



Delivered electronically

October 21, 2025

Senators Jagler and Quinn,

I am in receipt of your letter, dated October 16, 2025, outlining several questions and pieces of information related to the Department of Public Instruction's handling of educator misconduct investigations.

The safety of children in our schools is central to education, and it cannot be understated. Every allegation of educator misconduct is handled with care, and those meriting investigations are pursued diligently by the department. Investigations are comprehensive and can include, but are not limited to, obtaining police reports, interviewing victims and witnesses, reviewing all evidence, and any other means to arrive at a legally sound conclusion. Given the safety concerns at stake and the sensitive nature of these cases, thoroughness is essential and takes time.

The suggestion that the DPI withholds or conceals information from the public is false. Once an investigation is closed, most investigatory materials are subject to Wisconsin's open records laws and are released as soon as practicable upon request. In fact, the materials referred to in the news story cited in your letter were obtained through such requests. Additionally, the license status of every educator in Wisconsin is publicly available through [the DPI's Educator License Online \(ELO\) system](#). This includes information about educators who are under investigation, have surrendered, or had their license revoked.

It is important to clarify that our authority to revoke licenses is governed by [Wis. Stat. 115.31](#), which contains a general definition of "immoral conduct." While the law does not specifically define grooming behaviors and professional boundaries, the department still pursues those violations under the definition of immoral conduct. The department relies on the voluntary cooperation of law enforcement, local school district staff, and both victims and witnesses to conduct its investigations. Nearly every referral we receive regarding sexual misconduct or grooming has already been investigated by law enforcement. This means our investigations are largely built off the cases and information obtained by our partner agencies – specifically law enforcement – who have skilled professionals trained in sensitive crimes and interview techniques. We value their expertise and our partnership with them.

In certain cases, educators may choose to “voluntarily surrender” their licensure during or at the conclusion of an investigation. The license holder signs a legally binding agreement that prohibits them from holding a license in Wisconsin. There is a large advantage in surrender over revocation. With a surrender, a license holder signs a legal agreement to a lifetime surrender, meaning an individual can no longer hold any department licenses. With a revocation, an individual is eligible to re-apply for a license, oftentimes immediately ([Wis. Stat 115.31 \(2r\)](#)). A surrender agreement allows us to protect students by preventing the offender from re-obtaining a department license, and we can avoid the risks of hearing, which can retraumatize victims.

Individuals who have voluntarily surrendered or had a license revoked are entered into the National Association of State Directors of Teacher Education and Certification (NASDTEC) database. That entry into NASDTEC includes the nature of their misconduct. The function of NASDTEC’s Clearinghouse is to receive reports of adverse license actions, including voluntary surrenders, and the nature of the misconduct incident underlying the adverse action. This allows states to make licensing determinations with a full understanding of the background for each candidate.

The department plans to make recommendations to the Assembly Committee on Government Operations, Accountability, and Transparency that would be helpful to our shared goals of keeping kids safe. Those include a statutory definition of grooming behavior that links to the immoral conduct statute, a code of ethics for all DPI license holders, a means to use incremental punishment of license holders, and background check and investigation authority over private school educators. We are open to additional suggestions you may have.

Lastly, I want to underscore the impact of current resource constraints on the DPI’s ability to fulfill critical responsibilities. During the last budget cycle, we included a provision to modernize our educator licensing system, an important step toward transparency and efficiency. An improved licensing system will speed up processing and information flow, meaning more resources can be dedicated toward investigation and pursuit of license compliance.

We remain committed to working collaboratively with the Wisconsin State Legislature to improve the tools, resources, and legal authority needed to ensure student safety. Please find answers to your questions below.

Sincerely,

A handwritten signature in blue ink, reading "Jill Underly". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

