



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 81
[2011 Senate Bill 42]

Mandatory Reporting of Child Abuse or Neglect by School Employees

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, certain school employees, including 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.

2011 Wisconsin Act 81 broadens the scope of individuals who are required to report suspected child abuse or neglect to include any school employee not otherwise specified as a mandatory reporter. In addition, the Act provides that 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: (a) discharged from employment; (b) disciplined or otherwise discriminated against in regard to employment; or (c) threatened with discipline, discrimination, or discharge from employment for making the report.

Under the Act, each school board must also require every employee of its school district to receive training, from the Department of Public Instruction, 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. 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.

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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.state.wi.us/>.