



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5627/2
KRP:amn

2021 SENATE BILL 986

February 17, 2022 - Introduced by Senators PETROWSKI, AGARD and ROYS, cosponsored by Representatives KERKMAN, EMERSON, HONG, MILROY, MOSES, SINICKI, SUBECK, STUBBS and ALLEN. Referred to Committee on Education.

- 1 **AN ACT** *to renumber* 118.07 (5); and *to create* 118.07 (5) (b), 118.47 and 121.02
2 (1) (L) 2m. of the statutes; **relating to:** teen dating violence and sexual violence
3 prevention education and training.

Analysis by the Legislative Reference Bureau

This bill requires school boards to provide age-appropriate instruction to pupils, at least once in grades six to eight and at least once in grades 9 to 12, in the prevention of teen dating violence and sexual violence and establishes certain criteria governing the instruction provided. The bill requires the Department of Public Instruction to prepare, by January 1, 2023, a policy governing the prevention of and appropriate responses to teen dating violence and sexual violence when pupils are at school and while pupils are under the supervision of a school authority. The bill also requires DPI to incorporate a teen dating violence and sexual violence prevention curriculum into DPI's model health problems education curriculum. Each school board must adopt either DPI's policy and curriculum or the school board's own policy and curriculum by July 1, 2023.

Finally, the bill requires DPI to provide training to all school district employees who have direct contact with pupils in grades 6 to 12 in the prevention of and appropriate responses to teen dating violence and sexual violence when pupils are at school and while pupils are under the supervision of a school authority. A school district employee must attend such training within the first six months after beginning employment with the school district and at least once every five years after the initial training.

SENATE BILL 986

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

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

1 **SECTION 1.** 118.07 (5) of the statutes is renumbered 118.07 (5) (a).

2 **SECTION 2.** 118.07 (5) (b) of the statutes is created to read:

3 118.07 (5) (b) A school board shall require every employee of the school district
4 governed by the school board who has direct contact with pupils in grades 6 to 12 to
5 attend training provided by the department under s. 118.47 (2) (c) in the prevention
6 of and appropriate responses to teen dating violence and sexual violence when pupils
7 are at school and while pupils are under the supervision of a school authority. The
8 school board shall ensure that a school district employee attends the training
9 required under this paragraph within the first 6 months after beginning
10 employment with the school district and at least once every 5 years after the initial
11 training.

12 **SECTION 3.** 118.47 of the statutes is created to read:

13 **118.47 Teen dating violence prevention education. (1) DEFINITIONS.** In
14 this section:

15 (a) “Abusive behavior” means verbal or physical intimidation, threats, or
16 harassment, whether direct, by electronic means, or through other persons.

17 (b) “Cyberbullying” means the use of information and communication
18 technologies, such as a cellular telephone, computer, Internet site, or electronic mail
19 message, to engage in or support deliberate, hostile behavior intended to frighten,
20 intimidate, mock, insult, bully, or harm others.

SENATE BILL 986

1 (c) "Dating partner" means any individual involved in an intimate relationship
2 with another individual primarily characterized by the demonstration of affection,
3 whether casual, serious, or long-term.

4 (d) "Emotional abuse" has the meaning given in s. 46.90 (1) (cm).

5 (e) "Harassment" has the meaning given in s. 813.125 (1) (am) 4.

6 (f) "Healthy relationship" means an equal relationship free from abusive,
7 violent, and controlling behavior in which each individual respects the other's right
8 to have his or her own opinions, friends, and activities and each individual can openly
9 communicate with the other individual.

10 (g) "Physical abuse" means shaking, arm twisting, pushing, hitting, kicking,
11 slapping, strangulation, hair pulling, physical intimidation, or any behavior that
12 may result in injury.

13 (h) "Physical intimidation" means an attempt to frighten or coerce another
14 individual by physical contact, including by restraining the individual, blocking the
15 individual's movements or exits, punching walls, or throwing objects.

16 (i) "Sexual contact" has the meaning given in s. 940.225 (5) (b).

17 (j) "Sexual violence" means any unwanted sexual contact.

18 (k) "Stalking" means willfully and repeatedly following or harassing another
19 individual or making a threat with the intent to place that individual in fear for the
20 individual's safety or the safety of the individual's family.

21 (L) "Teen dating violence" means behavior to which all of the following apply:

22 1. An individual uses abusive behavior, threats of or actual physical abuse,
23 sexual violence, cyberbullying, or emotional abuse.

24 2. The effect of the behavior is to dominate, control, or punish the individual's
25 dating partner or former dating partner.

SENATE BILL 986**SECTION 3**

1 3. At least one of the dating partners is a teenager.

