



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2505/1  
FFK:amn&kjf

## 2017 SENATE BILL 253

May 17, 2017 - Introduced by Senators OLSEN, DARLING, LARSON and MARKLEIN, cosponsored by Representatives DUCHOW, CONSIDINE, JACQUE, POPE, RIPP, SARGENT and SUBECK. Referred to Committee on Education.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to renumber and amend* 115.31 (1) (c); and *to create* 115.31 (1) (c) 1.  
2             b., 115.31 (1) (c) 2. and 118.07 (4p) of the statutes; **relating to:** prohibiting  
3             aiding and abetting sexual abuse.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the state superintendent of public instruction may revoke a license issued by the state superintendent for immoral conduct on the part of a licensee. This bill specifies that it is immoral conduct for a licensee to help a school employee, contractor, or agent obtain a new job if the licensee knows or has reason to believe that the school employee, contractor, or agent has committed a sex offense and the victim was a minor or a pupil. This bill also prohibits a school board, governing body of a private school, and operator of a charter school from helping a school employee, contractor, or agent obtain a new job if the school board, governing body, or operator knows or has reason to believe that the school employee, contractor, or agent has committed a sex offense and the victim was a minor or a pupil.

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

4             **SECTION 1.** 115.31 (1) (c) of the statutes is renumbered 115.31 (1) (c) 1. (intro.)  
5             and amended to read:

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1           115.31 (1) (c) 1. (intro.) “Immoral conduct” means conduct or behavior that is  
2 contrary to commonly accepted moral or ethical standards and that endangers the  
3 health, safety, welfare, or education of any pupil. “Immoral conduct” includes the all  
4 of the following:

5           a. The intentional use of an educational agency’s equipment to download, view,  
6 solicit, seek, display, or distribute pornographic material.

7           **SECTION 2.** 115.31 (1) (c) 1. b. of the statutes is created to read:

8           115.31 (1) (c) 1. b. Assisting a school employee, contractor, or agent to obtain  
9 a new job if the individual knows or has a reasonable suspicion to believe that the  
10 school employee, contractor, or agent committed a sex offense, as defined in s. 301.45  
11 (1d) (b), and the victim was a minor or a pupil.

12           **SECTION 3.** 115.31 (1) (c) 2. of the statutes is created to read:

13           115.31 (1) (c) 2. It is not immoral conduct under subd. 1. b. if any of the following  
14 apply:

15           a. The assistance is the transmittal of administrative and personnel files.

16           b. The information the individual knows or that is the basis of the individual’s  
17 reasonable suspicion has been properly reported to law enforcement and law  
18 enforcement has closed any resulting case or investigation without a conviction.

19           **SECTION 4.** 118.07 (4p) of the statutes is created to read:

20           118.07 (4p) (a) Except as provided in par. (b), no school board, governing body  
21 of a private school, or operator of a charter school may assist a school employee,  
22 contractor, or agent to obtain a new job if the school board, governing body, or  
23 operator knows or has a reasonable suspicion to believe that the school employee,  
24 contractor, or agent committed a sex offense, as defined in s. 301.45 (1d) (b), and the  
25 victim was a minor or a pupil.

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1 (b) Paragraph (a) does not apply if any of the following apply:

2 1. The assistance is the transmittal of administrative and personnel files.

3 2. The information the school board, private school, or charter school knows or  
4 that is the basis of the school board, private school, or charter school's reasonable  
5 suspicion has been properly reported to law enforcement and law enforcement has  
6 closed any resulting case or investigation without a conviction.

7 (END)