



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 365
[2015 Assembly Bill 667]

**Plan for Investigating Child
Abuse and Neglect Involving
Children With Disabilities**

2015 Wisconsin Act 365 (the Act) requires the Department of Children and Families (DCF) to develop and implement a plan for identifying and addressing areas in which there is a need for improvement in the practices used to investigate reports of suspected or threatened abuse or neglect of a child with a disability. DCF must use an open public participation process to develop the plan that includes input from law enforcement, the Department of Health Services, and other stakeholders that DCF considers appropriate. The Act requires DCF to post the plan on its Internet site and distribute copies of the plan to all child protective services agencies¹ (agencies) that conduct abuse and neglect investigation in Wisconsin.

At a minimum, DCF must consider including in the plan all of the following:

- A requirement that each agency, on receipt of a report of suspected or threatened abuse or neglect, ask the reporter whether the child who is the subject of the report is a child with a disability.
- Procedures for agencies to use to identify and address any specific categories of disabilities that a child with a disability reported to the agency may have.
- Procedures to ensure that each agency is in compliance with federal law that prohibits discrimination of persons with disabilities, Part A of Title II of the Americans with Disabilities Act, 42 U.S.C. 12131 to 12134. Those procedures must include reasonable modifications to the rules, policies, and practices of the agency, the removal of

¹ For purposes of this Act Memo, a “child protective services agency” is a county department of human or social services, DCF in a county having a population of 500,000 or more (only Milwaukee County), or a licensed child welfare agency under contract with a county department or DCF to perform child abuse and neglect investigations. [See s. 48.981 (1) (ag), Stats.]

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

architectural, communication, and transportation barriers, and the provision of auxiliary aids and services as necessary to enable a person with a disability to receive the services or participate in the programs or activities provided by the agency.

- Interviewing strategies tailored to the investigation of abuse or neglect reports involving children with disabilities that include forensic interviewing strategies for interviewing those children, including children with communication issues.
- Information on how to access collateral information regarding a child with a disability.
- Information on how to access specialized follow-up services for children with disabilities.
- Plans for the training of agency staff in the implementation of the plan.

The Act also requires that DCF take action on the plan by January 1, 2017. Also, each agency that conducts abuse and neglect investigations in Wisconsin must do both of the following: (1) adopt the plan by July 1, 2017; and (2) provide a copy of the plan to all law enforcement agencies within the jurisdiction of the agency, as well as to any other person on request.

Effective date: This Act took effect on April 21, 2016.

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