



School Law FYI

Summary of Recently Enacted Laws and Deadlines to Note

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A number of Wisconsin laws affecting K-12 public schools were enacted during the 2025 – 2026 legislative session. Several of these laws contain new requirements and deadlines that school districts should calendar to ensure compliance.

2025 Act 42. Prohibited Uses of Wireless Communication Devices. By July 1, 2026, each school board must adopt a policy that prohibits students from using a personal wireless communication device (including, but not limited to, a cell phone, tablet, laptop, or gaming device) during instructional time. The policy must include the statutory definition of “wireless communication device” and the statutory exceptions to the prohibition on use of personal devices during instruction time. Those exceptions are: in an emergency; to manage the student’s health care; a use included in a student’s IEP or Section 504 plan; or a use authorized by a teacher for educational purposes during instructional time. The policy can be stricter than the law. The policy must be submitted to DPI by October 1, 2026. Annually thereafter (by October 1 of each year), the district must notify DPI whether changes were made, and if changes were made, submit the updated policy to DPI. A copy of the policy must annually be provided to all students enrolled in the school district.

2025 Act 57. See [New Law Requires Notice to Parents Upon Report of Sexual Misconduct by School Staff Members](#). Each school board must annually provide parents and guardians with information regarding their rights to access records regarding school employee discipline.

2025 Act 79. Access to Schools by Federally Chartered Youth Membership Organizations (Big Brothers — Big Sisters of America, Boy Scouts of America, Boys & Girls Clubs of America, Future Farmers of America, and Girl Scouts of the United

States of America). At the request of a youth membership organization, a school board is permitted, but not required, to allow organization representatives to provide information to students about the organization during a school day on school property during the beginning of the school term (beginning is not defined).

2025 Acts 88 and 89. See [New Laws Regarding Grooming](#). Every school board and governing body of a private or charter school must pass a policy on appropriate communication between an employee or volunteer and students by September 1, 2026. Beginning in the 2026 – 2027 school year, all employees must receive training in identifying, preventing, and reporting grooming and professional boundary violations. Districts may conduct their own training or may use a DPI-prepared training.

2025 Act 101. Excused Absences Under the School Attendance Law. This law removes registered nurses from the list of health care provider types who can provide a written statement excusing a child from school under the compulsory student attendance law. Note that *advanced practice* registered nurses can still excuse students.

2025 Act 160. Audiovisual Recording on School Buses. Audiovisual recording on school buses is allowed if the school board adopts a policy authorizing such recording and notice of the policy is provided to students and their parents or guardians and clearly posted on the interior of the school bus. The recordings will remain confidential and may be used only by school officials and law enforcement personnel for investigations, school disciplinary actions and criminal prosecutions related to incidents occurring in or around the bus. Schools already had the authority to videorecord on buses, but this makes it clear that audio recording is permitted as well.

2025 Act 185. DPI Licensure Portal Updates. DPI must post the outcome of license investigations, including if an investigation was terminated because the license holder voluntarily surrendered the license during the investigation. The largest change from DPI's previous practice is that DPI will now likely need to post the outcome of investigations that were closed without finding probable cause that the educator engaged in immoral conduct. Thus, educators who were investigated and found not to have engaged in immoral conduct may now be listed in the public portal when they would not previously have been listed once the investigation was closed. The portal must include the name of each individual whose license is revoked by DPI.

2025 Act 186. Prohibited Agreements and References Regarding Immoral Conduct. School boards cannot enter into agreements, including separation or severance agreements, that contain language that:

- Has the effect of suppressing or destroying information relating to an investigation of alleged immoral conduct by a current or former employee.
- Affects the ability of the employer or its employees to report suspected immoral conduct.
- Requires the employer to expunge information about allegations or findings of immoral conduct from any documents maintained by the employer, unless after investigation the allegations are found to be false or not substantiated.

This might make it harder to negotiate separation agreements. The law also provides immunity to an employer who provides information about the conduct of a current or former employee in response to a request for information from a prospective employer. The immunity provision largely overlaps with existing immunity for responding to reference checks.

2025 Act 189. Operation of Drones Over School Property. Except with the express authorization of the school board or at the direction of law enforcement for listed purposes, no one may operate a drone over school property when school is in session or the property is being used for a school event. A school board must respond to a request for authorization within five business days of receiving the request.

