

Fiscal Estimate Narratives
DHFS 11/10/2005

LRB Number 05-3204/1	Introduction Number AB-822	Estimate Type Original
Subject Educational neglect as child in need of protection or services ground		

Assumptions Used in Arriving at Fiscal Estimate

The compulsory school attendance law requires that a person having under his or her control a child six years of age or over cause the child to attend school regularly during the full period and hours that the school in which the child should be enrolled is in session until the end of the school term in which the child becomes 18 years of age, unless the child has an acceptable excuse for not attending school. Additionally, current law grants the juvenile court exclusive jurisdiction over a juvenile alleged to be in need of protection or services (JIPS) on the grounds of habitual truancy (absent without an acceptable excuse for part or all of 5 or more days a semester) provided that school personnel have done all of the following: 1) met or attempted to meet with the child's parent or guardian to discuss the child's truancy, 2) provided an opportunity for educational counseling to determine whether a change in the child's curriculum would resolve the child's truancy, 3) evaluated the child to determine whether learning problems may be a cause of the child's truancy and, if so, have taken steps to overcome these problems, and 4) conducted an evaluation to determine whether social problems may be a cause of the child's truancy and, if so, have taken appropriate action or made appropriate referrals.

Under current law, the juvenile court may determine that a child is in need of protection and services (CHIPS) on various grounds, including abandonment, child abuse and neglect, and substantial risk of child abuse and neglect. This bill creates grounds for the child to be judged in need of protection and services if the child is habitually truant from school and all of the following conditions are met: 1) the child is under 12 years of age, 2) the habitual truancy is the result of the neglect, refusal, or inability of the parent or guardian of the child to cause the child to attend school, and 3) appropriate school personnel have met or attempted to meet with the child's parent or guardian.

If the child is found to be in need of protection or services under the grounds that he or she is habitually truant, this bill requires the court to order one or more of the following dispositions: 1) counsel the child and the parent or guardian of the child, 2) order the parent or guardian of the child to cause the child to attend school regularly and to comply with any conditions determined by the court to be necessary to ensure that the child attends school regularly, 3) order the parent or guardian of the child to attend scheduled meetings or conferences relating to the child's education with personnel of the child's school, 4) place the child under the supervision of a child welfare agency, the Department of Health and Family Services, or a suitable adult under conditions prescribed by the court including reasonable rules for the child's conduct designed to ensure that the child attends school regularly, and 5) place the child under the supervision of an agency, the Department, or a suitable adult and order the agency or department to provide specified services to the child and the child's family.

This bill may increase the number of children who are found to be in need of protection or services (CHIPS), thus increasing the child welfare caseload for county human service departments, or, in Milwaukee County, the Bureau of Milwaukee Child Welfare (BMCW). Any increase in the child welfare caseload would increase the workload and staffing needs of child welfare agencies, therefore increasing costs for county human service departments and BMCW. During the 2003-04 school year, 22,405 children enrolled in kindergarten through sixth grade in the state public school system were habitually truant from school. Approximately 60% of these children attended school in Milwaukee County. For purposes of this estimate, it is assumed that half (11,202) of these cases would be resolved within the school as provided in the bill, through appropriate school personnel meeting with the child's parent or guardian.

In 2003, 15.6% of child neglect referrals to county child welfare agencies were substantiated by child protective services staff. Approximately half (48.9%) of these cases were opened and a court petition or consent decree was filed. Based on these assumptions, it is estimated that an additional 853 children annually would be found to be in need of protection or services under this bill. For the purposes of this estimate, it is assumed that these children would not otherwise be involved in the child welfare system.

BMCW provides services to juveniles who have been determined to be in need of protection or services because of truancy through the Family Intervention and Support Services Unit (FISS) at a rate of \$940 per case per month. For purposes of this estimate, it is assumed that this rate would apply to children who have been determined to be in need of protection or services because of educational neglect for an average case length of three months. It is estimated that the total statewide cost of adding educational neglect to child in need of protection or services jurisdiction is \$2,405,500. Because 60% of children who are habitually truant reside in Milwaukee County and would be referred to BMCW, the total fiscal effect to the Department is \$1,443,300 GPR. Therefore, this provision would increase costs to county departments of human or social services in the balance of the state by \$962,200 per year.

Long-Range Fiscal Implications

Cost Assumptions for LRB 05-3204

1. Student Population		
# of habitually truant students K-6, 2003-04 ¹		22,405
Discount by 50% (will be resolved at school)		<u>11,203</u>
subtotal		11,203
2. Estimated Substantiation Rate		
Total Neglect Referrals, 2003		16,357
# Substantiated by CPS		<u>2,546</u>
Neglect Substantiation Rate		15.5652%
3. Estimated CHIPS Petition		
% of substantiated CHIPS to court petition/decreed, 2003		48.9%
4. Total Educational Neglect Cases to CHIPS/Court		853
5. Cost per case for three months @ \$940/case/month	\$	2,820
6. Total Statewide Cost	\$	2,405,500
60% Milwaukee	\$	1,443,300
40% Balance of State	\$	962,200

¹Source: DPI WINNS Data Analysis, <http://data.dpi.state.wi.us>

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-3204/1		Introduction Number AB-822	
Subject			
Educational neglect as child in need of protection or services ground			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations	1,443,300		
TOTAL State Costs by Category	\$1,443,300		\$
B. State Costs by Source of Funds			
GPR	1,443,300		
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$		\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues	\$		\$
NET ANNUALIZED FISCAL IMPACT			
	<u>State</u>	<u>Local</u>	
NET CHANGE IN COSTS	\$1,443,300		\$962200
NET CHANGE IN REVENUE	\$		\$
Agency/Prepared By	Authorized Signature		Date
DHFS/ Nicole Groth (608) 266-9364	Andy Forsaith (608) 266-7684		9/21/2005