

BILL ANALYSIS

S.B. 939
By: West
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The legislature recently passed measures requiring school districts, charter schools, and certain child-care facilities to adopt and implement a child sexual abuse and maltreatment policy that includes training on prevention techniques for and recognition of the signs and symptoms of child abuse and maltreatment. Interested parties assert that these requirements should be extended to institutions of higher education because children frequently come to college and university campuses for a variety of reasons. S.B. 939 seeks to extend the policy and training requirements to institutions of higher education and to require the training to be provided to all school district and charter school employees.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Education Agency in SECTION 2 of this bill.

ANALYSIS

S.B. 939 amends the Education Code to include reports of child neglect in the policy required to be developed by the Texas Education Agency (TEA) governing reports of child abuse by school districts and district employees and to include open-enrollment charter schools and their employees among those subject to the policy. The bill requires each charter school to adopt the policy and requires the policy to require each school district and charter school employee to report child abuse or neglect in the manner required by Family Code provisions relating to investigations of child abuse or neglect.

S.B. 939 removes a requirement that district and charter school training relating to prevention techniques for and recognition of sexual abuse and other maltreatment of children be provided to new district and charter school educators and other district and charter school professional staff members and instead requires the training to be provided to all new district and charter school employees and to existing employees on a schedule adopted by TEA by rule until all employees have taken the training. The bill removes a provision authorizing the training to be provided annually to any district or charter school staff member.

S.B. 939 requires each institution of higher education to adopt a policy governing the reporting of child abuse and neglect, as required by Family Code provisions relating to investigations of child abuse or neglect, for the institution and its employees. The bill requires the policy to require each employee of the institution to report child abuse and neglect in the manner required by those Family Code provisions. The bill requires each institution of higher education to provide training for employees who are professionals, as defined under Family Code provisions relating to persons required to report child abuse or neglect, in prevention techniques for and the recognition of symptoms of sexual abuse and other maltreatment of children and the responsibility and procedure of reporting suspected occurrences of sexual abuse and other maltreatment. The bill sets out the required content of the training.

S.B. 939 amends the Human Resources Code to require certain licensed child-care facilities, homes, and agencies to require each applicable employee who attends a child abuse training program to sign a statement verifying the employee's attendance at the training program and requires the facility, home, or agency to maintain the statement in the employee's personnel records.

EFFECTIVE DATE

September 1, 2013.