

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	8 - 0 - 0
Yeas:	Frederick, Greenlick, Harker, Parrish, Thompson, Weidner, Gilliam, Tomei
Nays:	0
Exc.:	0
Prepared By:	Jennifer Kellar, Administrator
Meeting Dates:	2/4, 2/7

WHAT THE MEASURE DOES: Designates private residential boarding schools that provide academic education and therapeutic care as a child-caring agency subject to the licensure requirements of the Department of Human Services (DHS). Designation enables DHS to immediately remove children at risk of harm without an initial hearing.

ISSUES DISCUSSED:

- Differences between academic and therapeutic boarding schools
- Need for therapeutic boarding schools to be designated under “child-caring agency” statutes
- Type of boarding school and alignment in statute determines agency’s ability to take immediate action on safety issues
- Number of current boarding schools and funding sources
- Safety issues at Mt. Bachelor Academy therapeutic boarding school
- Differentiation of regulatory requirements and due process and hearing rights between academic and therapeutic boarding schools

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current statute denotes that Department of Human Services does not have authority to take immediate action to protect children in therapeutic boarding schools. The statute does not differentiate between a solely “academic boarding school” and a “therapeutic boarding school”. Currently, DHS is prohibited from immediately removing children from a therapeutic boarding school for concerns of violating the school’s right to due process.