

May 14, 2007

Hon. Edmund G. Brown Jr.  
Attorney General  
1300 I Street, 17<sup>th</sup> Floor  
Sacramento, California 95814

Attention: Ms. Toni Melton  
Initiative Secretary

Dear Attorney General Brown:

Pursuant to Elections Code Section 9005, we have reviewed the proposed initiative related to the identification and reporting of child abuse and neglect (A.G. File No. 07-0012). The measure would require all school districts and county offices of education to provide training in the identification of abuse and neglect to their employees who are mandated by law to report such allegations.

## **Background**

***Child Abuse Reporting.*** California law requires specified individuals, such as all workers who care for children (including teachers, teacher's aides, child care workers, and counselors), health care practitioners, and clergy members to report any instances of known or suspected child abuse or neglect. These "mandated reporters" may make these reports to the local county child welfare agency or to their local law enforcement agency. The child welfare agency will investigate the suspected instance of abuse and neglect to determine what response is needed to protect the safety of the children involved. In cases where severe abuse or neglect is alleged, law enforcement is required to be involved in the investigation and may prosecute the perpetrators of abuse.

***Training of Reporters.*** Current law specifies that the Department of Social Services (DSS) must develop materials regarding the identification of abuse and neglect for dissemination to mandated reporters in schools. The law does not specifically require that school districts provide training in this subject to employees who are mandated reporters. However, school districts and county offices of education who do *not* provide any training are required by the law to inform the State Department of Education (SDE) why this training is not provided. According to SDE, no district has made such a report.

Although it is possible that some educational agencies may not train their staff, and have failed to report this to SDE, it also appears that such training is widely available

through a number of sources. According to a recent survey of county child welfare agencies, all responding counties make training available upon request to local schools, and many actually provided training sessions to schools during the past year. In addition, there are also free, online training courses for mandated reporters funded by DSS through a contract with Sonoma State University.

### **Proposal**

This measure requires school districts and local offices of education to provide training for their employees who are legally mandated to report known or suspected instances of abuse or neglect. The measure further specifies that training should include (1) the duties of mandated reporters, (2) the identification and reporting of child abuse and neglect, and (3) materials and programs developed by DSS's Office of Child Abuse Prevention and SDE.

### **Fiscal Effects**

The fiscal effects of this measure on local and state government would depend on (1) how many local educational agencies currently *do not* provide this training and would now begin to provide such training and (2) the impact of increased training on the number of reports of suspected child abuse and neglect.

*Costs to Schools.* The extent to which local school districts currently provide training in the identification and reporting of child abuse is unknown. A number of county child welfare agencies report that they offer and have recently provided training in child abuse identification and reporting to their local school districts and offices of education. Additionally, no school district or county office of education has reported an inability to provide the training. However, even if it is assumed that the majority of teachers and classified staff in the state need to receive training upon passage of this initiative, costs incurred as a result of this measure would vary depending on the approach and type of training used. We estimate that if the majority of districts and offices of education chose to meet the requirements of this initiative by holding a two hour in-service training session specifically for mandated reporters, the one-time cost could be as high as \$45 million, with ongoing costs of approximately \$4 million annually to train new staff.

We note, however, that costs could be limited by using any of the sources of training mentioned earlier that have no additional cost, including the resources of local county welfare agencies, and existing online courses. Costs could be zero if all school districts currently met the training requirements; however, it is likely that at least some school districts do not have all the required components in their training.

In the event that costs were incurred upon implementation of this measure, the Legislature could choose either to appropriate additional funds above the Proposition 98 minimum guarantee or to fund these costs within the Proposition 98 minimum guarantee, thereby creating competition with existing programs.

***Cost to Child Welfare Services and Foster Care Program.*** An increase in the number of mandated reporters who are trained in child abuse identification and reporting could result in increased referrals for suspected child abuse or neglect, thereby increasing costs to the Child Welfare Services and Foster Care programs. The extent of the increased state costs are unknown but could range from \$300,000 for a 1 percent increase in referrals to \$3 million for a 10 percent increase. County costs would increase similarly, ranging from less than \$200,000 to \$1.7 million, depending on the amount of increased referrals. There could be additional county costs for providing training if school districts turn to local county child welfare agencies to assist them in training their employees.

***Costs to State Courts and Local Law Enforcement.*** Child welfare agencies are required to report to local law enforcement all referrals of suspected abuse that are considered severe. If the number of referrals were to increase due to increased training, local law enforcement, prosecutors, public defenders, and courts would incur additional costs for the investigation and resolution of additional cases. We estimate these costs to be less than \$1 million, on a statewide basis.

### **Summary of Fiscal Impacts**

- ***Cost to Schools.*** Potential one-time costs ranging from less than \$1 million to \$45 million and potential ongoing costs ranging from less than \$1 million to \$4 million.
- ***Child Welfare and Foster Care Costs.*** Potential increased costs ranging from about \$0.3 million to nearly \$3 million for the state and ranging from about \$0.2 million to about \$2 million for counties.
- ***Costs to State Courts and Local Law Enforcement.*** Potential increased costs of less than \$1 million to state courts and local law enforcement agencies.

Sincerely,

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Elizabeth G. Hill  
Legislative Analyst

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Michael C. Genest  
Director of Finance