WISCONSIN DEPARTMENT OF
Public Instruction

OEA
Office of Educational Accountability

State and Local Law Violation Reporting Requirements

School and District Report Cards

Overview

2023 Wisconsin Act 12 created Wis. Stat. § 118.124, which requires schools with high school grades to collect statistics on specific types of state and local law violations and report those statistics to the DPI. Wis. Stat. § 115.385 (1)(e) requires the DPI to include this information in the annual school and district report cards. This requirement begins with the 2024-25 school and district report cards.

***Important**: These reported statistics **do not** affect report card scores.*

For the initial communications, guidance, and resources provided to schools and districts, visit: https://dpi.wi.gov/sspw/safe-schools/criminal-charges-and-violations-reporting-requirement.

Reporting Criteria

Schools and districts must report law violations to DPI only if all three of the following criteria are met:

1. The incident occurred during school hours, during a school-sanctioned event, or during transportation of pupils,
2. The incident took place on school property or school-provided transportation, **and**
3. A charge was filed or a citation was issued as a result of the incident.

Reportable Violation Categories

The law requires reporting only for violations in the following eight categories:

1. Homicide
2. Sexual assault
3. Burglary, robbery, or theft
4. Battery, substantial battery, or aggravated battery in violation of Wis. Stat. § 940.19. This does not include battery incidents in violation of local ordinances.
5. Arson
6. Use or possession of alcohol, a controlled substance, or a controlled substance analog
7. Possession of a firearm on school grounds in violation of Wis. Stat. § 948.605 (2). This excludes incidents for which only a citation was issued for violating a local ordinance. This also excludes charges filed for discharging a firearm on school grounds in violation of Wis. Stat. § 948.605 (3).
8. A violation of a municipal ordinance related to disorderly conduct. This excludes criminal charges for disorderly conduct.

Cautions and Limitations

There are multiple limitations that affect the quality and completeness of the reported data. DPI does not recommend using this data to assess school safety or to compare schools or districts.

About the Reported Data

- **Charges or citations are not convictions.** A filed charge or issued citation does not mean guilt or a conviction and does not necessarily result in either.
- **Dismissed cases may be included.** Some reported cases may have been dismissed later.
- **Multiple charges per event.** A single event could result in multiple charges or citations, and appear as multiple incidents, thereby increasing the school, district, and statewide rates.

About Data Collection

- **Non-students are included.** The incidents may also include charges/citations filed/issued against non-students, including staff, parents, members of the public, or students enrolled at other schools.
- **Only filed charges/citations issued are included.** The incidents reported include only those for which a criminal charge was filed or a non-criminal citation was issued. It excludes incidents that never resulted in a charge/citation being filed/issued.
    - Whether a charge/citation is filed/issued depends on a variety of factors including whether the incident was ever referred to, witnessed by, or investigated by law enforcement (which could depend on the school official's discretion or school/district policy); the law enforcement officer's discretion; and the prosecuting agency's discretion.
- **Categorization varies.** The incidents reported include charges for certain offenses but not other related offenses. Some examples include:
    - Citations for disorderly conduct but not criminal charges for disorderly conduct .
    - Battery charged under Wis. Stat. § 940.19 but not battery-like incidents charged under other sections.
    - Additionally, whether an incident is charged as a crime or cited as an ordinance violation often depends on a variety of factors, including the law enforcement officer's discretion, law enforcement agency policy, the prosecuting attorney's discretion, and the policies of the prosecuting office.
- **Delayed reporting.** Incident data may reflect events that occurred in a different school year from the year they were reported to DPI. Incidents are reported to DPI in the year in which the district received information sufficient to require reporting.
- **Confidentiality limits reporting.** The total number of incidents reported might not include incidents for which the school/district had concluded that disclosure would violate state confidentiality laws and/or the Family Educational Rights and Privacy Act (FERPA). Therefore, the reported incidents may be an undercount of the total number of charges or citations.

School/District Reporting Gaps

- **Incomplete notification.** Schools and districts are not always notified when charges have been filed or when citations have been issued even for incidents occurring on school grounds during school-sponsored events, especially for violations committed by non-students. If the school or district does not receive notification of the charges or citations, then the incidents are not reported to DPI.
- **Insufficient details.** Often, schools and districts are not provided with the details underlying a charge and would be unable to determine whether the incident satisfies the criteria regarding time and location. This is especially true for misdemeanor delinquency charges and most felony delinquency charges. In those situations, the incident is not reported to DPI.

