



2025 SENATE BILL 97

March 7, 2025 - Introduced by Senators TOMCZYK and NASS, cosponsored by Representatives FRANKLIN, BEHNKE, BRILL, DITTRICH, B. JACOBSON, KAUFERT, KNODL, KREIBICH, MELOTIK, MURPHY, MURSAU, O'CONNOR, STEFFEN, TITTL and WICHGERS. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

- 1 **AN ACT to create** 118.07 (6) of the statutes; **relating to:** parental notification of
2 alleged sexual misconduct by a school staff member.

Analysis by the Legislative Reference Bureau

This bill requires each school board, governing body of a private school, and operator of a charter school to notify a pupil's parent or guardian if the school board, governing body, or operator receives a credible report alleging sexual misconduct by a school staff member and the pupil is identified as an alleged victim, target, or recipient of the misconduct. Under the bill, a school board, governing body, or operator must notify the pupil's parent or guardian by no later than the end of the day on which the school board receives the report containing the alleged sexual misconduct. Under the bill, a report is considered to be received by a school board or operator of a charter school when it is received by an assistant principal, principal, assistant school district superintendent, school district superintendent, or school district administrator, and is considered to be received by the governing body of a private school when it is received by an assistant principal, principal, superintendent, executive director, or other individual who acts as the administrative head of the private school.

Under current law, it is a Class I felony for a school staff member to commit an act of sexual misconduct against a pupil. Under current law and the bill, "sexual misconduct" means 1) communications made intentionally to sexually degrade, sexually humiliate, sexually arouse, or sexually gratify the pupil or the perpetrator or 2) intentional touching by the perpetrator or, upon the perpetrator's instruction,

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by the use of a body part or object, if the purpose of the intentional touching is to sexually degrade, sexually humiliate, sexually arouse, or sexually gratify the pupil or the perpetrator.

The bill also requires school boards to annually provide information about how parents and guardians may access records related to school employee discipline under the state public records law.

For further information see the 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 (6) of the statutes is created to read:

2 118.07 (6) (a) Each school board, governing body of a private school, and
3 operator of a charter school shall, by no later than the end of the day on which a
4 credible report alleging sexual misconduct, as defined in s. 948.098 (1) (d), by a
5 school staff member, as defined in s. 948.098 (1) (c), is received, shall notify the
6 parents or guardians of each pupil alleged to be a victim, target, or recipient of the
7 alleged sexual misconduct by the school staff member. For purposes of this
8 paragraph, a report is considered to be received by a school board or the operator of
9 a charter school when it is received by an individual employed by the school district
10 or operator of the charter school and for purposes of that employment the individual
11 is required to hold a license issued by the department under s. PI 34.066 or 34.067,
12 Wis. Adm. Code. For purposes of this paragraph, a report is considered to be
13 received by the governing body of a private school when it is received by an
14 individual employed by the governing body of the private school as an assistant
15 principal, a principal, or an administrator, as defined in s. 118.60 (1) (ad).

16 (b) Each school board shall annually provide parents and guardians with

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1 information regarding their rights to access records regarding school employee
2 discipline under subch. II of ch. 19.

3 **SECTION 2. Initial applicability.**

4 (1) This act first applies to a credible report alleging sexual misconduct by a
5 school staff member that is received on the effective date of this subsection.

6 (END)