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STATE OF ALASKA THE LEGISLATURE

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JUNEAU, ALASKA 99811
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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary
" " "

4/12/85

1:30 pm

4/13/85

9 AM

COMMITTEE REPORT
HOUSE

4/17

(7)

FURTHER: FINANCE

3/8/85

Date: _____

The Committee on JUDICIARY has had CSSE 28 (HESS) am

"An Act relating to training state employees, and certain employees of the districts of the state public school system on the recognition and reporting of child abuse and neglect."

under consideration and recommends:

do pass [] do not pass

[] do pass with attached amendments(s)

[] replace with CS for _____ [] same title
[] new title

and recommends _____

[] AND attaches a "Letter of Intent" [] New Fiscal Note
[] reports it back without recommendation [2] Zero Fiscal Note Attached

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Handwritten signatures]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten signature]

[Handwritten signature]

CHAIRMAN

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST
 Bill/Resolution No.: HCSCS SB-23
 Title: ...training state... school...employees
 Sponsor: Sen.Faiks
 Requestor: House Judiciary
 Date of Request: 4-16-85

FISCAL DETAIL
 Agency Affected: Education
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The bill has no fiscal impact on this Department.

Prepared By: Steve Hole Phone: 2800
 Division: Commissioner's Office Date: 4-16-85
 Approved by Commissioner: Harold Reynolds, Jr. Date: 4-16-85
 Agency: Education

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST:

Bill/Resolution No.: HCS SB 28 (HESS)
 Title: "An Act relating to training state employees on the recognition and reporting of child abuse and neglect."
 Sponsor: Senator Faiks
 Requestor: (H) Judiciary
 Date of Request: April 15, 1985

FISCAL DETAIL:

Agency Affected: DEPARTMENT OF CORRECTIONS
 Program Category Affected: _____
 Administration of Justice
 BRU, Program or Subprogram(s) Affected: Offender Confinement, Reformation and Supervision

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary.

This legislation will have no fiscal impact on the Department of Corrections.

Prepared By: William W. Ladwig
 Division: Deputy Commissioner - Administration

Phone: 465-3376
 Date: April 15, 1985

Approved by Commissioner: _____
 Agency: DEPARTMENT OF CORRECTIONS

Date: April 15, 1985

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency (ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 28 (HESS)
 Title: "Training State Employees on child abuse and neglect..."
 Sponsor: Senator Faiks
 Requestor: Sen. Finance
 Date of Request: 2/12/85

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Administration of Justice
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The Department's initial fiscal note on this bill was based upon a misinterpretation of the bill's intent (i.e., that specific additional training would be required). In fact, basic recruit training now includes this subject and additional refresher training could be provided by videotape without an increase in appropriation.

Prepared By: Michael J. Clemens Phone: 465-4336
 Division: Administrative Services Date: 2/13/85

Approved by Commissioner: James D. Vaden *J.D. Vaden* Date: 2/13/85
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84

Contents - SB 28
April 12, 1985

1. HCS CSSB 28 (HESS)
2. 3/8/85 memo from Senator Faiks to Representative Miller requesting a hearing
3. 3/7/85 memo from Senator Faiks to Representative Miller re background HCS CSSB 28 (HESS)
4. 2/27/85 memo from Senator Faiks to Representatives Koponen and Gruenberg re background CSSB 28 (HESS)
5. 1/14/85 memo from Senator Faiks to Senator Fahrenkamp re SB 28
6. draft CS for SB 28 (HESS)
7. copy of AS47.17.020
8. Position paper with fiscal note - Alaska Network on Domestic Violence and Sexual Assault
- Health & Social Services -

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CSSB 28
 Title: AN ACT RELATING TO
REPORTING CHILD ABUSE
 Sponsor: FATKS
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: ALASKA COURT SYSTEM
 Program Category Affected: _____
ADMINISTRATION OF JUSTICE
 BRU, Program or Subprogram(s) Affected: _____
TRIAL COURTS

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		.5	.5	.6	.6	.6
400 SUPPLIES		1.0	1.1	1.2	1.3	1.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		4.0	4.3	4.7	5.0	5.3

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		4.0	4.3	4.7	5.0	5.3
FEDERAL FUNDS						
OTHER						
TOTAL		4.0	4.3	4.7	5.0	5.3

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: ROBERT G. FISHER, FISCAL OFFICE

