

SB

171

<TARGET><BILL>SB 171</BILL><SUBJECT>SB
171</SUBJECT><COMM>SEDC30</COMM></TARGET>

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Governor Bill Walker
STATE OF ALASKA

January 31, 2018

The Honorable Pete Kelly
President of the Senate
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear President Kelly:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to prevention of child abuse.

This bill recognizes the need to provide training to *all* persons required to report child abuse and neglect; enhance the training material relating to recognizing unhealthy relationships; training school districts to respond to disasters; and the need to provide immunity for school district employers who provide information on employees that have a verified history of sexual or other misconduct against a child.

Current statute only requires State and school district employees receive mandatory reporter training, this bill would require *all* mandatory reporters receive this training. The training is extremely valuable as it educates the mandatory reporters on their duties, teaching them how to recognize and report child abuse or neglect. The training is available through the Department of Health and Social Services, and covers the laws relating to child abuse and neglect and methods to recognize it. By expanding who is required to receive this training, mandatory reporters will be better equipped to identify and report suspected cases of child abuse and neglect.

The bill would also enhance current requirements in AS 14.30.355 by expanding the existing requirement for teachers and parents to receive training relating to sexual abuse of children to include ways to identify grooming behavior. This is an unhealthy behavior by an adult who entices a child into a romantic or physical relationship. Sometimes abuse, especially sexual abuse, goes unrecognized in children. Learning how to recognize this behavior can help stop and possibly even prevent the abuse of a child.

Additionally, the bill recognizes that schools must be prepared to address emergency situations, whether natural or of human cause. Current law requires school district employees to be trained in crisis response every two years. This bill would return that requirement to annually. The annual requirement would assure that all school district employees are trained on how to keep our children safe, no matter the cause of the crisis.

The Honorable President Kelly

January 31, 2018

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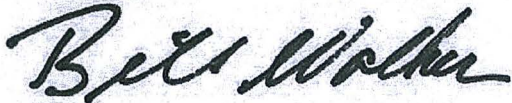
This bill would also provide immunity for school district employers who provide information about substantiated allegations of sexual misconduct to other school district employers. This limited immunity would help prevent persons with a history of sexual abuse or misconduct directed toward a child from moving from one school district to another without the ability to know the person's full history.

Finally, this bill would rename AS 14.30.356 Bree's Law. The important training provided under this statute recognizes the need to equip students and their parents with the tools to identify characteristics of healthy relationships, identify warning signs of unhealthy relationships, recognize dangerous behavior, and identify community resources available to help young people.

The issue of child abuse and neglect is difficult to solve, but it is our responsibility to continue to do what we can to protect our children and create a Safer Alaska.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink that reads "Bill Walker". The signature is written in a cursive, flowing style.

Bill Walker
Governor

Enclosure



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Sectional Analysis

SB 171

Child Abuse; Training Programs; Bree's Law
Version A

February 2, 2018

“An Act renaming portions of the Alaska Safe Children’s Act as Bree’s Law; relating to the practice of marital and family therapy; relating to persons required to report child abuse and neglect; relating to training in crisis response; relating to civil immunity for disclosure of substantiated allegations of sexual abuse of a minor or sexual misconduct against a school district employee; and providing for an effective date.”

Note: Sec. 1

Names AS 14.30.356 Bree’s Law

Sec. 1: Amends uncodified law to name AS 14.30.356 “Bree’s Law.”

Note: Sec. 2

Technical edit - requires the Board of Marital and Family Therapy to not only inform their licensees that they are mandatory reporters (as is required in current statute) but also of the training they would be required to take with this bill.

Sec. 2: Amends the Board of Marital and Family Therapy licensing statute to require the board to inform their licensees of the mandatory reporter training required under AS 47.17.021.

Note: Sec. 3

Provides limited immunity to employers who share information regarding substantiated accusations of child abuse or misconduct.

Sec. 3: Adds a new subsection to the job performance immunity statute providing limited immunity to employers who disclose information on a current or former employee regarding substantiated accusations of sexual abuse or misconduct of a minor. This change would help prevent persons with a history of sexual abuse or misconduct from moving from one school district to another without the consequences or knowledge of their prior behavior being known.

