.wi.gov/SchoolDirectory/Search/PublicSchoolsSearch>
- Private schools can be located here:  
<https://apps4.dpi.wi.gov/SchoolDirectory/Search/PrivateSchoolsSearch>

If you feel your school has been erroneously omitted from the DPI School Directories, please contact DPI for assistance.

Q3. Are “virtual” schools eligible for school safety funds?

A3. No, “virtual” schools are not eligible for school safety funds.

- Q4. The [Grant Announcement](#), page 17, states that a letter of support must be attached from all of the local law enforcement agencies that have jurisdiction over school facilities. Does this include statewide law enforcement agencies such as the Wisconsin State Patrol, Department of Natural Resources, and/or the DOJ Division of Criminal Investigation? What about portions of the school district that are in another county but do not have a school building in that county?
- A4. Letters of support need to be signed by all *local* law enforcement agencies with jurisdiction over the school building(s). A letter of support is not needed from statewide law enforcement agencies such as the State Patrol, Department of Natural Resources (DNR), or Division of Criminal Investigation (DCI). Furthermore, a letter of support is only needed from law enforcement agencies with jurisdiction over the school building(s). If a sheriff's office (SO) has jurisdiction over part of a school district that does not have a school building in that SO's county, a letter of support is not needed.
- For example, the Happy School District (HSD) has an elementary school and high school in the City of Friendly, located in Friendly County. However, the school district also includes portions of Polite County and Respectful County, although there are no HSD buildings in those two counties. Therefore, HSD only needs letters of support from the Friendly police department and Friendly sheriff's office.

Q5: Regarding law enforcement letters of support, the Grant Announcement, page 17, states, “The school consulted with the law enforcement agency as to whether there are any improvements to the school’s entry door security practices and procedures that can be implemented immediately.” Do both the municipal police department and sheriff’s office need to review these practices?

A5: No, just one agency needs to review the entry practices and procedures for each school. That should be the agency with primary jurisdiction (police department in municipal schools; sheriff’s office in rural schools).

Q6: What are the monitoring requirements when entrances are unlocked?

The grant application states, “A *designated staff member is present to visually screen everyone entering the school through an unlocked point of access whenever an exterior entrance is unlocked prior to, during, or immediately after the regular school day.*” “Visual screening” is defined as a staff member stationed at each unlocked entrance who actively monitors ingress and egress through the unlocked exterior door(s).

Does this mean that we must have a staff member present for after school programs, etc.?

A6: Schools do not need to station a staff member at unlocked entrances outside of “regular school day” hours.

- For example, Happy High School unlocks its front doors at 7:30am to allow students to enter in preparation for the 7:50am beginning of the school day. The day ends at 3:15pm, with most students having exited the building by 3:30pm. Therefore, a staff member would have to be physically present to visually screen ingress/egress from 7:30am to 7:50am and from 3:15pm to 3:30pm. If school doors remain unlocked after 3:30pm for after-school activities, a staff member is no longer required, as after-school activities are outside the “regular school day.”

Q7: Our school has multiple school safety plans: one for active shooter, one for bomb threat, and so on. Which one should I upload to the grant application?

A7: You should upload your entire school safety plan, which may include multiple individual topics as described above. Additionally, for purposes of this grant, upload your existing school safety plan. You do not yet need to upload the new safety plan being developed to comply with the recent state statute.

Q8: What do you need for blueprints? Where do I send them? What if I don't have them?

A8: The DOJ interprets "blueprints" as a floor plan or school map that shows doors, windows, stairways, room numbers, and other information immediately useful to law enforcement, fire, and EMS responders, to locate and respond to a crisis location. Applicants should not submit architectural plans. Upload these maps following the instructions you received when you registered for Egrants. If necessary, you may use Advanced Security Funds to comply with this requirement per the grant announcement: page 11, paragraph 3b.



Q9: My school has a DPI school code, but it is not listed in the online DPI directory. Why?

A9: DPI's school directory does not include a very small number of specialty schools, such as CCDEB, DPI, DHS, and DOC schools. Those schools may still apply, and should contact DOJ for further assistance, if required. .

Q10: What is the “governing body” of a private school?

A10: State statute requires grant applications be submitted by “school boards, operators of independent charter schools, governing bodies of private schools, and tribal schools.” The governing body of a private school is the governing legal authority for the school, i.e. the governing body, person, or authority that has the power to enter into legal contracts and bind the school legally (e.g.; hire teachers and sign their contracts; hire vendors for school services such as a lunch program or tuition management firm, etc.).