Phone: 264-0561

Division: ALASKA COURT SYSTEM

Date: 4/9/85

Approved by Commissioner: Arthur H. Swarden III

Date: 4/9/85

Agency: ALASKA COURT SYSTEM

Distribution (by Agency preparing fiscal note):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

7/1/84

Alaska State Legislature

MAR 5
1985

CO-CHAIRMAN
FINANCE COMMITTEE

907-465-3740



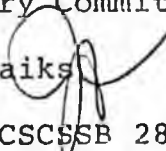
IAN FAIKS
POUCH V
CAPITOL BUILDING
UNEAU, ALASKA 99811

Senate

March 8, 1985

MEMORANDUM

TO: Representative Mike Miller, Chairman
House Judiciary Committee

FROM: Senator Jan Faiks 

SUBJECT: Hearings on HCSCSB 28 (HESS)

I would appreciate the House Judiciary Committee scheduling a hearing on House CS for CS for Senate Bill 28, an Act relating to training state employees, and certain employees of the districts of the state public school system on the recognition and reporting of child abuse and neglect.

I am enclosing a brief summary of the history of this bill. The House HESS Committee will be forwarding additional background materials. I would also appreciate the opportunity to testify at the first hearing of this bill before your committee. Thank you.

Alaska State Legislature

CO-CHAIRMAN
FINANCE COMMITTEE

907-465-3740



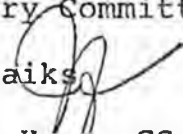
IAN FAIKS
POUCH V
CAPITOL BUILDING
UNEAU, ALASKA 99811

Senate

March 7, 1985

MEMORANDUM

TO: Representative M. Mike Miller, Chairman
House Judiciary Committee

FROM: Senator Jan Faiks 

SUBJECT: Background on House CS for CS for Senate Bill 28
(HESS), an Act relating to training state
employees, and certain employees of the districts
of the state public school system on the
recognition and reporting of child abuse and
neglect.

Alaska Statute 47.17.020 requires that certain state employ-
ees and employees of school districts report instances of
child abuse and neglect to the Department of Health and
Social Services.

Although reporting is mandated, employee training in this
area is often limited or nonexistent. Not only do the
children suffer from this lack of training, but the State and
school districts may be legally liable for the failure of
their employees to act properly.

Consequently, Senate Bill 28 was introduced to require
appropriate training for these employees.

The original version of SB 28 required training in not only
the recognition, but also in the prevention, intervention,
and treatment of child abuse and neglect. It assigned the
Council on Domestic Violence and Sexual Assault with the task
of coordinating training of all departments, establishing
standards of training, and preparing and distributing train-
ing materials.

The original bill also included a letter of intent which
urged school districts to conduct similar training.

In the Health, Education and Social Services Committee, the bill underwent several changes. At the suggestion of Alaska Network on Domestic Violence and Sexual Assault, the training was limited to only the recognition and reporting of abuse and neglect. Training in intervention, prevention, and treatment was deleted because, except for social workers, no other reporting employees are involved with these functions.

The Council and the Department of Health and Social Services resolved an issue by agreeing that each individual department would develop and conduct training of its own employees. The Council was left with the task of collecting training materials and curricula. It also was tasked, along with the Department of Health and Social Services, to provide technical assistance to the agencies.

Throughout committee hearings, the bill received fiscal notes which showed that no additional funds would be needed to implement the program. This is because the departments were encouraged to apply existing funds toward this training. The bill passed from the Senate Judiciary Committee with no changes.

When it reached the Senate Floor, the HESS Committee substitute received another amendment. This amendment required that school districts devote at least one-half day of equivalent training to their employees. Since the letter of intent was no longer needed, it was removed from the bill. In this amended form, the bill passed the Senate unanimously.

In the House HESS Committee Substitute, the requirements for school district training were reflected in current statutes which specify the duties of regional school boards in unorganized boroughs (AS 14.08.111) and duties of local school boards (AS 14.14.090).

In addition, training in recognizing and reporting "sexual abuse of minors" was added to the school districts' responsibilities. The Committee Substitute, however, omitted the Senate's requirement that the schools devote at least one-half day to this type of training.

