



## Fiscal Estimate Narratives

DPI 4/21/2011

LRB Number	11-1317/2	Introduction Number	SB-042	Estimate Type	Original
<b>Description</b> Mandatory reporting of child abuse or neglect by school district employees; training in child abuse and neglect identification, laws, and procedures for those employees; retaliation against a person who reports child abuse or neglect in good faith, and granting rule-making authority					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law school teachers, administrators, and counselors are designated as mandatory reporters of suspected child abuse and neglect. This bill makes all public school employees be mandatory child abuse and neglect reporters and requires those employees to receive training in identifying children who have been abused and neglected and in the laws and procedures governing the reporting of child abuse and neglect. This bill requires all school district employees to be trained within the first 6 months of hire and at least once every 5 years after that initial training.

Under current law any person who makes a child abuse and neglect report may not be discharged from employment for doing so. This bill changes law so that it only prohibits a person who makes a child abuse or neglect report in good faith from being discharged from employment, disciplined or otherwise discriminated against in regard to employment, or threatened with any such treatment for doing so. A person who makes a report not in good faith would not have these protections.

This bill requires the Department of Children and Families, every county department, and every licensed child welfare agency under contract with the department in a county having a population of 750,000 or more to make available training programs to school district employees to satisfy the training requirements under this bill. This bill allows all three types of organizations to contract with a public or private organization to provide that training, as long as the organization meets the standards set by the department.

#### State Fiscal Effect:

Under this bill the Department of Children and Families is required to offer training programs that permit school district employees to satisfy the training requirements mandated in this bill. The Department of Public Instruction currently provides training to school districts via webcast. The costs of updating existing training to match with new law could be absorbed by the Department of Public Instruction. If the Department of Children and Families chose to develop separate training it is assumed the cost would be absorbed by that department.

Under this bill DPI is directed to promulgate rules for school employee training. Costs associated with the rule process would be absorbed by the department. The state fiscal effect is indeterminate.

#### Local Fiscal Effect

Under this bill county departments of social service and departments of human services are required to offer training programs that permit school district employees to satisfy the training requirements mandated in this bill. It is assumed that departments that choose to develop their own training would absorb the costs involved. There would be no cost to departments that chose to offer the existing Department of Public Instruction developed webcast.

County protective service units process and investigate reports of child abuse and neglect. If there were an increase in the number of reports due to the statewide training and focus on child abuse and neglect, county protective service units may see an increase in costs. The local fiscal effect to counties is indeterminate.

Under this bill all public school employees are required to receive training in the laws and procedures governing the reporting of child abuse and neglect. Training is currently provided via webcast at no cost to school districts by the Department of Public Instruction. School districts would need to absorb the cost of staff time to complete the webcast. With changes in collective bargaining laws school districts may have the flexibility to require staff to complete the training during unpaid time.

School districts that invite in local social services or employ local pupil services professionals to conduct training would absorb the cost of training, if any fees were charged. It is unknown how many school districts would choose to utilize the free training from the Department of Public Instruction, training provided by the Department of Children and Families, county departments, or bring in local professionals to conduct training. The local fiscal effect to school districts is indeterminate.

Under this bill only persons reporting suspected child abuse and neglect in good faith are protected from discharge, discipline, discrimination in regards to employment, and threats in response to their report. Individuals making reports not in good faith do not receive these protections. In instances where there is a dispute about whether a report was made in good faith, a school district may incur legal costs in defending their decision and any action taken from that decision. The local fiscal effect to school districts is indeterminate.

### **Long-Range Fiscal Implications**