



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2011 Senate Bill 42

**Senate
Amendment 2**

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Under *current law*, various individuals are required to report suspected child abuse or neglect if they have reasonable cause to suspect that a child seen by the person in the course of professional duties: (a) has been abused or neglected; or (b) has been threatened with abuse or neglect and that abuse or neglect of the child will occur. Under current law, school teachers, administrators, and counselors are mandatory reporters of suspected child abuse or neglect. Current law provides that a person who is a mandatory reporter of suspected child abuse or neglect who makes a report as required under current law may not be discharged from employment for doing so.

Senate Bill 42 requires school district employees who are not otherwise mandatory reporters of suspected child abuse or neglect to report suspected child abuse or neglect as provided under current law. Under the bill, a person who is a mandatory reporter of suspected child abuse or neglect who makes a report, in good faith, as required under current law may not be discharged from employment for doing so. In addition, the person may not be disciplined or otherwise discriminated against in regard to employment, or threatened with discipline, discrimination, or discharge from employment.

Under the bill, each school board must require every employee of its school district to receive training in identifying children who have been abused or neglected and in the laws and procedures governing the reporting of suspected or threatened child abuse or neglect. The bill requires the Department of Children and Families (DCF), every county department of human or social services, and every child welfare agency under contract with DCF in Milwaukee County to make training programs available that permit school district employees to satisfy this requirement. A school district employee must receive the training within the first six months after commencing employment with the school district and at least once every five years after the initial training. The bill requires the Department of Public Instruction (DPI) to promulgate rules to implement and administer this provision.

Senate Amendment 2 requires school employees, instead of school district employees, who are not mandatory reporters of suspected child abuse or neglect to report suspected child abuse or neglect as

provided under current law. In addition, the amendment requires school employees to receive training relating to reporting suspected child abuse or neglect from DPI and does not require DPI to promulgate rules to implement the training requirements.

Legislative History

Senate Amendment 2 was offered by Senator Wanggaard. On May 11, 2011, the Senate Committee on Education unanimously recommended adoption of Senate Amendment 2 and passage of Senate Bill 42, as amended.

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