Alaska State Legislature

CO-CHAIRMAN
FINANCE COMMITTEE

907-465-3740



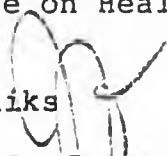
IAN FAIKS
POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

Senate

February 27, 1985

MEMORANDUM

TO: Representatives Niilo Koponen and Max Gruenberg,
Co-Chairmen
House Committee on Health, Education, and Social
Services

FROM: Senator Jan Faiks 

SUBJECT: Background on CS for Senate Bill 28 (HESS) am, an
Act relating to training state employees, and
certain employees of the districts of the state
public school system on the recognition and
reporting of child abuse and neglect.

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ees and employees of school districts report instances of
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Official Business

Alaska State Legislature

Senate

Committee on Finance

JAN FAIKS
Co-Chairman

Pouch V
State Capitol
Juneau, Alaska 99811

January 14, 1985

MEMORANDUM

TO: Senator Bettye Fahrenkamp, Chairman
Senate Health, Education and Social Services
Committee

FROM: Senator Jan Faiks

SUBJECT: Senate Bill 28 - An Act relating to training state
employees on the prevention, recognition,
intervention and treatment of child abuse and
neglect

Senate Bill 28 mandates training on the prevention, recognition, intervention, and treatment of child abuse and neglect for state employees who are required by law to report instances of harm under AS 47.17.020. While reporting instances of harm is mandated by state statute, associated training is discretionary, and often limited or nonexistent.

State employees, required to report cases of harm, do not always obtain training that is essential to the performance of their legal responsibilities, and thus are ill prepared to effectively comply with the law. Not only does the public, particularly children, suffer from lack of trained service providers, but the state faces potential liability for negligent acts of its employees.

REPORTING MANDATED

In 1971, the Alaska legislature enacted AS 47.17.010 which mandates the reporting of the instances of child abuse and neglect to appropriate public authorities. The purpose of mandatory reporting is to prevent future harm to the child and safeguard and enhance the general well-being of children in Alaska.

Under AS 47.27.020 the following persons must report cases of suspected harm to the Department of Health and Social Services:

practitioners of the healing arts;

members; school teachers and school administrative staff

social workers;

peace officers, and officers of the Department of Corrections;

administrative officers of institutions;

licensed day care providers and paid staff; and

licensed foster care providers.

These people are often the first individuals who come in contact with abused or neglected children. Early detection of harm can result in the prevention of further abuse or neglect.

TRAINING

Without proper training, cases of abuse or neglect may not be recognized and reported and thus the safety of children is jeopardized. Implicit in the mandate to report suspected child abuse and neglect¹ is the ability to recognize what it is that must be reported.

Following nationwide hearings, the U. S. Attorney's Task Force on Domestic Violence recommended that federal, state and local government agencies train relevant personnel to diagnose and appropriately intervene in family violence cases. Initial and inservice training for social service providers (child protection workers, mental health professionals, alcohol and drug abuse counselors and shelter workers), criminal justice professionals (law enforcement officers, probation and parole officers), prosecutors, judges, medical professionals (physicians, nurses, paramedics, psychologists, emergency room personnel), and teachers was recommended. When these individuals are obligated by law to report child abuse it is very important that they are given proper training to identify it.²

IMMUNITY AND LIABILITY

Immunity from civil liability and criminal penalty exists under AS 47.17.050 for those who report cases of suspected child abuse or neglect in good faith. However, if those persons required to report cases of abuse or neglect willfully or knowingly fail or refuse to report the harm, they are guilty of a Class B misdemeanor under AS 47.17.068. Ignorance of the law is no excuse. If a state employee, required to report under AS 47.17.020, willfully or knowingly fails or refuses to report harm, that person is subject to prosecution under AS 47.17.068 and possible civil liability. The state may also be subject to

civil liability under AS 9.50.250 for the negligent actions or omissions of its employees.

RECENT FINDINGS IN ALASKA

In recent investigations conducted by both the State Ombudsman and Legislative Audit, it was determined that one group of state employees, who are in constant contact with abused or neglected children, lack sufficient training.

On July 12, 1984, the State Ombudsman concluded in Complaint F83-1576 that the Division of Family and Youth Services failed to act effectively to protect a child who had been reported to the Division as an abused child. (This child died from injuries inflicted by his live-in babysitter.) This finding was based on two factors.

The record of the agency's involvement in the matter suggested uncertainty and handling inconsistent with standard agency practices.

Despite the directive of the agency's program manual, staff assigned to this case provided no follow-up.

The Ombudsman concluded that understaffing was at a crisis level and contributed to the ineffective actions of the agency in this matter. Throughout the report, however, lack of proper training on child abuse and neglect for social workers, as well as medical personnel, was highlighted.

