

**Department of Legislative Services**  
 Maryland General Assembly  
 2012 Session

**FISCAL AND POLICY NOTE**

Senate Bill 613 (Senator Raskin, *et al.*)  
 Education, Health, and Environmental Affairs  
 and Judicial Proceedings

**Child Sexual Abuse Reporting - Training of School Employees**

This bill requires the State Board of Education, after consultation and input from local school systems, the Department of Human Resources, and the State Council on Child Abuse and Neglect, to develop a model program for training professional school employees on the prevention, identification, and reporting of sexual abuse. The model program must be developed by December 1, 2012.

The bill takes effect July 1, 2012.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$21,200 in FY 2013, which reflects the cost of hiring one part-time contractual employee to coordinate with other organizations to develop a model program for training professional school employees on the prevention, identification, and reporting of sexual abuse. Revenues are not affected.

| (in dollars)   | FY 2013    | FY 2014 | FY 2015 | FY 2016 | FY 2017 |
|----------------|------------|---------|---------|---------|---------|
| Revenues       | \$0        | \$0     | \$0     | \$0     | \$0     |
| GF Expenditure | 21,200     | 0       | 0       | 0       | 0       |
| Net Effect     | (\$21,200) | \$0     | \$0     | \$0     | \$0     |

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Local school expenditures may increase to update child abuse and neglect training in order to meet the requirements of the model policy on child sexual abuse as developed by the State board.

**Small Business Effect:** Minimal.

## Analysis

**Bill Summary:** The model program developed by the State board must include:

- methods to create safe environments by reducing opportunities for sexual abuse;
- how to prevent sexual abuse by recognizing early warning signs of potential abuse;
- indicators of typical behaviors of sexual predators, including the grooming process, boundary violations, and other inappropriate activities;
- information on the incidence of sexual abuse in and close to the home of a student;
- the signs and symptoms of sexual abuse and sexual violence;
- appropriate responses to students who report sexual abuse, including available counseling and resources for students affected by sexual abuse; and
- requirements for reporting sexual abuse to appropriate State agencies, as required under the Family Law Article.

The model program developed by the State board may include an age-appropriate sexual abuse prevention curriculum for students in prekindergarten through grade 5.

By June 1, 2013, each local board of education and nonpublic school that participates in State-funded education programs must (1) develop a mandatory training program for all professional school employees based on the model program developed by the State board; (2) provide opportunities to participate in the training to all school volunteers and parents and guardians of students; and (3) make available to all parents and guardians of students information on the warning signs of a child who is being sexually abused and the available counseling and resources for a student affected by sexual abuse in the school handbook, and on the school's website.

The bill defines "sexual abuse" as any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household family member. Specially, "sexual abuse" includes: incest, rape, or sexual offense in any degree; sodomy; and unnatural or perverted sexual practices.

**Current Law:** Health care practitioners, police officers, educators, and human service workers who are acting in a professional capacity and have reason to believe that a child has been subjected to abuse or neglect must notify the local department of social services or the appropriate law enforcement agency. If the worker is acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, then the individual must notify the head of the institution or the designee. (*See* Family Law Article § 5-704.)

“Abuse” is defined as the physical or mental injury of a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child’s health or welfare is harmed or at substantial risk of being harmed; or sexual abuse of a child whether physical injuries are sustained or not.

“Sexual abuse” is defined as any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household family member. Specially, “sexual abuse” includes: incest, rape, or sexual offense in any degree; sodomy; and unnatural or perverted sexual practices.

**Background:** It is estimated that one in four girls and one in six boys will have experienced an episode of sexual abuse while younger than 18 years. Many sexually abused children exhibit physical and behavioral symptoms. *Practical Strategies for School Counselors* developed by the Maryland State Department of Education (MSDE) lists some of these indicators of sexual abuse.

MSDE reports that because educators are required to report child abuse and neglect under the Family Law Article, all local school systems currently provide training to all school personnel on child abuse and neglect policies and procedures. According to statute, child abuse specifically includes sexual abuse. The training also includes symptoms of child abuse and neglect as well as the related programs and services available. As part of the curriculum, local school systems also have a child abuse and neglect awareness and prevention education program for all students.

**State Expenditures:** General fund expenditures increase by \$21,163 in fiscal 2013 for the cost of hiring one part-time contractual employee to coordinate with other organizations to develop a model program for training professional school employees on the prevention, identification, and reporting of sexual abuse. It includes a part-time salary, fringe benefits, one-time start-up costs, ongoing operating expenses and termination of the contractual employee on December 31, 2012.

|                            |                       |
|----------------------------|-----------------------|
|                            | <b><u>FY 2013</u></b> |
| Salary and Fringe Benefits | \$16,403              |
| Operating Expenses         | 275                   |
| Start-up Costs             | <u>4,485</u>          |
| <b>Total</b>               | <b>\$21,163</b>       |

**Local Expenditures:** MSDE reports that all local school systems currently have child abuse and neglect training for all school personnel. Information on child sexual abuse

policies and procedures information about symptoms and prevention of child sexual abuse are included in the training. Depending on the model policy developed by the State board, local school systems may need to update their current training program. Therefore local school expenditures are dependent on the model policy developed.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** Although designated as a cross file, HB 1256 (Delegate Rosenberg, *et al.*) - Judiciary and Ways and Means is not identical.

**Information Source(s):** Maryland State Department of Education; Carroll, Cecil, and Harford counties; National Center for Victims of Crime; Department of Legislative Services

**Fiscal Note History:** First Reader - February 29, 2012  
ncs/mwc

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