

HOUSE BILL ANALYSIS

SSB 6361

Title: An act relating to child abuse and neglect reporting, investigation, and training procedures and the administration of the Washington state schools for the blind and for the deaf.

Brief Description: Protecting children at the state school for the deaf and the state school for the blind from abuse and neglect.

Sponsors: Senators Zarelli, Hargrove, Hale, Honeyford, McCaslin, Hochstatter, Swecker, Johnson, Roach, Stevens, Oke, Benton and Kohl-Welles.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Meeting Date: February 21, 2000.

Bill Analysis Prepared by: Deborah Frazier (786-7152).

Background: The Washington State School for the Deaf (WSD) delivers specialized educational services to deaf and hard-of-hearing children ages 3 through 21 from throughout the state. Sign language is used on the campus and students experience opportunities to communicate with deaf, hard-of-hearing, and hearing peers and adults. Approximately 170 students are served; of these, two-thirds are served in 24 hour, on-campus residential programs.

The Washington State School for the Blind (WSSB) provides specialized educational services to visually impaired youths ages birth to 21. The school serves as a statewide demonstration and resource center and provides services to students both on campus and in the children's local communities. Services are provided to families, educators, and others interested in assisting visually impaired youth to become independent. Over 450 youth are served each month; approximately 70 youth are served in 24 hour, on-campus residential programs.

A blue ribbon committee has been meeting to address concerns related to children in residence at the WSD. Subcommittees have developed draft recommendations that:

- promote personal and environmental safety at the school;
- improve communications with parents; and
- establish systematic communications policies and procedures between the school and other agencies and stakeholders.

Both schools are state agencies, subject to applicable statutes and administrative code. The Office of the Superintendent of Public Instruction (OSPI) also has oversight responsibilities for both schools, which are audited every three years, as are all public schools. Both schools are also subject to federal regulation under provisions of the Individuals with Disabilities Education Act (IDEA), which mandates procedures for evaluation and placement of children with special needs.

Summary of Bill: The bill requires the protection of the children who attend the WSD and WSSB from child abuse and neglect.

The superintendents of the schools are required to immediately report to a child's parent custodian or guardian, in a manner most likely to reach these persons, on the following events:

- death of the child;
- hospitalization of the child;
- allegations of child abuse or neglect where the child is the alleged victim or the alleged perpetrator;
- life threatening illness; and
- attendance at the school(s) of a child who is a registered sex offender.

Oral notification is to be followed by written notification within 48 hours.

The superintendents of each school are required to write and implement behavior management policies and procedures to support children who need this assistance. Staff at each school are required to complete, within two months of employment, 15 hours of job orientation, including: presentation of all policies and procedures; client management techniques; and crisis intervention techniques. By December 1, 2000, current staff are to receive training in certain listed skills; new employees must receive this training within 90 days; and all staff are required to receive this training every two years.

The superintendents of both schools are required to employ enough residential staff to ensure that the physical and emotional needs of the residents are met. The superintendents must develop written procedures for the supervision of employees who are likely to have contact with students. Written procedures are also required for the protection of students when there is reason to believe a student has been abused or neglected, including investigation, safety, and corrective action plans.

Both schools must provide instruction to the students on how to protect themselves from abuse or neglect. The schools are given the discretion not to admit or retain a student who is an adjudicated sex offender. Neither school may admit or retain an adjudicated Level III sex offender.

The schools must develop a process for assessing children's risk of sexual aggressiveness and risk of vulnerability to sexual victimization, and institute steps to protect the vulnerable children.

The Office of the Family and Children's Ombudsman must include, in its annual report, information on the ability of WSD and WSB to protect children in attendance at the schools from abuse and neglect. The first report is due December 2000.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.