On August 10, 1984, the Division of Legislative Audit reported that the Division of Family and Youth Services's ability to adequately investigate reports of child abuse and neglect is hampered by understaffing and insufficient management direction. Following interviews with parents, Department of Law personnel, Court System personnel, attorneys, and DFYS social workers, Legislative Audit concluded:

In some instances, adequate policies and procedures may exist in the policy and procedures manual, but management has not provided the training and/or the review to ensure that social workers are following the manual. In either case, DFYS management needs to provide better direction to social workers for consistently interpreting their responsibilities and enacting legislative intent for child protection.

A survey of guardians ad litem, which accompanied the report, indicated that better training and supervision of social workers and supervisors was needed.

CONCLUSION

Social workers are not the only persons in this state that need training, and training alone will not lessen the crisis situation that has been created by understaffing. However, the documented investigations indicate that there is a problem with a state agency providing protective services to children that have been abused or neglected. Since the state has undertaken the responsibility to provide protective services to children, intervene in appropriate cases, and require reporting of suspected cases of harm, it is imperative that those employed by the state receive adequate training to address this problem.

Non-state employees, primarily teachers and medical personnel should also receive adequate training. Local governments should be strongly encouraged to provide training for teachers employed by the district.

To date, the Council on Domestic Violence and Sexual Assault, the Department of Health and Social Services, the Public Defender Agency, and the Department of Education support this bill. The Alaska Network on Domestic Violence and Sexual Assault supported similar legislation last session.

FOOTNOTES

¹U.S., Department of Health and Human Services. Office of Human Development Services, Administration for Children, Youth and Families, Children's Bureau, National Center on Child Abuse and Neglect, Training In the Prevention and Treatment of Child Abuse and Neglect. (Washington D. C.: DHHS Pub. No. (OHDS) 79-30201, 1979) p.1.

²U.S., Department of Justice, Attorney General's Task Force on Family Violence, Final Report, September 1984, p. 76.

³Letter from John B. Chenoweth, State Ombudsman, to Walt Lacy (July 12, 1984).

⁴Division of Legislative Audit, A Special Report on the Department of Health and Social Services Division of Family and Youth Services Intake and Emergency Custody Procedures, Audit Control Number 06-4203-84-S (August 10, 1984).

SB 28

§ 47.17.020 WELFARE, SOCIAL SERVICES AND INSTITUTIONS § 47.17.020

other than accidental means, of harm through physical abuse or neglect or sexual abuse or sexual exploitation, the legislature requires the reporting of these cases by practitioners of the healing arts and others to the appropriate public authorities. It is the intent of the legislature that, as a result of these reports, protective services will be made available in an effort to prevent further harm to the child, to safeguard and enhance the general well-being of the children in this state, and to preserve family life whenever possible. (§ 1 ch 100 SLA 1971; am § 3 ch 104 SLA 1982)

Effect of amendments. — The 1982 amendment, in the first sentence, substituted "neglect or sexual abuse or sexual exploitation" for "neglect requiring the attention of a practitioner of the healing arts" and inserted "of the healing arts."

NOTES TO DECISIONS

Use of reports. — The reports of child abuse and neglect required by this section are intended for use in child protection proceedings and are not intended for use in criminal proceedings. State v. R.H., Ct. App. Op. No. 375 (File No. 7768), P.2d (1984). See also notes to AS 47.17.060, under catchline "Judicial proceeding."

Collateral references. — 42 Am. Jur. 2d, Infants, §§ 16, 17.
43 C.J.S., Infants, §§ 36 to 39, 70 to 75, 94.
Medical attention, criminal neglect by failure to provide, 12 ALR2d 1047.
Liability of parent for injury to unemancipated child caused by parent's negligence, 41 ALR3d 904.
Validity and construction of penal statute prohibiting child abuse, 1 ALR4th 38.

~~Sec. 47.17.020: Persons required to report~~ (a) The following persons who, in the performance of their professional duties, have cause to believe that a child has suffered harm as a result of abuse or neglect shall immediately report the harm to the nearest office of the department:

- (1) practitioners of the healing arts;
- (2) school teachers and school administrative staff members;
- (3) social workers;
- (4) peace officers, and officers of the Department of Corrections;
- (5) administrative officers of institutions;
- (6) licensed day care providers and paid staff;
- (7) licensed foster care providers.

