

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

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Senate Bill 165 (Substitute S-1)  
Sponsor: Senator Dan L. DeGrow  
Committee: Education and Mental Health  
Date Completed: 6-2-87

### ***RATIONALE***

The Child Protection Law requires the Department of Social Services (DSS) to investigate complaints of child abuse and neglect. The Act requires the prosecuting attorney of each county and the DSS to "develop and establish procedures for involving law enforcement officials" in an investigation. Some contend, however, that there should be more communication between law enforcement agencies, the DSS, and school districts. They argue that school districts should be informed of charges brought against a district employee, who was the subject of a Department investigation, for crimes involving sexual conduct.

### ***CONTENT***

Senate Bill 165 (S-1) would amend the Child Protection Act to require the prosecuting attorney in each county and the State Department of Social Services to develop and establish procedures for notifying the Department and the superintendent of a school district or intermediate school district when an employee of the district, who had been the subject of an investigation conducted by the Department, officially was charged with any of the following crimes:

- Criminal sexual conduct in the first, second, or third degree.
- Assault with intent to commit criminal sexual conduct.
- Felonious attempt or a felonious conspiracy to commit criminal sexual conduct.
- Felonious assault on a child, cruelty to a child, or torturing a child.
- Involvement in child abusive commercial material or child abusive commercial activity.

### ***FISCAL IMPACT***

The bill could require additional reports to be filed by the Department of Social Services. The fiscal impact of these amendments, however, would be negligible.

### ***ARGUMENTS***

#### ***Supporting Argument***

The bill would provide for notification of a school district that a district employee had been charged with an offense that could threaten the health or safety of students and staff. Such notification could prevent further criminal actions.

#### ***Opposing Argument***

Notification of an individual's arrest could be prejudicial to his or her continued employment. The bill could result in the individual being denied employment, regardless of whether he or she were found guilty.

Legislative Analyst: P. Affholter  
Fiscal Analyst: W. Griffith

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 165 (6-2-87)