2 **(2) DEPARTMENT; DUTIES.** (a) By January 1, 2023, the department shall, working
3 in consultation with the department of children and families, the department of
4 health services, the council on domestic abuse, and advocates from statewide
5 organizations representing victims of domestic abuse and sexual violence, prepare,
6 adopt, and make available to school districts a policy governing the prevention of and
7 appropriate responses to teen dating violence and sexual violence when pupils are
8 at school and while pupils are under the supervision of a school authority. The
9 department shall incorporate all of the following in its policy:

10 1. Methods for accommodating pupils who are victims of teen dating violence
11 or sexual violence.

12 2. A requirement that school districts comply with and support compliance
13 with court orders related to teen dating violence and sexual violence.

14 3. Methods for protecting the rights, safety, and privacy of victims.

15 (b) The department shall incorporate a teen dating violence and sexual violence
16 prevention curriculum into the department's model health problems education
17 curriculum. The teen dating violence and sexual violence prevention curriculum
18 shall include all of the following topics:

19 1. Definitions of teen dating violence and sexual violence.

20 2. Skills for identifying teen dating violence, abusive behavior, physical
21 intimidation, stalking, physical abuse, sexual violence, and cyberbullying.

22 3. Appropriate and safe ways for teen bystanders to intervene in teen dating
23 violence, sexual violence, and incidents of stalking and to seek help from supportive
24 adults on behalf of victims.

25 4. Characteristics of healthy relationships.

SENATE BILL 986

1 5. The meaning of consent, how to communicate consent, the absence of
2 consent, and how to identify consent and the absence of consent. The department
3 shall include under this subdivision all of the following:

4 a. That consent does not exist when an individual is coerced or when permission
5 is implied, assumed, or given under threat.

6 b. That an individual who consents to one act does not thereby consent to any
7 other act.

8 c. That consent does not exist when one or all parties involved in an activity are
9 intoxicated or otherwise incapacitated.

10 6. Communication techniques to help pupils discuss and resolve conflicts
11 within dating relationships with respect and nonviolence.

12 7. Methods for exercising critical thinking skills and developing skills for pupils
13 to recognize and understand their own individual boundaries and recognize and
14 respect the boundaries of others.

15 8. Relevant information about and sources for legal, medical, and mental
16 health and other supportive services regarding teen dating violence and sexual
17 violence.

18 9. Relevant information about trafficking, as defined in s. 940.302 (1) (d), for
19 purposes of a commercial sex act, as defined in s. 940.302 (1) (a).

20 (c) The department shall provide to school district employees who have direct
21 contact with pupils in grades 6 to 12 training in the prevention of and appropriate
22 responses to teen dating violence and sexual violence when pupils are at school and
23 while pupils are under the supervision of a school authority.

24 **(3) SCHOOL BOARD; DUTIES.** (a) By July 1, 2023, a school board shall adopt a
25 policy governing the prevention of and appropriate responses to teen dating violence

SENATE BILL 986**SECTION 3**

1 and sexual violence. A school board may adopt the department's model policy
2 described under sub. (2) (a) or adopt the school board's own policy. If the school board
3 adopts its own policy, the school board shall ensure that the policy includes all of the
4 provisions under sub. (2) (a).

5 (b) By July 1, 2023, a school board shall adopt and incorporate the teen dating
6 violence and sexual violence prevention curriculum described under sub. (2) (b) into
7 its health education program or adopt and incorporate the school board's own teen
8 dating violence and sexual violence prevention curriculum that includes all of the
9 topics described under sub. (2) (b).

10 (c) At the beginning of each school term, or, for a pupil who enrolls in a school
11 after the beginning of the school term, at the time of that pupil's enrollment, a school
12 board shall notify the parent or guardian of each pupil about the instruction in teen
13 dating violence and sexual violence prevention education planned for the coming
14 term. The notice shall do all of the following:

15 1. Advise the parent or guardian that written and audiovisual educational
16 materials used in comprehensive teen dating violence and sexual violence
17 prevention education are available for inspection and that a copy of the instructional
18 materials is available upon request.

19 2. Advise the parent or guardian that the parent or guardian may request in
20 writing that his or her child not receive teen dating violence and sexual violence
21 prevention education.

22 **SECTION 4.** 121.02 (1) (L) 2m. of the statutes is created to read:

23 121.02 (1) (L) 2m. Beginning in the 2023-24 school year, provide
24 age-appropriate, as defined in s. 118.019 (1m) (a), instruction in the prevention of
25 teen dating violence and sexual violence to pupils at least once in grades 6 to 8 and

SENATE BILL 986

1 at least once in grades 9 to 12. The school board shall ensure that the instruction
2 provided under this subdivision is consistent with the curriculum described in s.
3 118.47 (3) (b) and that the instructors use instructional methods and materials that
4 are consistent with s. 118.13 (1).

5

(END)