(b) This section does not prohibit the named persons from reporting cases which have come to their attention in their nonprofessional capacities nor does it prohibit any other person from reporting a child's harm which the person has cause to believe is a result of abuse or neglect. These reports shall be made to the nearest office of the department.

ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

POSITION PAPER

SB 28

The Alaska Network on Domestic Violence and Sexual Assault, a non-profit corporation representing 20 domestic violence and sexual assault programs state wide, supports SB28 to provide training to certain state employees in the area of child abuse and neglect.

This bill would require that those state employees required to report incidences of child abuse and neglect receive training in that field. Employees required to report under the law include: practitioners of the healing arts, school teachers and administrative staff, social workers, peace officers and officers of the Department of Corrections, administrative officers of institutions, licensed day care providers and staff, and licensed foster care providers. The state employees included in those job classes are most often employed by the Departments of Health and Social Services, Education, Public Safety, and Corrections.

It is the Network's position that those persons required to report should receive training in the recognition of child abuse and neglect, and training on the reporting law. However, since those required to report, with the exception of social workers, are not involved in the intervention, prevention, or treatment of child abuse and neglect, we do not feel it is necessary to provide training in those areas. Training in the intervention, prevention, and treatment of child abuse and neglect is provided to those involved in those areas by domestic violence and sexual assault programs and by the Division of Family and Youth Services.

Because of those distinctions, and the very real need to insure that those required to report are aware of their duty to do so, the Network suggests that SB28 be amended to read as follows:

"A person employed by the state who is required to report under AS 47.17.020 shall receive training on the recognition and reporting of child abuse and neglect. The Council on Domestic Violence and Sexual Assault shall coordinate the training, prepare and disseminate educational programs and materials, and establish standards of training under AS 18.66.050."

The bill would insure that those required to report would receive training in recognizing the signs of a child victim of abuse or neglect, knowledge of the reporting law and their duty to report, and information on the penalties for failure to report and the protections provided to those making reports.

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER

SB 28

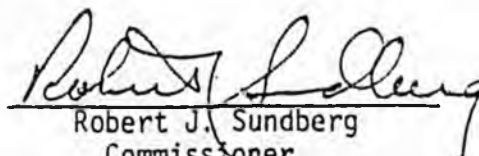
"An Act relating to training state employees on the prevention, recognition, intervention, and treatment of child abuse and neglect."

The Council on Domestic Violence and Sexual Assault supports the general concept of SB 28. There is a need for state employees who are required by AS 47.17.020 to immediately report when they believe a child has suffered harm as a result of abuse or neglect to have training on how to identify and intervene in situations of this nature. If state employees are not trained, it is possible that the state could be held accountable should AS 47.17.020 be violated by an employee. State employees covered by the mandated reporting law are primarily in the Departments of Health & Social Services, Public Safety, Corrections and Education.

Since not all the employees required to report under AS 47.17.020 are involved in child abuse prevention and treatment, the Council suggests rewording the first sentence of SB 28 as follows: A person employed by state who is required to report under AS 47.17.020 shall receive training on the recognition and reporting of child abuse and neglect. This change deletes training on the "prevention and treatment" and replaces the word "intervention" with reporting. Those employees who are involved in the prevention and treatment of child abuse and neglect are or should be receiving training in their specific fields through other means.

The growing awareness about the need for identifying and reporting suspected cases of child abuse and neglect has not been accompanied by informing the public of accurate and sensitive ways to handle such concerns. This information has also not always been provided to state employees. In order to better ensure that appropriate cases are reported and inappropriate ones are not and that the reporting is done in the best manner for all concerned, quality training materials need to be developed, produced and used.

The Council on Domestic Violence and Sexual Assault which includes representatives from the Department of Public Safety, Health and Social Services, Education and Law plus three public members, is established to provide for planning and coordination of services to victims of domestic violence and sexual assault (AS 18.66.010). The broader responsibility for child abuse and neglect lies within the Department of Health and Social Services, Division of Family and Youth Services. The Council and the programs it funds would work closely with the Division of Family and Youth Services and other appropriate state agencies in developing the training materials.


Robert J. Sundberg
Commissioner
Department of Public Safety

POSITION PAPER

SENATE BILL NO. 28

"An act related to training state employees on the prevention, recognition, intervention and treatment of child abuse and neglect."

This bill would require that state employees who, in their job capacity, are required by statute to report child abuse be trained in the prevention, recognition, intervention and treatment of child abuse and neglect. The bill assigns to the Council on Domestic Violence and Sexual Assault the authority and responsibility for establishing standards for this training, coordinating the training, and preparing and disseminating educational programs and materials.

