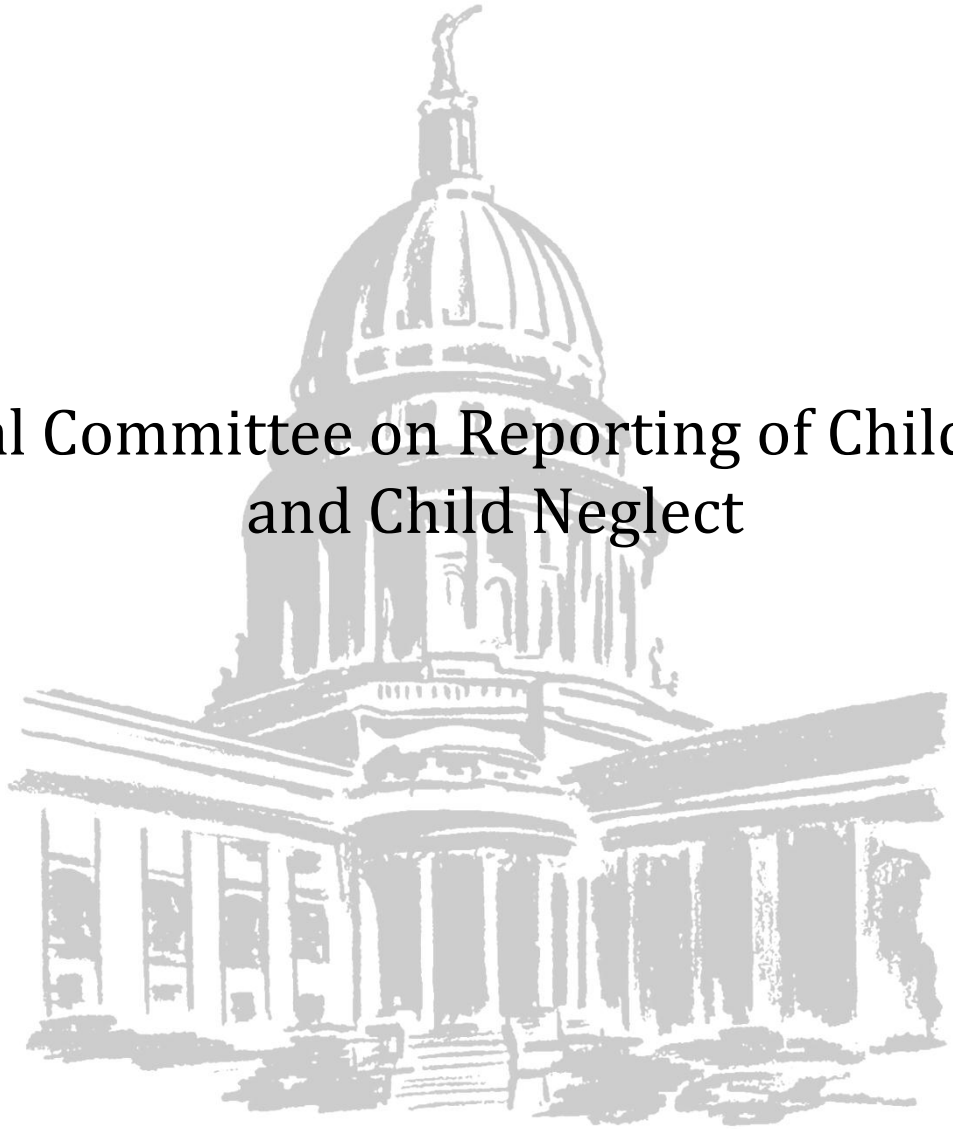
Report to the Joint Legislative Council



Special Committee on Reporting of Child Abuse and Child Neglect

January 8, 2013

LCR 2013-05

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SPECIAL COMMITTEE ON REPORTING OF CHILD ABUSE AND CHILD NEGLECT

Prepared by:
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January 8, 2013

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PART I
KEY PROVISIONS OF COMMITTEE RECOMMENDATION

The Special Committee on Reporting of Child Abuse and Child Neglect recommends the following bill draft to the Joint Legislative Council for introduction in the 2013-14 Session of the Legislature.

WLC: 0057/1, RELATING TO RECODIFICATION OF CHILD ABUSE AND NEGLECT REPORTING LAW; MAKING PROBATION AGENTS, PAROLE AGENTS, AND CERTAIN EMPLOYEES, CONTRACTORS, AND VOLUNTEERS OF SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT; REQUIRING TRAINING FOR CERTAIN MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT; DEFINITIONS OF PHYSICAL INJURY AND NEGLECT FOR PURPOSES OF MANDATED REPORTING OF CHILD ABUSE AND NEGLECT; REQUIRING CHILD PROTECTIVE SERVICE AGENCIES TO NOTIFY TRIBAL AGENTS OF REPORTS OF SUSPECTED CHILD ABUSE OR CHILD NEGLECT; AND GRANTING RULE-MAKING AUTHORITY

WLC: 0057/1 makes the following changes to current law.

