



## School Law FYI

# ***New Laws Regarding Grooming***

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Earlier this month, Wisconsin passed two new laws aimed at curtailing the grooming of children for sexual activity. These laws create important obligations for school officials, including mandatory training. Prompt identification and reporting of potential grooming activities are essential to protect children.

### **2025 WIS. ACT 88**

2025 Wis. Act 88 created a new criminal law that makes the grooming of a child for sexual activity a felony. While the law is primarily criminal in nature, it has significant implications for school officials. Specifically, the law states:

*No person may engage in a course of conduct, pattern of behavior, or series of acts with the intention to condition, seduce, solicit, lure, or entice a child for the purpose of engaging in sexual intercourse or sexual contact, or for the purpose of producing, distributing, or possessing depictions of the child engaged in sexually explicit conduct.*

Wis. Stat. § 948.072(1). The law also lists multiple examples of prohibited contact, including verbal comments of a sexual nature, sexualized physical contact, messages to seduce, solicit, lure, or entice a child, gifts or favors designed to lower a child's inhibitions, and isolating a child. This list is not all-inclusive. Other activities could meet the definition of grooming in the law.

This law is classified as a crime against children, which means a district administrator must report to the Department of Public Instruction (DPI) under Wis. Stat. § 115.31 if a licensed employee is charged with or convicted of grooming under

this new law. In addition, this conduct likely constitutes immoral conduct which would also trigger a report to DPI if the district administrator has reasonable suspicion that a licensed employee's resignation is related to the employee having engaged in immoral conduct or if the licensed employee is dismissed or non-renewed based in whole or in part on evidence that the employee engaged in immoral conduct.

If a district student is the victim of grooming, multiple reporting requirements are triggered. Grooming is a form of child abuse. All school employees must immediately report to law enforcement or child protective services if they have reasonable cause to suspect that a child seen by the employee in the course of professional duties is the victim of grooming.

In addition, if the grooming of a student is done by a school employee, that might constitute sexual misconduct that must be very promptly reported to the student's parents or guardians under 2025 Wis. Act. 57. See [New Law Requires Notice to Parents Upon Report of Sexual Misconduct By School Staff Members](#) for more information about Act 57.

Finally, the district Title IX coordinator should meet with the victim and the victim's family to discuss supportive measures and the Title IX process. If the family declines to file a formal Title IX complaint, the Title IX coordinator should strongly consider filing a Title IX complaint on their own.

## **2025 WIS. ACT 89**

2025 Wis. Act 89 requires every school board — and governing body of a private or charter school — to pass a policy on appropriate communication between an employee or volunteer and pupils (including pupils of other schools). This policy must be in place by September 1, 2026.

Many school districts have existing policies or employee handbook provisions that address appropriate communication with students. However, it is unlikely that those existing rules and expectations cover all of the mandatory elements required by Act 89. Therefore, all districts should review their existing policies dealing with staff and student communication prior to the September 1, 2026, compliance deadline. Upon the adoption of any final local policy or revisions to a policy, it is important to review the employee handbook (and any other related materials) with the content of the new or updated policy.

In addition, beginning in the 2026 – 27 school year, all district employees must receive training in identifying, preventing, and reporting grooming and professional boundary violations. DPI is required to prepare a training for this purpose. However,

districts could do their own training in lieu of the DPI training or to supplement the DPI training.

## ***Conclusion***

Grooming continues to be a significant concern, as shown by the state passing these two new laws. School employees need to remain vigilant for any activity that might constitute grooming and report when they suspect that an employee is engaged in grooming or a student is the victim of grooming. In addition to making those required reports, school employees should report this conduct to the administration and the Title IX coordinator. Prompt communication about potential grooming can facilitate prompt action to protect potential victims.

If you have questions about these new laws, contact the authors of this article or check with your district legal counsel.

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