

- SUBJECT:** Reporting suspected child abuse and neglect to DFPS
- COMMITTEE:** Human Services — favorable, without amendment
- VOTE:** 7 ayes — Hupp, Eissler, A. Allen, J. Davis, Goodman, Paxton, Reyna
0 nays
2 absent — Gonzalez Toureilles, Naishtat
- WITNESSES:** For — (*Registered, but did not testify:* Greg Herzog, Texas Medical Association; Caroline O'Connor, Texas State Employees Union; Theresa Tod, Texas Network of Youth Services)
Against — None
- BACKGROUND:** The Department of Family and Protective Services (DFPS) receives reports of child abuse and neglect alleged against a person responsible for the care, custody, or welfare of a child. DFPS must send reports on the investigation of alleged or suspected abuse or neglect of a child in a school under the jurisdiction of the Texas Education Agency (TEA) to TEA, the agency responsible for teacher certification, the local school board or the school's governing body, and the school principal or director.
- DIGEST:** This bill would allow reports of abuse and neglect of a child to be made to DFPS whether or not the suspected abuser was a person responsible for the care, custody, or welfare of the child.

The bill also would require that the superintendent of a child's school district receive a DFPS report on the investigation of alleged or suspected abuse or neglect of the child.

The bill would take effect September 1, 2005.
- SUPPORTERS SAY:** Teachers and other individuals that routinely work with children often are the first individuals to notice signs of child abuse, yet it is often unclear who might have perpetrated the abuse, when it is appropriate to report it, and to whom reports should be made. Allowing any report of suspected

child abuse and neglect to be made to DFPS would leave to DFPS the determination of whether agency involvement were necessary.

If it were determined that a case did not fall under DFPS jurisdiction, having a report on file still could provide historical evidence of abuse if a child did one day enter the child protective services system. This would not increase the investigative burden on DFPS or add responsibility for caseworkers to review cases not under current DFPS jurisdiction. It simply would keep the department informed and reduce the chance of DFPS not receiving appropriate reports of child abuse because of confusion over reporting requirements.

The superintendent of a school district is responsible for the overall health and welfare of children in the district and has the authority and access to resources to address issues unique to the district. If superintendents were provided with information on reports of abuse and neglect, they could take action within their authority to address cases on an individual basis and to identify dangerous trends that could be curbed by district policies.

**OPPONENTS
SAY:**

Call screeners and investigators for DFPS already are overburdened with cases. DFPS has the authority to investigate only those parties responsible for a child's welfare, and having to sift through a deluge of reports, even if easily dismissed, would be a further drain on the department's limited resources. The more cases that investigators must address, the less time they have for the thorough investigation of each case.