- Recodifies s. 48.981, the Child Abuse and Child Neglect Reporting Law, to renumber long provisions, add titles, move and amend definitions, and revise provisions as necessary to account for changes to federal law.
- Adds probation agents and parole agents to the list of professionals who are required to report suspected child abuse and neglect.
- Amends the requirement that all school employees report suspected abuse and neglect to apply the reporting requirement to all school employees, volunteers, and contractors who work directly with children for at least 40 hours in a school year, other than minors, students who have not yet graduated from high school, and school board members.
- Adds employees, volunteers, or contractors of an institution of higher education, other than children, who have regular, ongoing contact with children, other than matriculated students, in a professional or primary setting to the list of persons required to report suspected child abuse and neglect.
- Requires certain mandated reporters of child abuse and neglect who are members of a profession for which state licensure or certification is required, or for which employment, registration, appointment, or assignment is subject to statutory

requirements, to complete an approved training course regarding their reporting obligations and directs the Department of Children and Families (DCF) to approve such training courses and to promulgate rules specifying their content.

- Amends the definitions of "physical injury" and "neglect" for the purposes of reporting child abuse or child neglect.
- Extends, to child protective service agencies in all counties, the requirement that child protective service agencies in certain counties notify a tribal agent if the agency receives a report of suspected child abuse or neglect pertaining to a child the agency knows or has reason to know is an Indian child or Indian unborn child and expands the amount of information a county may provide to the tribal agent.

PART II
COMMITTEE ACTIVITY

ASSIGNMENT

The Joint Legislative Council established the Special Committee on Reporting of Child Abuse and Child Neglect and appointed the chairperson by an April 24, 2012 mail ballot. The committee was directed to conduct a recodification of s. 48.981, Stats., Wisconsin's child abuse and child neglect reporting requirements to reorganize the statute in a logical manner, renumber and retitle certain subsections, consolidate related provisions, modernize language, resolve ambiguities in language, and make other necessary organizational changes. The committee was also directed to recommend changes to current law regarding who is required to report suspected abuse or neglect of children and the circumstances under which such a report is mandated and study the reporting of suspected abuse of students at institutions of higher education.

Membership of the Special Committee was appointed by a May 31, 2012 mail ballot. The final committee membership consisted of two Senators, two Representatives, and eight public members. A list of committee members is included as ***Appendix 3*** to this report.

SUMMARY OF MEETINGS

The Special Committee held four meetings on the following dates:

July 12, 2012
September 6, 2012
October 11, 2012
December 4, 2012

In addition, a subcommittee was established and met twice (see below).

At the July 12, 2012 meeting, the Special Committee heard testimony from invited speakers.

MaryAnn Lippert, Executive Assistant, DCF, directed the committee's attention to the department's 2010 annual report on child abuse and neglect to the Governor and Legislature, a link to which is available on the committee's website: http://legis.wisconsin.gov/lc.

Robert B. Williams, Director, Bureau of Safety and Well-Being, Division of Safety and Permanence, DCF, summarized Wisconsin's child abuse reporting law, presented data from the department's report to the Governor and the Legislature, and discussed DCF's role in administering the child abuse reporting statute.

Mary Anne Snyder, Executive Director, Children's Trust Fund, explained that the mission of the Trust Fund is to promote the development of a sustainable comprehensive prevention

infrastructure that reflects research and promising practices in child abuse and neglect prevention. Ms. Snyder told the committee that the Trust Fund serves in a convening role, uniting partners, such as DCF and the Child Abuse Prevention Fund, to work across systems to prevent child abuse and neglect.

Elizabeth Dionne, Director, Office of Operations Review and Internal Audit, University of Wisconsin (UW) System, provided background on the UW System's policies relating to child protection, and described a report that the UW System produced as a result of a recent review of these policies and procedures. She then described eight recommendations the report made with respect to strengthening the UW System's policies for protecting children.

A panel of county staff then testified. The panel was comprised of ***Dawn Buchholz, Supervisor, Child and Family Services, Waushara County Department of Human Services***, and ***Suzanne Mathison, CPS Social Worker, Marathon County Department of Social Services***. The panelists explained the process counties employ when receiving reports of suspected child abuse or neglect and shared their observations about how the reporting system could be improved.

The meeting concluded with a discussion of the Special Committee's assignment. Chair Darling asked that the committee adhere to the scope statement approved by the Joint Legislative Council and focus on refining the scope so that it could develop recommendations within the timeframe allocated for the study committee process.

At the September 6, 2012 meeting, the Special Committee heard testimony from ***Fredi-Ellen Bove, Administrator of the Division of Safety and Permanence, DCF***, ***Nic Dibble, Education Consultant, School Social Work Services, Department of Public Instruction (DPI)***, ***Wendy Volz Daniels, Clinical Associate Professor, Department of Social Work Field Program, UW-Milwaukee***, and a panel of county staff.

