

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 31

PRINTER'S NO. 1430

AMOUNT

No Significant Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 15, 2013

PRIME SPONSOR

Senator Fontana

HISTORY OF BILL

- Referred to EDUCATION, March 15, 2013
- Reported as amended, June 11, 2013
- First consideration, June 11, 2013
- Re-referred to APPROPRIATIONS, June 26, 2013
- Re-reported as amended, Oct. 1, 2013

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 31 amends the Child Protective Services Law to require a school employee to report any type of suspected child abuse committed by a school employee against a student. It also requires the school employee immediately report the suspected abuse to the appropriate county agency and notify the person in charge of the school.

Defines "school employee" to include an individual or an independent contractor that provides a program, activity or service in a school, as well as employees of the independent contractor that are directly responsible for the care, supervision, guidance or training of the child.

Expands the definition of a "founded report" of child abuse to clarify that a report based on a judicial adjudication can include not only a finding of guilt to a criminal charge, the entry of a guilty plea or no contest plea, but also, a finding of dependency or delinquency if the court has entered a finding that a child who is the subject of the report has been abused. Founded reports of child abuse can also be based on:

- (1) Acceptance into an accelerated rehabilitative disposition program due to the same facts involved in the allegation of child abuse;
- (2) A consent decree entered in a juvenile proceeding due to the same facts involved in the allegation of child abuse; and
- (3) A final protection from abuse order when the child who is the subject of the report is also one of the individuals protected under the protection from abuse order.

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Expands the definition of an “indicated report” of child abuse by permitting a finding of “indicated” regardless of the number of alleged perpetrators or the inability to identify the specific perpetrator by a county agency only upon the approval of the county agency administrator and a county agency solicitor.

Defines “child with a disability” and revises the information that must be included in the written report prepared by the person required to report abuse to include information such as any specific comments or observations directly related to the alleged incident and those involved; and information regarding a child’s disability status.

The act shall take effect in 60 days.

FISCAL IMPACT:

Senate Bill 31 will have no significant fiscal impact to the Commonwealth. Children and Youth Agencies in the Commonwealth currently investigate student abuse. There may be an increase in reporting by school employees of suspect abuse but that increase is not expected to be significant.