Note: Sec. 4-6

In conjunction with Section 8 of the bill, removes the crisis response plan training from being required every 2-4 years and updates it to being required annually.

Sec. 4: Removes crisis response plan training in AS 14.08.111 from being required every 2 to 4 year by deleting the reference to AS 14.33.100.

Sec. 5: Removes the required crisis response plan training in AS 14.14.090 from being required every 2 to 4 year by deleting the reference to AS 14.33.100.

Sec. 6: Removes the required crisis response plan training in AS 14.16.020 from being required every 2 to 4 year by deleting the reference to AS 14.33.100.

Note: Sec. 7

Enhances current training requirements for teachers and parents.

Sec. 7: Modifies existing requirements in AS 14.30.355 for teachers and parents to receive training relating to sexual abuse of a minor to include signs of grooming behavior.

Note: Sec. 8

In conjunction with Sections 4-6 of the bill, changes the crisis response training schedule from being required every 2-4 years to annually. The crisis response plans are updated annually and revised as needed. Requiring a training every 2-4 years means employees can be operating on outdated plans during a crisis situation.

Sec. 8 Amends AS 14.33.100 to require school districts provide training in crisis response annually.

Notes: Sec. 9-10

Expands who is required to take the mandatory reporter training to all mandatory reporters under AS 14.17.020, instead of just state and school district employees.

Sec. 9 Adds a new subsection to AS 47.17 requiring persons who are mandatory reporters to receive training on the recognition and reporting of child abuse and neglect. Current statute only requires mandatory reporters who are state or school district employees to receive this training.

Requires the Department of Health and Social Services (DHSS) to make available the required training and a certificate of completion either electronically or in a printable version. Requires the department to annually inform child care providers licensed under AS 47 of this training requirement.

Requires the Department of Commerce, Community, and Economic Development to annually inform impacted licensees of this training requirement and the available training on DHSS's website.

Sec. 10 Amends AS 47.17.022 to require mandatory reporter training for volunteers who are existing mandatory reporters under AS 47.17.020.

Note: Sec. 11-15

Technical provisions relating to uncodified law, instructions to the Revisor, and effective dates.

Sec. 11 Amends uncodified law, adding a new section naming AS 14.30.356 Bree's Law.

Sec. 12 Adds instruction to the Revisor to amend the catch line of AS 47.17.022 from "training" to "training for persons who are employed by the state or a school district and required to report abuse or neglect of children."

Sec. 13 Adds a retroactive clause for the naming of Bree's Law to June 30, 2017 (Sections 1 and 11).

Sec. 14 Makes the retroactive clause in Section 13 effective immediately.

Sec. 15 All other sections of the bill take effect January 1, 2019.

Fiscal Note

DCCED

State of Alaska
2018 Legislative Session

Bill Version:	SB 171
Fiscal Note Number:	1
(S) Publish Date:	2/2/2018

Identifier: DCCED-CBPL-01-12-18
 Title: CHILD ABUSE; TRAINING PROGRAMS; BREE'S LAW
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: RULES

Department: Department of Commerce, Community and Economic Development
 Appropriation: Corporations, Business and Professional Licensing
 Allocation: Corporations, Business and Professional Licensing
 OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates					
			FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 (separate supplemental appropriation required)

(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 (separate capital appropriation required)

(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? NO

If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

Prepared By: Janey McCullough, Director
 Division: Corporations, Business and Professional Licensing
 Approved By: Catherine Reardon, Director
 Agency: Division of Administrative Services, DCCED

Phone: (907)465-2538
 Date: 01/12/2018 08:00 AM
 Date: 01/12/18

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

Analysis

This legislation expands the requirements for sexual abuse and misconduct training and policies for schools, school districts, and mandatory reporters. Department of Commerce, Community and Economic Development statutes are amended to add this training to the licensing requirements for marital and family therapists, and to require that the training be noticed online on an annual basis.