Ms. Bove presented data in response to requests for information made by committee members during the July 12, 2012 meeting. She provided tables summarizing the numbers and percentages of referrals and screening decisions by county; the average days for initial contact for child welfare initial assessments; screening decisions by county for mandated and non-mandated reporters; and screening decisions by county by type of mandated reporter.

Ms. Bove also provided an overview of the reporting of child abuse and neglect in DCF/Bureau of Milwaukee Child Welfare (BMCW). She said that BMCW receives 23% of all child abuse and neglect referrals made in the state. She stated that BMCW has processes in place to handle incoming referrals effectively and will continue to improve the quality of its services and engage in outreach.

Mr. Dibble described changes made by 2011 Wisconsin Act 81, which took effect in December 2011. The Act made all school employees mandated reporters of child abuse and child neglect and requires every school employee to receive training from DPI within six months of initial employment and at least once every five years thereafter. Next, Mr. Dibble summarized feedback that DPI has received from school officials regarding the implementation of 2011 Wisconsin Act 81. The officials suggested that the Act's application may be overly broad, because it includes temporary employees and employees who are minors. On the other hand, officials

recommended that the Act's application should be expanded to include contract employees, such as bus drivers.

Ms. Volz Daniels addressed the Special Committee on behalf of the Wisconsin School Social Work Association. She discussed 2011 Wisconsin Act 81 and made suggestions regarding the Act. She requested that the Special Committee consider amendments to exempt minors from mandatory reporting obligations and include contracted employees as mandated reporters. Next, Ms. Volz Daniels discussed feedback from members of the National Association of Social Workers, who suggested that foster parents be added to the list of mandated reporters.

A panel of county staff then participated in a discussion regarding county agencies' experiences with the reporting of child abuse and child neglect. The panel consisted of ***Nancy Pohlman, Manager, Family and Children's Services, La Crosse County Human Services; Hazel Coppernoll, Child Protective Services Supervisor, Sauk County Human Services; Lee Salzmann, Human Services Supervisor Access/Initial Assessment, Waukesha County, Department of Health and Human Services;*** and ***Sarah Vargas, Lead Social Worker, Waukesha County Department of Health and Human Services***. The panel members gave examples of typical reporting situations and made suggestions for improvements to Wisconsin's child abuse reporting law.

The Special Committee reviewed Memo No. 2, *Options for Committee Discussion*, dated August 29, 2012. Specific options discussed included revisions to the list of professionals who are required to report suspected child abuse or neglect under Wisconsin law and potential modifications to the definition of "abuse," which is a threshold for triggering mandated reporting. As background for the discussion regarding mandated reporters, the Special Committee discussed Memo No. 3, *State Laws Mandating That Every Person Report Child Abuse or Child Neglect*. The Special Committee also discussed other options for consideration as part of its assignment.

At the October 11, 2012 meeting, the Special Committee heard testimony from ***Kathy Park, Vice-President, National Center on Crime and Delinquency***, and ***Patina Park Zink, MCWIC Best Outcomes for Indian Children Project Coordinator, Ho-Chunk Nation, Department of Justice***. Representatives from DPI and the UW System also provided the Special Committee with follow-up information.

Ms. Park delivered a presentation on the Mandatory Reporting Guide that her organization developed for the Australian state of New South Wales. Ms. Park explained that the Guide was developed to help mandatory reporters in New South Wales ascertain whether to report in particular situations. She said that the Guide provides mandatory reporters access to an online standardized set of criteria and questions, which functions as a decision tree and assists them in determining where best to report.

Ms. Park Zink described the current requirement that a county notify a tribal agent if the county receives a report of suspected abuse or neglect of a child who the county knows or has reason to know is an Indian child. She told the committee that these notice requirements are problematic because they only require certain counties to provide notice and because they may create some confusion about the relationship of these notice requirements and Wisconsin Indian Child Welfare Act (WICWA) notice requirements. Ms. Park Zink suggested that the committee

amend current law to apply the notice requirement to all counties and to clarify that this notice does not satisfy the obligation to provide notice under WICWA.

Jennifer Kammerud, Legislative Liaison, DPI, and ***Nic Dibble*** provided the committee with recommendations for modifying the mandatory reporting requirements for individuals who interact with children at public schools. DPI suggested that the committee add to the list of individuals who are required to report: contracted school district personnel who are expected to work with students for 40 hours per school year; and volunteers who are expected to work with students for 40 hours per school year. The department also suggested exempting from reporting: school board members; school district employees who are minors or have not yet graduated from high school; and school district employees who are anticipated to work less than 40 hours in a school year.