The department supports the concept of required training for state employees but opposes the mechanism proposed in this bill to accomplish that training. The department proposes that the development of basic educational program materials should be developed and disseminated by the agency with the primary responsibility for preventing, identifying, intervening and treating child abuse and neglect and that these materials be incorporated in the regular training curriculum of the agencies employing persons required to report suspected cases of abuse and neglect. Because of the very distinct and different roles and responsibilities of those state employees required to report child abuse each requires specific training in carrying out those responsibilities which can best and most efficiently be developed and implemented by the agency employing the individual. The mechanism proposed in this bill to carry out training could impede staff training responsibilities of individual agencies and would be administratively inefficient.

The department supports cooperative agreements for coordinated multi-disciplinary efforts in training such as a state-wide child sexual abuse agreement as a more effective means of carrying out the training goals of this bill. Such agreements allow for clear definition of roles and responsibilities of each agency or organization and avoid unnecessary duplication of effort both in intervention and training.

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Preparation and distribution of training materials concerning child abuse and neglect is appropriately a function of the Department of Health and Social Services given the primary responsibility of the department for intervening in such cases and in developing prevention and treatment programs. In addition, since the department already undertakes much of what is envisioned in SB 28 on a discretionary basis it would be most efficient and effective from an administrative standpoint for mandated efforts to be performed by the same agency. The department through its Division of Family and Youth Services already implements formal training program for its own staff members of the recognition, intervention, and treatment of child abuse and neglect and discretionarily provides training to other state agencies and private human service providers as is indicated in the attached DFYS training report for FY 84. The division has also undertaken significant public awareness efforts aimed at a variety of professionals statutorily required to report child abuse and neglect as well as the general public.

In contrast the Council on Domestic Violence and Sexual Assault has particular expertise in the area of sexual assault. Community domestic violence program personnel have provided, at the invitation of the Division of Family and Youth Services, training to community and division personnel in the specific areas of intervention and child sexual assault. A broad expertise, experience and responsibility that the Division of Family and Youth Services has in dealing with all aspects of child abuse and neglect would be critical to the development of appropriate basic educational materials. In Alaska the largest percentage of child maltreatment cases consist of neglect (63%) and physical abuse (25%). Child sexual abuse in contrast comprises only 6% of nationally reported child maltreatment cases and 11% of child maltreatment reports in Alaska. Expertise must focus on all categories of maltreatment in order to develop adequate training materials. This is particularly true when it is understood that profile of characteristics of child sexual abuse victims is significantly different than that for child victims of other types of abuse and neglect and that intervention and treatment approaches differ significantly also.

POSITION PAPER/Department of Health & Social Services

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In summary the department supports the concept of training state employees on the various aspects of child abuse and neglect but proposes that this training occur through existing and appropriate state agency training mechanisms with the support of the department of Health and Social Services. As the bill reads now, it has no fiscal impact on the department. If amended to designate the department as the coordinating agency, a fiscal note will be prepared.

RECOMMENDED: Michael L. Price
Michael L. Price, Director
Division of Family
and Youth Services

DATE: _____

APPROVED: John R. Pugh
John R. Pugh, Commissioner
Department of Health
and Social Services

DATE: 1/17/85

DIVISION OF FAMILY AND YOUTH SERVICES

TRAINING SUMMARY - July 1, 1983 -- September 30, 1984

Total Trained	1,156 +
Staff	468 +
Community	688 +
Training Hours (time x participants)	25,025

