

OVERVIEW OF AND RESOURCES FOR REPORTING REQUIREMENTS FOR ABUSE AGAINST CHILDREN IN WISCONSIN

This document, created by the End Domestic Abuse Wisconsin – Wisconsin Coalition Against Domestic Violence – Legal Department, does not constitute legal advice.

Statutes on Reporting Requirements

The following statutes contain child abuse reporting requirements in Wisconsin for each of the following professions:

- [§ 48.981\(2\)\(a\)1-29](#)
 - Child Care Staff
 - Child Care Worker in a day care center, group home, or residential care center for children and youth
 - Counselor Staff
 - Alcohol Counselor
 - Drug Abuse Counselor
 - Professional Counselor (§§ [457.06](#), [12.](#), and [13](#))
 - Social Worker
 - Treatment Staff Member employed by/working under contract with county department
 - Court Staff
 - Court-Appointed Special Advocate
 - Mediator (§ [767.405](#))
 - Law Enforcement Staff
 - Law Enforcement Officer
 - Police
 - Medical Staff
 - Acupuncturist
 - Audiologist
 - Chiropractor
 - Coroner
 - Dentist
 - Dietician
 - Emergency Medical Technician
 - First Responder
 - Medical Examiner
 - Medical Professional
 - Mental Health Professional
 - Nurse*
 - Occupational Therapist
 - Optometrist
 - Physical Therapist
 - Physical Therapist Assistant
 - Physician*
 - Speech-Language Pathologist

- Other
 - Clergy**
 - Public Assistance Worker (including a financial and employment planner) ([§ 49.141\(1\)\(d\)](#))
- School Staff
 - Administrator
 - Counselor
 - Employee
 - Teacher
- Therapy Staff
 - Family Therapist
 - Marriage and Family Therapist

*Usually not required to report abuse except in the following circumstances:

1. The sexual intercourse or contact occurred or is likely to occur with a caregiver;
2. The child suffered or suffers from a mental illness or mental deficiency that rendered or renders the child temporarily or permanently incapable of understanding or evaluating the consequences of his or her actions;
3. The child, because of his or her age or immaturity, was or is incapable of understanding the nature or consequences of sexual intercourse or sexual contact;
4. The child was unconscious at the time of the act or for any other reason was physically unable to communicate unwillingness to engage in sexual intercourse or sexual contact;
5. Another participant in the sexual contact or sexual intercourse was or is exploiting the child;
6. The professional in question has any reasonable doubt as to the voluntariness of the child's participation in the sexual contact or sexual intercourse. ([§ 48.981\(2m\)\(e\)](#))

** Required to report abuse except for information received during confession or any type of routine private communication that clergy are expected to keep secret.

Other Resources on Child Abuse Reporting

- The Wisconsin Department of Children and Families [website](#) provides information on mandatory reporting of child abuse. The website explains who is required to report, how they can report, and what must be reported.
- End Domestic Abuse Wisconsin created a manual for children and youth advocates dealing with child abuse, neglect, and sexual assault. Section 3 of this manual, available in the Legal Advocate Manual [here](#), deals with mandatory reporting of child abuse.
- InsideTrack published an [article](#) on 2011 Wisconsin Acts [81](#) and [87](#). Act 81 requires school employees to report suspected child abuse, and act 87 allows parents with legal custody of a child to delegate their powers regarding child custody to an agent.