Jessica Tormey, Legislative Liaison; La Vonne Cornell-Swanson, Senior Academic Planner & Director; Erin Kastberg, Associate System Legal Counsel; and Elizabeth Dionne, Director of Operations Review and Audit, delivered a presentation updating the committee on what the UW System is doing to implement Executive Order 54. Ms. Cornell-Swanson provided an overview of the programs the UW System operates that serve children. Ms. Dionne explained that the UW System has been working to implement the recommendations she told the Special Committee about at its July 12, 2012 meeting that had arisen from the UW System's recent review of its policies and procedures related to protecting children. Ms. Kastberg described the ways in which the UW System institutions are implementing these recommendations.

The Special Committee reviewed Memo No. 4, *Options for Legislation*, dated October 4, 2012. First, the Special Committee discussed options to revise the list of professionals who are required to report suspected child abuse and neglect under Wisconsin law. There was general consensus in favor of recommendations presented by DPI regarding modifications to reporting by school personnel. There was also general consensus to consider a bill draft that would apply a similar approach to certain personnel of higher education institutions who have contact with minor children. Special Committee members also expressed support for adding probation agents to the list of mandated reporters.

Next, the Special Committee discussed an option relating to training certain mandatory reporters of child abuse and neglect. Following discussion, Chair Darling instructed committee staff to draft legislation that would require mandatory reporters who are licensed by the state to obtain training as a condition of licensure and direct DCF to set criteria for the training.

The Special Committee then discussed an option to amend certain definitions for purposes of the child abuse reporting law. Following discussion, Chair Darling instructed committee staff to draft legislation amending the definitions only for purposes of the reporting of child abuse and neglect.

Finally, the Special Committee discussed options to eliminate the spiritual treatment exemption to a county's authority to make a determination that abuse has occurred and regarding disclosures that must be made in investigations involving death, serious injury, or egregious incidents. The Special Committee determined that these items were outside the scope of the Special Committee's charge.

At the December 4, 2012 meeting, the Special Committee reviewed seven bill drafts, and preliminarily approved the following:

- WLC: 0001/2, a bill draft that had been reviewed by the Recodification Subcommittee. The committee agreed to modify the draft to reflect changes suggested by DCF.
- WLC: 0036/P1, which adds probation agents and parole agents to the list of persons who are mandated to report child abuse and neglect under s. 48.981 (2), Stats.
- WLC: 0037/P1, which creates a training requirement for certain mandated reporters of child abuse and neglect who are members of a profession for which state licensure or certification is required, or for which employment, registration, appointment, or assignment is subject to statutory requirements. The committee agreed to modify the draft to remove the requirement that rules promulgated by DCF regarding mandated reporter training specify the duration of approved training courses and to apply the training requirement to probation and parole agents.
- WLC: 0043/P1, which amends the definitions of "physical injury" and "neglect" for purposes of mandated reporting of child abuse and neglect.
- WLC: 0044/P1, which modifies which school employees are mandated reporters of child abuse and neglect and makes certain school volunteers and contractors mandated reporters. The committee agreed to modify the draft to reflect suggestions pertaining to the training obligations of school employees.
- WLC: 0045/P1, which makes certain employees, contractors, and volunteers of institutions of higher education mandated reporters of child abuse and neglect. Following testimony from representatives of the UW System and UW-Madison, there was general consensus among committee members to modify the bill to make the following persons mandated reporters of child abuse and neglect under s. 48.981 (2), Stats.: an employee, volunteer, or contractor of an institution of higher education, other than a minor, who has regular, ongoing contact with children, other than matriculated students, in a professional or primary setting.
- WLC: 0050/P1, relating to requiring child protective service agencies to notify tribal agents of reports of suspected child abuse or neglect. The committee agreed to modify the draft to reflect changes suggested by DCF.

The Special Committee also reviewed Memo No. 5, *Technical Changes to Bill Drafts*, which recommends technical changes to various bill drafts. The committee agreed by unanimous consent to adopt all technical changes listed in Memo No. 5. The committee also agreed by unanimous consent to combine all of the approved bill drafts into a single, consolidated draft, to be reviewed by committee members in a mail ballot.

The Special Committee formed a Recodification Subcommittee, which met two times, on September 6, 2012 and on November 3, 2012. The Recodification Subcommittee was directed to develop recommendations for the recodification of s. 48.981, Stats., for the Special Committee's consideration. The Recodification Subcommittee was comprised of the following committee

members: Senator Alberta Darling, and Public Members Katharine Kucharski, Bill Orth, and Henry Plum. Representatives from DCF also attended the meetings of the Recodification Subcommittee. At its meetings, the subcommittee reviewed and modified WLC: 0001/2, a bill draft that recodifies s. 48.981, Stats. Legislative Council staff presented updates of the Subcommittee's work to the Special Committee at the Special Committee's September 6th and October 11th meetings.