SEXUAL ABUSE TRAINING - July 1, 1983 -- September 30, 1984

Total Trained	996
Staff	351
Community	635
Training Hours	14,502

DIVISION OF FAMILY AND YOUTH SERVICES
TRAINING SUMMARY 7/1/83 - 9/30/84

<u>Date</u>	<u>Topic and Location</u>	<u># Participants</u>	<u># Staff</u>	<u>Community</u>	<u>Hours</u>	<u>Leaders</u>
CHILD ABUSE/NEGLECT REPORTING						
8/30/83	Day Care Centers Anchorage	19	1	16	(3) 57	H. Munson
8/30/83	Placement Agencies Anchorage	13	1	12	(3) 39	H. Munson
8/30/83	Awareness in School Romig Junior High School Anchorage	96	0	96	(6) 576	B. Garberding
8/29/83	Inservice - Snowbank School Wasilla	45	0	6	(1) 45	B. Garberding
CHILD SEXUAL ABUSE						
8/31/83	Parents United Facilitating Sexual Abuse Treatment Groups Anchorage	12	0	12	(2) 24	B. Garberding
3/21-23/84	Identification/Treatment Victims - NRO YS Fairbanks	20	20		(13) 260	Glen Lambert
6/1/84	Evaluation and Treatment of Adolescent Sexual Abuse Offenders McLaughlin YS, Anchorage	20	20		(7) 140	Gary Winet
5/30/84	Treatment Adolescent Victim Sexual Abuse McLaughlin YS, Anchorage	17	17		(8) 136	Glen Lambert

DIVISION OF FAMILY AND YOUTH SERVICES
TRAINING SUMMARY 7/1/83 - 9/30/84

<u>Date</u>	<u>Topic and Location</u>	<u># Participants</u>	<u># Staff</u>	<u>Community</u>	<u>Hours</u>	<u>Leaders</u>
5/31/84 6/1/84	Sexual Abuse Adolescent Victim and Offender SCRO YS, Anchorage	14	14		(14)196	Glen Lambert
6/7-8/84	Assessment and Treatment Youthful Sex Offender SERO, Juneau	26	12	14	(14)364	Nick Nichols and Irene Melinden
6/18/84	Treatment of Male Sexual Offender McLaughlin YS, Anchorage	10	10		(13)130	Jim Harper
6/25-29/84 9/10-14/84	Child Sexual Abuse (2 Sec) NRO, Fairbanks	60	25	35		
	- Intervention NRO				(7)420	D & J Ramon
	- Interviewing and Investigation				(4)240	Marsha Morgan
	- Using the Dolls for Inter- viewing				(4)240	Howard Anderson
	- Pre-trial Preparation				(7)420	Ellie Breslan
	- Assessment of Treatment Sexually Abused Child				(7)420	Steven Wolf
	- Classified Offender Treatment					
7/27-31/84	Child Sexual Abuse Social Services Agencies Barrow	43	2	47	(35)1715	Mary Abruska, Ginny McCarthy, Clara Kelly, Ken Roosa
9/18-20/84	Child Sexual Abuse Social Services Agencies Kotzebue	60	3	57	(21)7260	Rosemary Murry, Ken Duff, Jill Baker
5/16-18/84	Governor's Conference on Child Abuse and Neglect Sitka	153	29	124	(21)3212	National Leaders

DIVISION OF FAMILY AND YOUTH SERVICES
TRAINING SUMMARY 7/1/83 - 9/30/84

<u>Date</u>	<u>Topic and Location</u>	<u># Participants</u>	<u># Staff</u>	<u>Community</u>	<u>Hours</u>	<u>Leaders</u>
May, Aug. Sept. 84	Child Sexual Abuse and Legal Training WRO FS, Bethel					Pam Kirk, Dolly Coke Don Edwards
9/6-7/84	Sexual Abuse					Lucy Berliner
FIELD STAFF TRAINING						
10/4-22/84	Orientation, Anchorage	14	14		(70)980	B. Garberding and M. Munson
9/25-28/84	Comprehensive Training NRO YS, Fairbanks	23	23		(30)690	Cene Shafer and Other Staff
4/24-27/84	Field Staff Training SCRO FS, Anchorage	23	23		(28)392	
	- Child Sexual Abuse				7	Pam Kirk
	- Cross Cultural				7	Phil Kaufman
	- Licensing				7	Fr. Oleksa
	- Family Systems				7	Pat O'Brien Paul Shanely
8/6-10/84	Individual and Family Assessment SCRO FS, Anchorage	25	25			
	- Working with Resistant Clients				(8)200	Pamela Moyer C. Wickersham
	- Working with and Under- standing Adolescents				(4)100	C. Wickersham
	- Separation and Loss				(4)100	C. Wickersham
	- Taking Care of Yourself				(4)100	C. Wickersham
	- Family Dynamics of Sexual and Physical Abuse				(4)100	C. Wickersham
8/15-17/84	Caseload Management YS Statewide, Juneau	31	31		(21)651	Todd Clear Brian Beamus