- For Catholic schools, this may or may not be at the individual school level. For example, Green Bay Area Catholic Education (GRACE) has multiple DPI school codes, but one governing board. In contrast, Our Lady Queen of Peace is a single K-8 school in Madison that does not fall under a broader system of schools.

Note that while a governing body shall submit one grant application for all applicable subsidiary schools, the total grant award will still reflect the number of subsidiary DPI school codes.

- For example, a governing body with 9 subsidiary schools would still be eligible for a total of \$180,000 in Advanced Security funding (9 x \$20,000), and not a single award of \$20,000 (provided each school has a separate DPI school code).

Q11: I am not sure how to answer some of the grant questions related to Equal Employment Opportunity Plans, federal grants, and compensation plans. They are listed in the “Approval Checklist” section of the grant. Would you explain these a little more?

A11: For the Approval Checklist section, it is anticipated that the response to most questions will be “No” or “N/A.”

Please also note that the Department of Justice is responsible for the administration of numerous federal grant programs, and many of these questions are intended to meet federal grant guidelines and requirements.

In addressing these questions, specifically, please note the following guidance:

5. Are you a state or local government agency; AND have 50 or more employees; AND applying for \$25,000 or more?	No *
If yes, you are required to prepare and implement an Equal Employment Opportunity Plan (EEOP) or Certification form (if applicable). A copy of your EEOP federal approval letter must be submitted to DOJ. (More information may be found at <a href="http://www.doj.state.wi.us/grants/grantee-civil-rights-information">http://www.doj.state.wi.us/grants/grantee-civil-rights-information</a> ) (federal EEOP required response)	

- For Question #5: A school district would be considered a local government agency, and should respond to this question accordingly. Please note that as this is not a federal grant program, no documents need to be submitted to DOJ.

6. If this application is \$25,000 or more, did your business or organization (including parent organization, all branches, and all affiliates worldwide) receive in the previous fiscal year (1) 80% or more of your annual gross revenues in US federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?; AND (2) \$25,000,000 or more in annual gross revenues from US federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements? (required by The Federal Funding Accountability and Transparency Act)	No *
7. If you answered yes to the previous question, does the public have access to information about the compensation of the senior executives in your business or organization (including parent organization, all branches, and all affiliates worldwide) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986?	N/A *
If you answered no to the first part of this question; you must attach to this application the full names and compensation of the top 5 highly compensated individuals of your organization as required by The Federal Funding Accountability and Transparency Act.	

- For Question #6: It is not anticipated that any applicant for the School Safety Initiative would meet the thresholds described (more than 80% of annual gross

revenues received in federal funds AND more than \$25 million received in federal funds). Therefore, responses to this question are anticipated to be “No.”

- For Question #7: If Question #6 is answered “No,” the response to Question #7 should be “N/A.”

Q12: What kind of documentation demonstrates that each staff person has completed the TIC/TSS training?

A12: Schools should be able to provide certificates, rosters of attendance, or other reasonable documentation showing that each staff member has received, or previously received, at least 3 hours of attendance at Adverse Childhood Experience/Trauma Informed Care/Trauma Sensitive School training.

This training must be completed no later than the end of the 2018-2019 school year. Schools may apply for, and may receive, grant awards before all required staff has attained this requirement. The applicant should retain documentation of having met this requirement to satisfy any follow-up inquiries from the DOJ.

Q13: The Grant Application Announcement requires us to certify we've provided staff with 3 hours minimum of ACE/TSS/TIC training (page 6).

We also have to certify "that all entrances to the school are locked during the school day, and that a designated staff member is present to visually screen everyone entering or exiting through unlocked points of access prior to, during, or immediately after the regular school day" in order to apply for shatter-resistant film" (page 7).

How and where do we certify these items in Egrants?

A13: You must certify agreement to the staff training requirement in the Project Narrative (section 7) of Egrants to apply for grant funds.

- You can do so by inserting this boilerplate language: *"Applicant certifies that all full-time teachers, aides, counselors, and administrators will have received a minimum of 3 hours of ACE/TIC/TSS training before the end of the 2018-2019 school year."*

Applicants seeking funds for glass shatter-resistant film must also certify the following in the Project Narrative (section 7) of Egrants.

- You can do so by inserting this boilerplate language: *"Applicant also certifies that all entrances to the school are locked during the school day; and a designated staff member is present to visually screen everyone entering the school through an unlocked point of access whenever an exterior entrance is unlocked prior to, during, or immediately after the regular school day."*