PART III
RECOMMENDATION INTRODUCED BY THE JOINT LEGISLATIVE COUNCIL

WLC: 0057/1, RELATING TO RECODIFICATION OF CHILD ABUSE AND NEGLECT REPORTING LAW; MAKING PROBATION AGENTS, PAROLE AGENTS, AND CERTAIN EMPLOYEES, CONTRACTORS, AND VOLUNTEERS OF SCHOOLS AND INSTITUTIONS OF HIGHER EDUCATION MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT; REQUIRING TRAINING FOR CERTAIN MANDATED REPORTERS OF CHILD ABUSE AND NEGLECT; DEFINITIONS OF PHYSICAL INJURY AND NEGLECT FOR PURPOSES OF MANDATED REPORTING OF CHILD ABUSE AND NEGLECT; REQUIRING CHILD PROTECTIVE SERVICE AGENCIES TO NOTIFY TRIBAL AGENTS OF REPORTS OF SUSPECTED CHILD ABUSE OR CHILD NEGLECT; AND GRANTING RULE-MAKING AUTHORITY

This Part of the report provides background information on, and a description of, the bill as recommended by the Special Committee on Reporting of Child Abuse and Child Neglect.

Background

Recodification of s. 48.981

The Special Committee formed a Recodification Subcommittee to recommend modifications to improve the organization of s. 48.981, Stats. The subcommittee worked with the DCF to review and approve these modifications.

Who is Required to Report Suspected Abuse or Neglect of Children

Current law requires certain professionals to report suspected abuse and neglect of children and unborn children. A person who is mandated to report must do so if he or she has reasonable cause to suspect that a child seen by the person in the course of professional duties has been abused or neglected or has reason to believe that a child seen by the person in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur. Mandated reporters may be subject to criminal penalties if they intentionally fail to report.

The Special Committee discussed whether to expand the list of persons mandated to report suspected child abuse or child neglect. Various county staff, among others, expressed the opinion to the Special Committee that improving the quality of mandated reporting through training

would be more beneficial than increasing the number of professionals required to report. Current law requires DPI to develop and conduct training programs for specified school employees who are mandated reporters of suspected child abuse and child neglect. Current law does not otherwise require training to be provided to mandated reporters, nor does it impose any training requirements on mandated reporters. Special Committee members suggested that training should be made a condition of licensure from the state.

The Special Committee also discussed issues DPI raised with respect to the scope of 2011 Wisconsin Act 81, which made every school employee a mandated reporter of suspected child abuse or neglect. Specifically, Special Committee members expressed concern that the Act placed obligations on school employees that might not be well-positioned to make reports, such as minors and casual employees, and did not place obligations on others who were well-positioned, such as certain contract employees and volunteers.

Circumstances Under Which a Report of Suspected Abuse or Neglect is Mandated

The Special Committee discussed whether lowering the threshold for what constitutes abuse would improve the ability of child protective service agencies to identify abused children and families in need of support services. In the Children's Code, "abuse" is defined to mean one of several specified activities, including "physical injury inflicted on a child by other than accidental means." The term "physical injury" is further defined to mean lacerations, fractured bones, burns, internal injuries, severe or frequent bruising, or great bodily harm, as defined in the Criminal Code. Several members of the Special Committee expressed concern that this definition discourages reporting because it requires a reporter to determine whether non-accidental bruising is "severe or frequent."

Similarly, the Special Committee discussed whether the definition of neglect discourages reporting. In the Children's Code, "neglect" is defined to mean the failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of a child. Several members of the Special Committee suggested that reporters might be hesitant to report suspected neglect because of uncertainty over whether the failure to provide necessary care was due to poverty.

Reporting of Suspected Abuse of Students at Institutions of Higher Education

Under current law, an employee of an institution of higher education may be a mandated reporter of suspected child abuse or neglect if he or she is a member of one of the professions mandated to report. Additionally, under Executive Order 54, all UW System employees must report suspected child abuse or neglect. However, there is no general statutory requirement for employees of institutions of higher education to report suspected child abuse or neglect.

Tribal Notification Requirement

The Special Committee also considered modifications, proposed by DCF in consultation with representatives of various federally recognized American Indian tribes in Wisconsin, to the requirement that child protective service agencies in certain counties notify a tribal agent if the agency receives a report of suspected child abuse or neglect pertaining to a child the agency

knows or has reason to know is an Indian child or Indian unborn child. Under current law, this requirement only applies to counties that have a federally recognized Indian reservation or a Bureau of Indian Affairs (BIA) service area for the Ho-Chunk Nation wholly or partially within its boundaries. A policy and law working group organized by DCF suggested that the Special Committee amend this requirement to apply uniformly throughout the state.

Description

WLC: 0057/1 is a consolidated bill draft, which includes several proposals approved by the Special Committee.