DIVISION OF FAMILY AND YOUTH SERVICES
TRAINING SUMMARY 7/1/83 - 9/30/84

<u>Date</u>	<u>Topic and Location</u>	<u># Participants</u>	<u># Staff</u>	<u>Community</u>	<u>Hours</u>	<u>Learners</u>
3/9/84	SCRO FS Registration, Anchorage					
ELDER ABUSE						
7/13/83	Adult Protection Senior Citizen Project Anchorage	50	2	48	(3)150	B. Garberding
9/13-14/84	Statewide FS Anchorage					Susan Tomita
CROSS CULTURAL TRAINING						
7/7/84	Indian Child Welfare Act Kotzebue	20		20	(5)100	M. Munson
4/10/84	Cross Cultural Awareness McLaughlin YS, Anchorage	14	0	14	(75)616	Nova University
FOSTER CARE						
4/26-28/84	Consensus Seeking and Mutual Selection SCRO FS, Anchorage	44	31	13	(74)616	Nova University
9/24-28/84	Discipline and Control and Nurture SERO FS, Ketchikan, Juneau	26	9	17	(14)364	Ray Curtis
5/18-20/84	Fairbanks Foster Parent Conference NRO FS, Fairbanks					M. J. Amundsen

DIVISION OF FAMILY AND YOUTH SERVICES
TRAINING SUMMARY 7/1/83 - 9/30/84

<u>Date</u>	<u>Topic and Location</u>	<u># Participants</u>	<u># Staff</u>	<u>Community</u>	<u>Hours</u>	<u>Leaders</u>
3/21-23/84	Alaska State Foster Parent Conference NRO FS, Fairbanks					Sally Brown
WORKING WITH RESISTANT CLIENTS						
5/15-16/84	Working with Difficult Clients NRO FS, Fairbanks	17	10	7	(14)238	Barbara Niko and Mary J. Demond
7/12-13/84 9/27-28/84	Forming Relationships with Hard to Reach Youths SERO YS, Juneau SCRO YS, Anchorage	45	23	22	(14)630	Henry Maier
COURT WORK						
7/12/83	Prepare to be a Witness Department of Revenue Anchorage	20	0	20	(2) 40	H. Munson
7/24/84	Court Report Writing YJ Statewide, Anchorage	11	11		(7) 77	Paul Kim
ADOPTION						
9/28/83	Special Needs Adoption Anchorage	20	0	20	(3) 60	B. Garberding
6/6-7/84	Adoption Disruption Statewide FS, Anchorage	13	7	6	(27)273	Jill Jasper

DIVISION OF FAMILY AND YOUTH SERVICES
TRAINING SUMMARY 7/1/83 - 9/30/84

<u>Date</u>	<u>Topic and Location</u>	<u># Participants</u>	<u># Staff</u>	<u>Community</u>	<u>Hours</u>	<u>Leaders</u>
MANAGEMENT TRAINING						
9/5-7/84	Advanced Management Skills	41	41		(21)861	Mike Austin
9/10-12/84	FS YS Statewide Juneau and Anchorage					
9/27-28/84	Team Building CO Staff and RSSMs and RAs Juneau	23	23		(21)483	Michael Groh
3/14-15/84	Data Training FS YS Statewide Juneau					M. A. Arseneau
CLERICAL TRAINING						
9/11-14/84	SCRO FS/YS Anchorage	16	16		(21)336	Lisa O'Brien
7/11 to 8/1/84	DFYS CO Clerical Training, Juneau					Judy Crondahl
OTHER						
9/9/83	Men in Early Child Education, Anchorage	10	0	10	(3) 10	B. Garberding
8/15-17/84	Family Systems Therapy NRO FS, Fairbanks	15	11	4	(21)315	Mortiner, Perimutter
8/27-31/84	Preventing Adolescent Suicide, SERO FS Juneau and Ketchikan	28	5	23	(14)392	Dan Capuzzi
5/19-20/84	Building New Traditions Statewide, Anchorage					

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 28
 Title: An Act.....training of
state employees
 Sponsor: Sen. Falks
 Requestor: _____
 Date of Request: 1/16/85

FISCAL DETAIL

Agency Affected: Health and Social Services
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected:
Social Services, Youth Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME	-0-					
PART-TIME	-0-					
TEMPORARY	-0-					

ANALYSIS: Attach a separate page if necessary

N/A

Prepared By: Michael L. Price *Michael L. Price* Phone: 465-3170
 Division: Family and Youth Services Date: 1/16/85

Approved by Commissioner: *John R. Poff* Date: 1/17/85

Distribution (by Agency preparing fiscal note):
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