The Division of Corporations, Business and Professional Licensing does not anticipate fiscal impact from this legislation.

Fiscal Note

DHSS

State of Alaska
2018 Legislative Session

Bill Version:	SB 171
Fiscal Note Number:	2
(S) Publish Date:	2/2/2018

Identifier: DHSS-CMS-1-29-18
 Title: CHILD ABUSE; TRAINING PROGRAMS; BREE'S LAW
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Governor

Department: Department of Health and Social Services
 Appropriation: Children's Services
 Allocation: Children's Services Management
 OMB Component Number: 2666

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? no
 If yes, by what date are the regulations to be adopted, amended or repealed? n/a

Why this fiscal note differs from previous version/comments:

Not applicable; initial version.

Prepared By:	Christy Lawton, Director	Phone:	(907)269-8018
Division:	Office of Children's Services	Date:	01/12/2018 04:20 PM
Approved By:	Shawnda O'Brien, Asst. Commissioner	Date:	01/29/18
Agency:	Health and Social Services		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

Analysis

This bill has minimal impact on the Office of Children's Services Children Services Management component.

The legislation amends Section 7 of AS 14.30.355(b) to read that any policy, training and notices must include ways to identify warning signs of sexual abuse in a child, and ways to identify activity by an adult towards a child designed to establish a romantic or sexual relationship with a child.

The legislation amends Section 9 AS 47.17 adding new subsection 44.17.021 [typographical error in draft, should read subsection 47.17.021], **Training for persons required to report abuse or neglect of a child other than persons employed by the state or a school district.** This new section mandates that the department make training available on their website, at no cost to training participants. The department is to maintain a database of training participants, and must annually inform licensed childcare providers, with the training made available by the department.

Both of the amendments listed above would require an update to the current Mandatory Reporter Training that resides on the Department of Health and Social Services website. The Office of Children's Services would be involved in any modifications and the department would absorb that work without any additional allocations.

Fiscal Note

DEED

State of Alaska
2018 Legislative Session

Bill Version: SB 171
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB171-EED-SSA-2-2-18
Title: CHILD ABUSE; TRAINING PROGRAMS; BREE'S LAW
Sponsor: RLS BY REQUEST OF THE GOVERNOR
Requester: Senate Education Committee

Department: Department of Education and Early Development
Appropriation: Education Support and Admin Services
Allocation: Student and School Achievement
OMB Component Number: 2796

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019 Appropriation Requested	Included in Governor's FY2019 Request	Out-Year Cost Estimates					
			FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 03/31/19

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

Prepared By:	Todd Brocius, Health & Safety Program Administrator	Phone:	(907)465-2887
Division:	Educator & School Excellence	Date:	02/02/2018
Approved By:	Dr. Michael Johnson, Commissioner	Date:	02/02/18
Agency:	Department of Education & Early Development		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. SB 171

Analysis

Sec. 1: Amends uncodified law to name AS 14.30.356 Bree's Law.

Sec. 4: Removes crisis response plan training in AS 14.08.111 from being required every 2 to 4 years by deleting the reference to AS 14.33.100.

Sec. 5: Removes the required crisis response plan training in AS 14.14.090 from being required every 2 to 4 years by deleting the reference to AS 14.33.100.

Sec. 6: Removes the required crisis response plan training in AS 14.16.020 from being required every 2 to 4 years by deleting the reference to AS 14.33.100.

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Sec. 8: Amends AS 14.33.100 to require school districts provide training in crisis response annually.

Sec. 11: Amends uncodified law, adding a new section naming AS 14.30.356 Bree's Law.

Sec. 12: Adds instruction to the Revisor to amend the catch line of AS 47.17.022 from "training" to "training for persons who are employed by the state or a school district and required to report abuse or neglect of children."

Sec. 13: Adds a retroactive clause for the naming of Bree's Law to June 30, 2017 (Sections 1 and 11).

Sec. 14: Makes the retroactive clause in Section 13 effective immediately.

Sec. 15: All other sections of the bill take effect January 1, 2019.

The department does not anticipate fiscal impact from this legislation.