

HOUSE BILL NO. HB0144

Education-school safety and security.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school safety and security; establishing
2 a comprehensive school safety program; requiring
3 establishment of a tip line; ~~requiring training~~
4 creating the unit of school safety and security; requiring
5 appointment of a deputy and prescribing duties;
6 prohibiting disclosure of information and providing
exceptions as specified; granting rulemaking
7 authority for program administration; providing for the
sunset of the program; requiring reporting;
8 providing appropriations; providing for positions;
transferring funding; and providing for an effective
9 date.

10

11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 Section 1. W.S. 9-1-641 through ~~9-1-644~~ 9-1-645 are
created

14 to read:

15

16 9-1-641. Unit of school safety and security; created;
17 appointment of deputy.

18

1 (a) The unit of school safety and security is created
2 within the division of criminal investigation of the office
3 of the attorney general.

4

5 (b) With the approval of the attorney general, the
6 director shall designate a deputy to supervise and direct
7 all activities of the unit of school safety and security.
8 The deputy shall be responsible to the director of the
9 division of criminal investigation for the operation of the
10 unit.

11

12 **9-1-642. Unit of school safety and security; duties**
13 **of deputy.**

14

15 (a) The deputy of the unit of school safety and
16 security shall:

17

18 (i) Supervise and direct all activities of the
19 unit of school safety and security;

20

21 (ii) Serve as the state's representative on
22 local, state and national organizations involved in school
23 safety and security and related functions;

1

2 (iii) Act as the state's authority on necessary
3 components of school safety and security plans and serve as
4 the state's liaison with local governmental entities,
5 appropriate law enforcement agencies, public safety
6 agencies and school district officials to facilitate a
7 cooperative and coordinated school safety and security
8 effort. The deputy shall also assist these agencies and
9 officials in formulating local crisis management plans and
10 other coordinated safety and security efforts relating to
11 school safety and security;

12

13 (iv) Administer the school safety and security
14 program required under W.S. 9-1-643;

15

16 (v) Provide public information and education
17 concerning issues related to school safety and security;

18

19 (vi) Subject to the approval of the director and
20 the attorney general, promulgate rules and regulations
21 necessary to implement the school safety and security
22 program required under W.S. 9-1-643.

23

1 **9-1-643. Unit of school safety and security; program**
2 **created; duties and responsibilities.**

3

4 (a) The unit of school safety and security shall
5 establish and administer a comprehensive statewide school
6 safety and security program which shall:

7

8 (i) Include methods of anonymous reporting
9 concerning unsafe, potentially harmful, dangerous, violent
10 or criminal activities in schools or the threat of those
11 activities. At minimum, methods of reporting shall include
12 telephone landline, website, mobile telephone application
13 and cellular text messaging;

14

15 (ii) Except as provided by paragraphs (iii) and
16 (iv) of this subsection, ensure the identity of the
17 reporting parties remains unknown to all persons and
18 entities, including law enforcement officers and employees
19 operating the program;

20

21 (iii) Allow for disclosure of information to law
22 enforcement officers, employees operating the program and
23 school district officials obtained from a reporting party

1 who voluntarily discloses his identity and verifies that he
2 is willing to be identified;

3

4 (iv) Ensure that a reporting party's identity
5 which becomes known through any means other than voluntary
6 disclosure is not further disclosed;

7

8 (v) Promptly share necessary information
9 received in operation of the program with the appropriate
10 law enforcement and public safety agency or school district
11 officials;

12

13 (vi) As determined appropriate by the unit of
14 school safety and security, establish training protocols on
15 school safety and security awareness and appropriate
16 responses to information provided by the unit to law
17 enforcement dispatch centers, school districts, schools and
18 other necessary entities;

19

20 (vii) Provide educational material to schools,
21 school districts and other necessary entities regarding the
22 program.

23

1 **9-1-644. Unit of school safety and security;**
2 **confidentiality of material; hearing required.**

3

4 (a) All records concerning reports or tips received
5 in operation of the school safety and security program
6 required under W.S. 9-1-643 are deemed not to be a public
7 record and shall remain confidential information in the
8 possession of the unit of school safety and security. The
9 program and any person implementing or operating the
10 program may be compelled to produce the material only
11 before a court and only pursuant to court order as provided
12 by subsection (b) of this section.