Recodification of s. 48.981

The bill draft recodifies s. 48.981, Stats., by making the following modifications to improve the organization of the statute:

- Throughout s. 48.981, reorganizes provisions to break large paragraphs into separate paragraphs; adds titles to various provisions; consolidates provisions with duplicative language; and updates language to clarify meaning.
- Amends the definition of "agency" to provide that, for purposes of performing the duties specified in certain provisions of s. 48.981, "agency" includes a licensed child welfare agency under contract with a county department to perform investigations, in order to facilitate the use of the definition throughout the section.
- Renumbers definitions for "community placement," "Indian unborn child," and "member of the clergy," to place them in the single paragraphs in which they appear within the section.
- In s. 48.981 (2) (bm), creates a definition of "abuse" by cross-reference so that the word "abuse" may be used throughout the paragraph without repeated references to its definition.
- Amends the authority for interviewing children in absence of consent to account for a ruling of the U.S. Court of Appeals for the Seventh Circuit and other federal cases.
- Updates cross-references in s. 146.82 (2) regarding the release of certain medical information, to account for a change in federal law.

Probation Agents and Parole Agents

The bill draft adds probation agents and parole agents to the list of persons who are mandated to report child abuse and neglect under s. 48.981 (2), Stats.

Training Requirement for Mandated Reporters of Child Abuse and Child Neglect

The bill draft requires certain mandated reporters who are required to report suspected child abuse and neglect because of their membership in a profession for which state licensure or certification is required, or for which employment, registration, appointment, or assignment is subject to statutory qualifications to complete an approved training course as a condition for their initial licensure, certification, employment, appointment, or assignment.

The draft requires DCF to approve training courses for mandated reporters and directs the department to promulgate rules setting forth the criteria required for such training courses. It authorizes the department to approve training courses provided by individuals, organizations, or institutions of higher education. It requires the rules promulgated by the department to specify the required content of an approved training course and the qualifications required for the providers of such training.

Definitions of Physical Injury and Neglect for Purposes of Reporting Child Abuse and Neglect

The bill draft amends the definitions of "physical injury" and "neglect" for purposes of mandated reporting of child abuse and neglect. The draft removes the words "severe or frequent" from the phrase "severe or frequent bruising" within the definition of "physical injury" for the purposes of reporting suspected abuse. The draft also removes the phrase "for reasons other than poverty" from the definition of "neglect" for the purposes of reporting suspected neglect.

School Employees, Volunteers, and Contractors

The bill draft modifies which school employees are mandated reporters of child abuse and neglect and makes certain school volunteers and contractors mandated reporters. The draft makes all school employees, volunteers, and contractors who work directly with children for at least 40 hours in a school year mandated reporters of child abuse and neglect. It exempts from the obligation to report: school board members, children, and students who have not yet graduated from high school. The bill draft also applies the requirement that all school employees receive training on reporting of child abuse and neglect within six months of hire only to those school employees who are mandated reporters of abuse and neglect under s. 48.981 (2), Stats. It allows training for school employees to be satisfied through training courses approved by DCF. Finally, it exempts school employees from initial training requirements if they have received the required training within the five-year period prior to commencement of employment with the school.

Employees, Volunteers, and Contractors of Institutions of Higher Education

The bill draft makes the following persons mandated reporters of child abuse and neglect under s. 48.981 (2), Stats.: an employee, volunteer, or contractor of an institution of higher education, other than a minor, who has regular, ongoing contact with children, other than matriculated students, in a professional or primary setting.

Tribal Notification Requirement

The draft applies the requirement that a county agency notify a tribal agent when it receives a report of suspected child abuse or child neglect pertaining to a child or unborn child the agency knows or has reason to know is an Indian child or is an Indian unborn child to child protective agencies in all counties of the state. The bill draft also eliminates the requirement to notify a tribal agent when the county agency does not know the tribe with which the child is affiliated or the tribe with which the unborn child may, when born, be eligible for affiliation. The bill draft eliminates a restriction on information that a county agency may provide to a tribal agent, and specifies that additional information may be provided as allowed by law. Finally, the bill draft clarifies that notice must be provided regardless of when the county agency learns of the child's tribal affiliation and specifies that notice of a report of suspected child abuse or child neglect does not constitute notice for any other purpose.

APPENDIX 1

COMMITTEE AND JOINT LEGISLATIVE COUNCIL VOTES

The following draft was recommended by the Special Committee on Reporting of Child Abuse and Child Neglect to the Joint Legislative Council for introduction in the 2013-14 Session of the Legislature.

SPECIAL COMMITTEE VOTE

The Special Committee voted, by a December 12, 2012 mail ballot, to recommend the following draft to the Joint Legislative Council for introduction in the 2013-14 Session of the Legislature. The vote on the draft is as follows:

- WLC: 0057/1, relating to recodification of child abuse and neglect reporting law; making probation agents, parole agents, and certain employees, contractors, and volunteers of schools and institutions of higher education mandated reporters of child abuse and neglect; requiring training for certain mandated reporters of child abuse and neglect; definitions of physical injury and neglect for purposes of mandated reporting of child abuse and neglect; requiring child protective service agencies to notify tribal agents of reports of suspected child abuse or child neglect; and granting rule-making authority, passed/failed by a vote of Ayes, 11 (Sens. Darling and Shilling; Reps. Berceau and Thiesfeldt; and Public Members Dreyfus, Iniguez, Kucharski, Plum, Schmidtknecht, Sheets, and Triggiano); Noes, 1 (Public Member Orth); and Not Voting, 0.

