

- SUBJECT:** Requiring schools to notify law enforcement of abuse and neglect
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 11 ayes — Huberty, Bernal, Allen, Bohac, Deshotel, Dutton, Gooden, K. King, Koop, Meyer, VanDeaver
- 0 nays
- WITNESSES:** For — John Correu; (*Registered, but did not testify*: Chris Masey, Coalition of Texans with Disabilities; Kyle Ward, Texas PTA)
- Against — None
- On — Mark Wiggins, Association of Texas Professional Educators; Steven Aleman, Disability Rights Texas; (*Registered, but did not testify*: Richard Zimmerman, Department of Family and Protective Services; Kara Belew, Eric Marin, and Von Byer, Texas Education Agency)
- BACKGROUND:** Education Code, sec. 38.004(a) requires the Texas Education Agency to develop a policy requiring school districts and charter schools to report child abuse or neglect, including child trafficking, to the Department of Family and Protective Services as required by Family Code, ch. 261.
- DIGEST:** HB 2205 would require a school district or open-enrollment charter school to make a report of child abuse or neglect to both the Department of Family and Protective Services and a local or state law enforcement agency.
- The bill would take effect on September 1, 2017.
- SUPPORTERS SAY:** HB 2205 would require school employees to notify law enforcement immediately of suspected child abuse or neglect, allowing a more immediate response to life-threatening situations. The current requirement to report suspected abuse to the Department of Family and Protective Services can result in a case being prioritized in a way that might not

require a response for up to 72 hours. Law enforcement agencies have resources to respond immediately and remove a child from an abusive environment.

OPPONENTS
SAY:

HB 2205 would be duplicative of existing Family Code requirements that teachers notify law enforcement or the Department of Family and Protective Services (DFPS) of child abuse or neglect. In addition, the bill could result in schools reporting situations to law enforcement as retaliation against parents involved in a dispute with the school. Such unfounded reports have occurred in the past, and the bill could subject parents to involvement with police as well as DFPS.