13

14 (b) Persons implementing or operating the program
15 shall not be compelled to produce any materials obtained
16 in relation to the operation of the program, except on
17 motion of a criminal defendant to the court in which the
18 offense is being tried and the following procedure shall
19 apply:

20

21 (i) A written motion shall be made by the
22 defendant to the court at least ten (10) days prior to the
23 trial stating the materials contain impeachment evidence or

1 evidence that is exculpatory to the defendant in the trial
2 of that offense;

3

4 (ii) The written motion shall be accompanied by
5 affidavits in which the offer of proof is stated;

6

7 (iii) If the court finds the offer of proof
8 sufficient, the court shall order a hearing in chambers,
9 and at the hearing allow the questioning of the persons
10 implementing or operating the program or review of material
11 obtained in operation of the program regarding the offer of
12 proof made by the defendant and other pertinent evidence;

13

14 (iv) At the conclusion of the hearing, if the
15 court finds that the materials contain impeachment evidence
16 or evidence that is exculpatory to the defendant, the
17 evidence shall be admissible pursuant to this section. The
18 court shall make an order stating what evidence may be
19 introduced by the defendant, which shall require redaction
20 of the reporting party's identity and may include the
21 nature of the questions to be permitted.

22

1 (c) Any material provided pursuant to court order
2 under subsection (b) of this section shall be sealed and
3 preserved in the record of the court to be made available
4 to the appellate court in the event of an appeal. After
5 the time for appeal has expired, the court shall return the
6 material to the unit of school safety and security.

9-1-645. Sunset Provison

W.S. 9-1-641 through 9-1-645 are repealed effective June 30,
2019.

7

8 **Section 2.**

9

10 (a) For the period commencing ~~July 1, 2015~~ on the
effective date of this act and ending
11 June 30, 2016, the attorney general is authorized ~~three (3)~~ five
(5)

12 permanent full-time positions for the unit of school safety
13 and security required under W.S. 9-1-641 through 9-1-644 as
14 created by section 1 of this act. ~~The positions authorized~~
15 ~~under this subsection shall be classified as one (1)~~
16 ~~executive management 1, or the equivalent thereof, one (1)~~
17 ~~executive officer 3, or the equivalent thereof, and one (1)~~
18 ~~control terminal CJIS specialist, or the equivalent~~

19 ~~thereof.~~ In addition to any other appropriation to the
20 attorney general by this act, there is appropriated an
21 amount not to exceed ~~two hundred sixty five thousand~~
22 ~~dollars (\$265,000.00)~~ four hundred ten thousand dollars
(\$410,000.00) from the school foundation program
23 account to the attorney general for the salary and benefits

1 of the employees authorized under this subsection. The
2 ~~three (3)~~ three (3) positions authorized under this
Subsection shall
3 not be included in the attorney general's 2017-2018
4 standard budget request.

5

6 (b) In addition to funds appropriated under
7 subsection (a) of this section, for the period commencing
8 ~~July 1, 2015~~ on the effective date of this act and ending
June 30, 2016, two hundred
9 twenty-five thousand dollars (\$225,000.00) is appropriated
10 from the school foundation program account to the attorney
11 general to obtain necessary support services and for the
12 purchase of equipment and software necessary for the
13 operation of the unit of school safety and security
14 required under W.S. 9-1-641 through 9-1-644 as created by
15 section 1 of this act. This appropriation shall not be
16 included in the agency's 2017-2018 standard budget request.

17

18 (c) The funds ~~and positions~~ appropriated by
19 subsections (a) and (b) of this section shall be reduced by
20 ~~any unexpended funds and transferred positions~~ the funds

transferred under this subsection. For the period

commencing on the effective date of this act, from

amounts appropriated

21 to the department of education by 2014 Wyoming Session

22 Laws, Chapter 26, Section 2, Section 206 to unit 1401 ~~as of~~

23 ~~June 30, 2015 and any remaining funds and positions~~ forty-

five thousand dollars (\$45,000.00) shall

1 be transferred by the department of education to the
2 attorney general to fund the operation of the unit of
3 school safety and security under W.S. 9-1-641 through
4 9-1-644 as created by section 1 of this act.

5

6 **Section 3.** This act is effective immediately upon
7 completion of all acts necessary for a bill to become law
8 as provided by Article 4, Section 8 of the Wyoming
9 Constitution.

10

11

(END)