APPENDIX 2

JOINT LEGISLATIVE COUNCIL

[s. 13.81, Stats.]

SENATE MEMBERS

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960 Rock Ridge Road
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This 22-member committee consists of the majority and minority party leadership of both houses of the Legislature, the co-chairs and ranking minority members of the Joint Committee on Finance, and 5 Senators and 5 Representatives appointed as are members of standing committees.

Terry C. Anderson, Director, Legislative Council Staff
1 East Main Street, Suite 401, P.O. Box 2536, Madison, Wisconsin 53701-2536

APPENDIX 3

COMMITTEE LISTS

Special Committee on Reporting of Child Abuse and Child Neglect	
Chair Alberta Darling, Senator 1325 West Dean Road River Hills, WI 53217	**Vice-Chair Jennifer Shilling**, Senator 2608 Main Street La Crosse, WI 54601
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Susan Dreyfus, CEO Families International, Inc. 3032 Walden Circle Waukesha, WI 53188	**Michael Schmidtknecht**, Sheriff Buffalo County Sheriff's Office 407 South 2nd Street Alma, WI 54610
Kristen Iniguez, Pediatrician Marshfield Clinic 1000 North Oak Avenue Marshfield, WI 54449	**Lynn Sheets**, Associate Professor Department of Pediatrics, Medical College of Wisconsin P.O. Box 1997, C615 Children's Corporate Center Milwaukee, WI 53201
Katharine Kucharski, Assistant District Attorney Milwaukee County 821 West State Street, Room 405 Milwaukee, WI 53233	**Jeremy Thiesfeldt**, Representative 604 Sunset Lane Fond du Lac, WI 54935
Bill Orth, Director Sauk County Human Services 505 Broadway Street, 4th Floor Baraboo, WI 53913	**Mary Triggiano**, Circuit Court Judge Milwaukee County 901 North 9th Street Milwaukee, WI 53233-1425

STUDY ASSIGNMENT: The Special Committee is directed to conduct a recodification of s. 48.981, Stats., Wisconsin's child abuse and child neglect reporting requirements to reorganize the statute in a logical manner, renumber and retitle certain subsections, consolidate related provisions, modernize language, resolve ambiguities in language, and make other necessary organizational changes. The committee shall also: recommend changes to current law regarding who is required to report suspected abuse or neglect of children and the circumstances under which such a report is mandated; and study the reporting of suspected abuse of students at institutions of higher education.

12 MEMBERS: 2 Representatives; 2 Senators; and 8 Public Members.

LEGISLATIVE COUNCIL STAFF: Anna Henning and David Moore, Staff Attorneys; and Julie Learned, Support Staff.

Special Committee on Reporting of Child Abuse and Child Neglect

Subcommittee on Recodification

Alberta Darling, Senator 1325 West Dean Road River Hills, WI 53217	**Henry Plum**, Attorney 2600 North Mayfair Road, Suite 590 Wauwatosa, WI 53226
Katharine Kucharski, Assistant District Attorney Milwaukee County 821 West State Street, Room 405 Milwaukee, WI 53233	**Bill Orth**, Director Sauk County Human Services 505 Broadway Street, 4th Floor Baraboo, WI 53913

STUDY ASSIGNMENT: The Subcommittee is directed to review s. 48.981, Stats., relating to the reporting of child abuse and child neglect; make recommendations to recodify the section; and consider whether provisions of the section should be updated or reorganized.

4 MEMBERS: 1 Senator; and 3 Public Members.

LEGISLATIVE COUNCIL STAFF: Anna Henning and David Moore, Staff Attorneys; and Julie Learned, Support Staff.