2025 Act 202. Adoption Instruction. If a district elects to provide an instructional program in human growth and development, the district must include instruction in adoption. Prior law recommended but did not require that adoption be taught in human growth and development courses.

2025 Act 204. Alternative Open Enrollment Deadline Extended for Students affected by Military Orders. If a student's place of residence changes as a result of military orders, the student now has 90 days, rather than 30 days, to apply for alternative open enrollment. Military orders include any order from any branch of the U.S. Armed Forces, Reserves, the Wisconsin State Defense Force, or the National Guard of any state.

2025 Act 208. Lighting on School Buses. Yellow school buses can now be equipped with two additional amber or white back-up lamps, one on each side. Yellow school buses can also now be equipped with one illuminated sign mounted on the front above the windshield and one illuminated sign mounted on the rear above the window.

2025 Act 209. Driver's Education. Driver's education courses must include instructions relating to student crossings, school bus lights, and when stops are

required for a stopped school bus, including how requirements are affected by highway configuration.

2025 Act 216 – 219. Internet Crimes Against Children. These laws are all aimed at preventing sexual misconduct against children. Acts 216 and 217 provide money and staffing to the Wisconsin Department of Justice (DOJ) for internet crimes against children law enforcement. Act 218 includes the crime of sexual extortion in the definition of internet crimes against children if the victim was a child at the time of the violation. Act 219 requires Wisconsin DOJ to conduct a children’s online digital safety awareness campaign and to provide those materials to a school free of charge upon request.

2025 Act 221. Changes to Wisconsin’s Technical Education Equipment Grant Program. Act 221 expands the purposes for which a school district may spend technical education equipment grant funds to include the construction, renovation, or improvement of school district facilities for the purpose of training students in construction-related and advanced manufacturing fields, in addition to the allowed uses under prior law. The matching requirement for receipt of grant funds if the matching funds are contributed from school district funds was lowered from 200% to 100%. Matching funds may be in the form of money or the monetary value of software, tools, equipment, or other in-kind contributions.

2025 Act 222. Tribal Regalia at Graduation or School-Sponsored Events. School boards and charter schools may not prohibit a pupil who is a member of, a descendant of a member of, or eligible to be enrolled in, a federally recognized, whether currently or in the past, American Indian tribe or band from wearing traditional tribal regalia at a graduation ceremony or school-sponsored event. “Traditional tribal regalia” means a tribe’s traditional dress or recognized objects of religious or cultural significance, including tribal symbols, beads, and feathers.

2025 Act 223. Financial Literacy. Students may complete the 0.5 credit financial literacy graduation requirement by completing in high school grades a financial literacy program offered by a financial institution or by completing an AP course in business with personal finance.

Checklist of New Annual Requirements for School Boards

- Provide the school board’s Personal Wireless Communication Device Policy to all students enrolled in the school district. Wist. Stat. § 120.12(29)(c).
- Provide parents and guardians with information regarding their rights to access records regarding school employee discipline. Wis. Stat. § 118.07(6)(b).
- Train all employees in identifying, preventing, and reporting grooming and professional boundary violations. Wis. Stat. § 118.07(7)(b).

- Notify DPI by October 1 of each year after 2026 whether the school board's Personal Wireless Communication Device Policy has changed, and, if the policy changed, submit the updated policy to DPI. Wis. Stat. § 120.12(29)(d)2.
- If the school board has a policy allowing audiovisual recording on school buses, provide notice of the policy to students and their parents or guardians and ensure notice of the policy is clearly posted on the interior of the school bus. Wis. Stat. § 347.446(2). (This notice is not required annually, but best practice would be to provide annual notice to ensure that students who are new to the district receive notice.)

Checklist of Deadlines Created by New Laws

- **July 1, 2026.** Personal Wireless Communication Device Policy adopted by school board. Wis. Stat. § 120.12(29)(a).
- **September 1, 2026.** Policy on appropriate communication between an employee or volunteer and students adopted by school board. Wis. Stat. § 118.07(7)(a).
- **October 1, 2026.** Personal Wireless Communication Policy submitted to DPI. Wis. Stat. § 120.12(29)(d)1.
- **October 1, 2027+.** Notify DPI whether Personal Wireless Communication Device Policy changed, and, if changed, submit updated policy to DPI. Wis. Stat. § 120.12(29)(d)2.

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