

**2011 DRAFTING REQUEST**

**Bill**

Received: 03/16/2011

Received By: gmalaise

Wanted: Today

Companion to LRB:

For: Robin Vos (608) 266-9171

By/Representing: Janine Hale

May Contact:

Drafter: gmalaise

Subject: Children - abuse and neglect

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Vos@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Child abuse and neglect; designation of school district employees as mandatory reporters; training for those employees; disciplinary action against reporters

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**Instructions:**

See attached--draft companion to -1317/2

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 03/16/2011	jdyer 03/16/2011		_____			S&L
/1			rschluet 03/16/2011	_____	lparisi 03/16/2011	lparisi 03/17/2011	

FE Sent For: "/1" @ intro. 3/30/11

<END>

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1/?	gmalaise	3/16 jld		_____	_____	_____	_____

FE Sent For:

<END>

## Malaise, Gordon

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**From:** Hale, Janine  
**Sent:** Wednesday, March 16, 2011 9:26 AM  
**To:** Malaise, Gordon  
**Cc:** Kelly, Scott  
**Subject:** DRAFT request: Assembly companion draft of LRB 1317/2 relating to mandatory reporting of child abuse

Gordon,

Rep. Vos would like to request an Assembly companion draft of LRB 1317/2 relating to mandatory reporting of child abuse as requested by Sen. Wanggaard. I have asked Sen. Wanggaard's office to send you an email granting permission for our office to do so.

If you have any questions, please contact me.

### *Janine L. Hale*

Office of State Representative Robin Vos  
Co-Chair, Joint Committee on Finance  
309 East, State Capitol  
P.O. Box 8953  
Madison, WI 53708  
janine.hale@legis.wi.gov  
608-266-9171  
1-888-534-0063

## Malaise, Gordon

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**From:** Kelly, Scott  
**Sent:** Wednesday, March 16, 2011 9:53 AM  
**To:** Hale, Janine; Malaise, Gordon  
**Subject:** RE: DRAFT request: Assembly companion draft of LRB 1317/2 relating to mandatory reporting of child abuse

Please provide Rep. Vos's office with a companion. Thank you.

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**From:** Hale, Janine  
**Sent:** Wednesday, March 16, 2011 9:26 AM  
**To:** Malaise, Gordon  
**Cc:** Kelly, Scott  
**Subject:** DRAFT request: Assembly companion draft of LRB 1317/2 relating to mandatory reporting of child abuse

Gordon,

Rep. Vos would like to request an Assembly companion draft of LRB 1317/2 relating to mandatory reporting of child abuse as requested by Sen. Wanggaard. I have asked Sen. Wanggaard's office to send you an email granting permission for our office to do so.

If you have any questions, please contact me.

### ***Janine L. Hale***

Office of State Representative Robin Vos  
Co-Chair, Joint Committee on Finance  
309 East, State Capitol  
P.O. Box 8953  
Madison, WI 53708  
janine.hale@legis.wi.gov  
608-266-9171  
1-888-534-0063



State of Wisconsin  
2011 - 2012 LEGISLATURE

IN 3116  
Today



16711

LRB-1317/2  
GMM:sbb&kjf:ph

Keep

2011 BILL

( Companion - No change )

Lx

Regen

1 AN ACT *to amend* 48.981 (2) (e) and 48.981 (8) (c); and *to create* 48.981 (2) (a)  
2 16m., 48.981 (8) (am) and 118.07 (5) of the statutes; **relating to:** mandatory  
3 reporting of child abuse or neglect by school district employees; training in child  
4 abuse and neglect identification, laws, and procedures for those employees;  
5 retaliation against a person who reports child abuse or neglect in good faith,  
6 and granting rule-making authority.

***Analysis by the Legislative Reference Bureau***

Current law requires certain persons who have reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or who has a reasonable belief that such a child has been threatened with abuse or neglect and that abuse or neglect will occur to report that suspected or threatened abuse or neglect to the county department of human services or social services or to the sheriff or city, village, or town police department. Currently, mandatory reporters of child abuse and neglect include school teachers, administrators, and counselors. This bill makes *all* public school employees mandatory child abuse and neglect reporters and requires those employees to receive training in identifying children who have been abused or neglected and in the laws and procedures governing the reporting of child abuse and neglect.

Current law prohibits any person who makes a child abuse or neglect report from being discharged from employment for doing so. This bill prohibits any person

**BILL**

who makes a child abuse or neglect report *in good faith* from being discharged from employment, disciplined or otherwise discriminated against in regard to employment, or threatened with any such treatment for doing so.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 48.981 (2) (a) 16m. of the statutes is created to read:

2           48.981 (2) (a) 16m. A school district employee not otherwise specified in this  
3 paragraph.

4           **SECTION 2.** 48.981 (2) (e) of the statutes is amended to read:

5           48.981 (2) (e) No person making a report under this subsection in good faith  
6 may be discharged from employment, disciplined or otherwise discriminated against  
7 in regard to employment, or threatened with any such treatment for so doing.

8           **SECTION 3.** 48.981 (8) (am) of the statutes is created to read:

9           48.981 (8) (am) Each year the department, every county department, and every  
10 licensed child welfare agency under contract with the department in a county having  
11 a population of 750,000 or more shall make available training programs that permit  
12 school district employees to satisfy the training requirement under s. 118.07 (5).

13           **SECTION 4.** 48.981 (8) (c) of the statutes is amended to read:

14           48.981 (8) (c) In meeting its responsibilities under par. (a), (am), or (b), the  
15 department, a county department, or a licensed child welfare agency under contract  
16 with the department in a county having a population of 500,000 750,000 or more may  
17 contract with any public or private organization ~~which~~ that meets the standards set  
18 by the department. In entering into the contracts the department, county

**BILL**

1 department, or licensed child welfare agency shall give priority to parental  
2 organizations combating child abuse and neglect or unborn child abuse.

3 **SECTION 5.** 118.07 (5) of the statutes is created to read:

4 118.07 (5) Each school board shall require every employee of the school district  
5 governed by the school board to receive training provided under s. 48.981 (8) (am) in  
6 identifying children who have been abused or neglected and in the laws and  
7 procedures under s. 48.981 governing the reporting of suspected or threatened child  
8 abuse and neglect. A school district employee shall receive that training within the  
9 first 6 months after commencing employment with the school district and at least  
10 once every 5 years after that initial training. The department shall promulgate rules  
11 to implement and administer this subsection. The department shall consult with the  
12 department of children and families and the child abuse and neglect prevention  
13 board in promulgating those rules.

14 **SECTION 6. Nonstatutory provisions.**

15 (1) CHILD ABUSE AND NEGLECT TRAINING OF SCHOOL DISTRICT EMPLOYEES; RULES.  
16 The department of public instruction shall submit in proposed form the rules  
17 required under section 118.07 (5) of the statutes, as created by this act, to the  
18 legislative council staff under section 227.15 (1) of the statutes no later than the first  
19 day of the 6th month beginning after the effective date of this subsection.

20 (END)

**Parisi, Lori**

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**From:** Hale, Janine  
**Sent:** Thursday, March 17, 2011 10:36 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-1671/1 Topic: Child abuse and neglect; designation of school district employees as mandatory reporters; training for those employees; disciplinary action against reporters

Please Jacket LRB 11-1671/1 for the ASSEMBLY.