APPENDIX 4

COMMITTEE MATERIALS LIST

[Copies of documents are available at www.legis.wisconsin.gov/lc

Results of the December 12, 2012 Mail Ballot				
• WLC: 0001/2, relating to recodification of child abuse and neglect reporting law.				
December 4, 2012 Meeting	**Notice**	**Agenda**	**Audio**	**Minutes**
• WLC: 0036/P1, relating to making probation and parole agents mandated reporters of child abuse and neglect. • WLC: 0037/P1, relating to requiring training for certain mandated reporters of child abuse and neglect and granting rule-making authority. • WLC: 0043/P1, relating to definitions of physical injury and neglect for purposes of mandated reporting of child abuse and neglect. • WLC: 0044/P1, relating to making certain school volunteers and school contractors mandated reporters of child abuse and neglect. • WLC: 0045/P1, relating to making certain employees, volunteers, and contractors of institutions of higher education mandated reporters of child abuse and neglect. • WLC: 0050/P1, relating to requiring child protective service agencies to notify tribal agents of reports of suspected child abuse or child neglect. • Memo No. 5, *Technical Changes to Bill Drafts* (December 4, 2012). • Memorandum, to Members of the Special Committee on Reporting of Child Abuse and Child Neglect, from Dan Rossmiller, Director of Government Relations, Wisconsin Association of School Boards, regarding concerns related to drafts circulated for consideration by the Special Committee at the December 4, 2012 meeting (December 3, 2012). • Memorandum, to Members of the Special Committee on Reporting of Child Abuse and Child Neglect, from Eloise Anderson, Wisconsin Department of Children and Families, regarding department positions on bill drafts under consideration (December 4, 2012). • Memorandum, to Senator Alberta Darling, Chairperson, and Legislative Council Committee on Reporting of Child Abuse and Child Neglect, from Kevin P. Reilly, President, University of Wisconsin System, regarding UW recommendations regarding mandatory reporting of child abuse and neglect (November 29, 2012). • Letter, to Senator Alberta Darling, Chair, Special Committee on Reporting of Child Abuse and Child Neglect, from Senator Jennifer Shilling (December 5, 2012).				
October 11, 2012 Meeting	**Notice**	**Agenda**	**Audio**	**Minutes**
• Memo No. 4, *Options for Legislation* (October 4, 2012). • Letter, to Senator Alberta Darling, Chair, and Senator Jennifer Shilling, Vice-Chair, from J.B. Van Hollen, Attorney General, Department of Justice (October 11, 2012). • PowerPoint Presentation, submitted by the University of Wisconsin System, *Update on Efforts to Safeguard Minors at the University of Wisconsin System* (October 11, 2012).				
Meeting of the Subcommittee on Recodification (October 3, 2012)	**Notice**			
• WLC: 0001/2, relating to recodification of child abuse and neglect reporting law.				

September 6, 2012 Meeting	Notice	Agenda	Audio	Minutes

- Memo No. 2, *Options for Committee Discussion* (August 29, 2012).
- Memo No. 3, *State Laws Mandating That Every Person Report Child Abuse or Child Neglect* (August 29, 2012).
- PowerPoint presentation, *Reporting of Child Abuse and Neglect in Department of Children and Families/Bureau of Milwaukee Child Welfare*, by Fredi-Ellen Bove, Administrator, Division of Safety and Permanence, Department of Children and Families (September 6, 2012).
- Handout from the Department of Children and Families (September 6, 2012).
- PowerPoint presentation, *Special Committee on Reporting of Child Abuse & Neglect*, by Nic Dibble, LSSW, CISW, Education Consultant, School Social Work Services, Department of Public Instruction (September 6, 2012).
- Testimony submitted by Wendy Volz Daniels, MSW, LCSW, on behalf of the Wisconsin School Social Work Association (WSSWA) to the Special Committee on Reporting of Child Abuse and Child Neglect (September 6, 2012).

Meeting of the Subcommittee on Recodification (September 6, 2012)	Notice

- Memorandum to Members of the Recodification Subcommittee of the Special Committee on Reporting of Child Abuse and Child Neglect, from Anna Henning (August 10, 2012).
    - Section 48.981, Stats.
    - WLC: 0001/1, a preliminary bill draft for discussion.

July 12, 2012 Meeting	Notice	Agenda	Audio	Minutes

- Staff Brief 2012-02, *Reporting Child Abuse and Child Neglect* (July 3, 2012).
- Memo No. 1, *Wisconsin Department of Children and Families (DCF) Annual Wisconsin Child Abuse and Neglect Report for Calendar Year 2010* (July 2, 2012).
    - Report, *Wisconsin Child Abuse and Neglect Report, Annual Report for Calendar Year 2010 to the Governor and Legislature s. 48.981 (9), Stats.*, Wisconsin Department of Children and Families (January 2012).
    - Appendices to *Wisconsin Child Abuse and Neglect Report, 2010 Data*.
- PowerPoint presentation, *Legislative Council Study Committee Reporting of Child Abuse and Neglect*, by Robert B. Williams, Director, Bureau of Safety and Well Being, Division of Safety and Permanence, Wisconsin Department of Children and Families (July 12, 2012).
- PowerPoint presentation, *Child Maltreatment Prevention in Wisconsin*, by Mary Anne Snyder, Executive Director, Wisconsin Children's Trust Fund (July 12, 2012).
- PowerPoint presentation, *University of Wisconsin System's Review of Policies Related to the Reporting of Crimes Against Children*, by Elizabeth Dionne, Office of Operations Review and Audit, UW System Administration (July 12, 2012).
- Presentation by Dawn Buchholz, Supervisor, Child and Family Services, Waushara County Department of Human Services; and Suzanne Mathison, CPS Social Worker, Marathon County Department of Social Services:
    - Definition of Child Maltreatment.
    - CPS/Access Report Procedure.