Dr. Jill Underly
State Superintendent
Wisconsin Department of Public Instruction

Direct answers to your questions

- *When were you personally made aware that more than 200 sexual assault cases were under investigation?*
 - I am regularly briefed on our license investigations.
- *You declined to be interviewed for this story, citing a “conflict of interest”. What is the conflict of interest and why shouldn’t the state’s top education official be directly responsible for addressing child safety and educator misconduct?*
 - The interviewer was asking about specific cases before the department. As the arbiter of licensing decisions at the department, it is imperative that I maintain a distance from and avoid discussing individual cases to avoid a conflict of interest or prejudging a case, or the appearance of doing so, which preserves the strength of our revocations and avoids potential legal challenges to decisions. Because transparency on these topics is important, I opted to have other DPI staff who were well-situated to provide information on these issues respond to requests from the media.
- *Was local law enforcement contacted to help investigate any of these allegations? What policies are in place that would trigger when law enforcement is notified? Are there clear guidelines DPI staff follows in this regard?*
 - In some instances, yes. It would be a highly unusual situation if DPI received notice of allegations for sexual misconduct or grooming before a law enforcement agency was notified of the allegations. The department notifies law enforcement when they are otherwise unaware or have not already acted against someone we believe has violated the law. The department’s action in the scenario you present [recently resulted in jail time](#) for a license holder who was reviewed by both law enforcement and a local school district and previously cleared by both. The department has also pursued revocation after local district attorneys have declined to prosecute for a crime or despite criminal charges having been dismissed.
- *What statutory or administrative authority allows DPI to close cases through license surrender without a formal finding?*
 - Wis. Stat. § 115.31(8), PI 34.100(2) (referring to “settlement agreements”), Wis. Stat. § 227.44(5) (references agreed settlements). Settlement agreements have been accepted by hearing officers as a basis for dismissal.

- *Are local school districts notified when DPI begins an investigation? Is there a clear policy on when the local schools should be notified and are there guidelines on how immediate in the process that notification occurs?*
 - We notify districts at the same time we notify the licensee and follow the law and due process requirements to maintain the strength of our investigations.
- *What records are kept at DPI recording these cases, including cases where a staff member resigns or voluntarily gives up their license?*
 - The department keeps all licensing incidents for 75 years beyond the record creation as defined by our records disposition agreement. We also have microfiche records of educator misconduct.
- *What safeguards exist to prevent educators who resign or surrender licenses from re-applying at a later date?*
 - The surrender agreement is most often a lifetime surrender. When individuals attempt to reapply, the department denies the application in accordance with the agreement. As to applying for a license in another state, the report to NASDTEC includes the nature of the allegations underlying the surrender agreement, which is visible to all member state licensing agencies.
- *Are future districts warned when these staff apply for other jobs?*
 - The department is not notified when districts hire staff or when these staff apply for employment in a school. When school districts report staffing assignments to the DPI, we become aware of unlicensed educators who are working in positions that require a license, and we notify districts of those licensure issues, among other licensure issues, that need to be corrected. State law does not prohibit school districts from hiring an individual who had their license revoked (or surrendered) to a position that **does not require** a license. State law does not prohibit private schools from hiring unlicensed staff to positions that would require a license in the public school setting.
- *Why are disciplinary outcomes for educators not published in the same manner as other professional licensing boards in Wisconsin? Shouldn't transparency, when it comes to safety of our children, be a top priority?*
 - Much like sensitive materials handled by law enforcement, such as police reports, complete investigative records are available upon request in accordance with Wisconsin's open records laws. The privacy interests of children who may have been impacted by immoral conduct must be handled with care. Additionally, the status of all licensed educators' credentials can be accessed at any time through our public portal. These statuses are updated to reflect every license revocation, voluntary surrender, or ongoing investigation.

- *The DPI spokesman blamed this inadequate record keeping on a lack of funding. If this is accurate, why was this issue not addressed in your last budget request or voiced in your State of Education Speech?*
 - The department requested funding to improve our licensing system, which increases productivity and value for the field, in the 2025-27 biennial budget. [The department also requested permission](#) to use the full revenues of its licensing fees and plans to do so again.
- *The story lists that of the 416 teachers investigated, 207 have kept their licenses and are continuing to work with children. What standard do you have to exonerate those under investigation?*
 - When a license-holder does not voluntarily surrender, and the case does not meet the standard outlined in [Wis. Law 115.31](#), the department does not have authority to revoke a license. The department does not exonerate license holders and accepts additional information that may result in revocation.
- *Does DPI have a written policy for how these cases are identified and how the department takes action to address them? Please provide our offices with any of these records.*
 - Our attorneys and investigators regularly meet to review the status of each investigation and to follow up and determine the best approach. The attorneys participating in these meetings have relevant training and experience to properly identify cases involving grooming and sexual misconduct, to lead follow-up investigations, and to effectively litigate those cases. Our Office of Legal Services evaluates each referral and investigation on a case-by-case basis.