Incident Data on the Report Cards

Per Wis. Stat. § 115.385 (1)(e), school and district report cards must include the rate of reportable incidents per 100 enrolled pupils. For the 2024-25 reporting year, rates will be calculated as follows:

Denominator

- **For public school rates:** Third Friday of September Enrollment count.
- **For public district rates:** Sum enrollment for all schools operating high school grades in the district that are required to report data.
- **For Private Choice school rates:** PI-1207 enrollment count for the full enrollment of the school (both Choice and non-Choice students).

Numerator

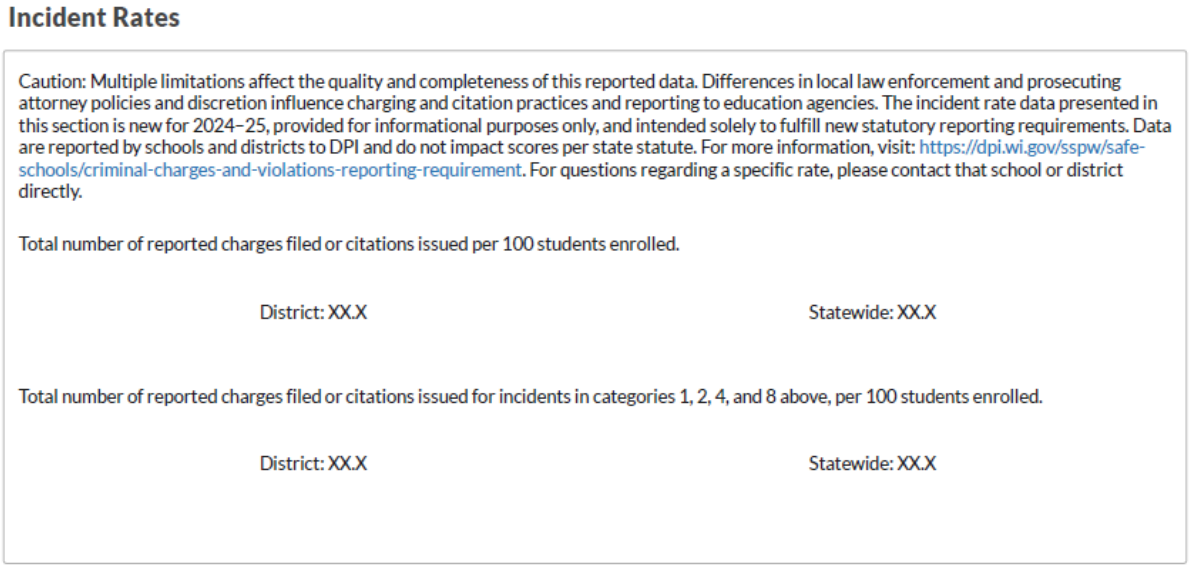
- The number of eligible incidents reported to DPI on or before July 31st, 2025, including:
  - **For school and school district rates:**
    - Sum of all incidents reported for all eight categories under Wis. Stat. § 118.24(2)(a) per Wis. Stat. § 115.385 (1)(e)(1), and
    - Sum of incidents reported under Wis. Stat. § 118.124 (2)(a)1., 2., 4., and 8. per Wis. Stat. § 115.385 (1)(e)(3).
  - **For statewide rates:**
    - Sum of all incidents reported for all eight categories under Wis. Stat. § 118.24(2)(a) per Wis. Stat. § 115.385 (1)(e)(2), and the
    - Sum of incidents reported under Wis. Stat. § 118.124 (2)(a)1., 2., 4., and 8. per Wis. Stat. § 115.385 (1)(e)(4).

Rounding

- As with all elements of the report card, rates are rounded to the nearest tenth.
- If rate is below 0.1 but greater than 0: displays as "<0.1"
- If no qualifying incidents: displays as "0.0"
- If data was not submitted by the reporting deadline: displays as "Data Not Submitted"

Display

This information will appear on the last page of district report cards and school report cards for public and Choice schools that serve more than one high school grade. The display of the four rates will look like this:



Questions

For questions regarding a specific rate, please contact that school or district directly. For questions regarding the report card display of this data, contact us at reportcardhelp@dpi.wi.gov.