

Henry Brock

From: Henry Brock <riskmanager@cvip.net>
Sent: Thursday, February 04, 2016 8:12 AM
To: 'Henry Brock'
Subject: Child Abuse Reporting/Comprehensive School Safety Plan (CSSP)
Attachments: CCE02042016.pdf

February 4, 2016

MEMORANDUM TO: JPA Liaisons, Safety Officers/Contact People, Servicing Agents

SUBJECT: Child Abuse Reporting/Comprehensive School Safety Plan (CSSP)

The Comprehensive School Safety Plan (CSSP) now requires information on child abuse reporting to be included in each site's plan. Attached is information regarding this new requirement.

If you have any questions, please contact me.

Henry Brock
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OSS
ORGANIZATION OF
SELF-INSURED SCHOOLS

February 4, 2016

**MEMORADUM FOR: JPA Liaisons, Safety Officers/Contact People,
Servicing Agents**

**SUBJECT: Child Abuse Reporting/Comprehensive School Safety Plan
(CSSP)**

Each school site's Comprehensive School Safety Plan (CSSP) must include a child abuse reporting procedure. (**Attachment A**, CSSP Self-Monitoring Tool – page 2). It may be coincidental this requirement is listed first by the California Department of education, but it does have significant implications for each district and OSS. The JPA's losses during the last two years in this area have been extensive. **Attachment B**, Keenan Best Practices titled, Child Abuse/Molestation Prevention and Reporting when incorporated in the CSSP will fulfill that specific requirement.

Attachment C is required when a district chooses to utilize the OSS online training to address the child abuse reporting requirement. **Attachment D** is the appropriate Suspected Child Abuse Report.

If you have any questions please contact me.

Henry Brock,
Risk Manager
riskmanagaer@cvip.net
559-352-5195

Comprehensive School Safety Plan
Self-Monitoring Tool
California *Education Code* Sections 32280–32289

Requirements for a Comprehensive School Safety Plan	Requirement Met	Comments
<p>1. Plan is written and developed by a school site council (SSC) or a safety planning committee. The School Safety Planning Committee is comprised of: principal/designee, teacher, parent of child who attends the school, classified employee, and others. The SSC may delegate this responsibility to a school safety planning committee.</p>		
<p>2. SSC/Planning Committee consulted with a representative from a law enforcement agency in the writing and development of the Comprehensive School Safety Plan.</p>		
<p>3. The Comprehensive School Safety Plan includes, but is not limited to:</p> <p style="margin-left: 20px;">a. An assessment of the current status of school crime committed on the school campus and at school-related functions. You may accomplish this by reviewing the following types of information:</p> <ul style="list-style-type: none"> • Local law enforcement crime data • Suspension/Expulsion data found in the California Longitudinal Pupil Achievement Data System • Behavior Referrals • Attendance rates/School Attendance Review Board data • California Healthy Kids Survey data • School Improvement Plan • Property Damage data <p style="margin-left: 20px;">b. An identification of appropriate strategies and programs that provide/maintain a high level of school safety.</p>		
<p>4. The SSC/Planning Committee reviewed and addressed, as needed, the school's procedures for complying with existing laws related to school safety.</p>		

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<p>4. The SSC/Planning Committee reviewed and addressed, as needed, the school's procedures for complying with existing laws related to school safety.</p>		

<p>5. The Comprehensive School Safety Plan must include all of the following:</p>		
<ul style="list-style-type: none"> • Child Abuse Reporting procedures 		
<ul style="list-style-type: none"> • Disaster procedures, routine and emergency, including adaptations for pupils with disabilities. 		
<ul style="list-style-type: none"> • Earthquake emergency procedures that include: <ol style="list-style-type: none"> 1. A school building disaster plan 2. A drop procedure 3. Dates/times of drop procedure drills held once each quarter in elementary; once each semester in secondary schools 4. Protective measures to be taken before, during, and after an earthquake 5. A program to ensure that pupils and both certificated and classified staff are aware of and are trained in the earthquake emergency procedure system 		
<ul style="list-style-type: none"> • Procedures to allow a public agency to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency which affects public health or welfare. 		
<ul style="list-style-type: none"> • Policies and procedures which lead to suspension and/or expulsion. 		
<ul style="list-style-type: none"> • Procedures to notify teachers of dangerous pupils. 		
<ul style="list-style-type: none"> • Policy prohibiting discrimination, harassment, intimidation, and bullying. 		
<ul style="list-style-type: none"> • Provisions of any school site dress code, including prohibition of "gang-related" apparel. 		
<ul style="list-style-type: none"> • Procedures for safe ingress and egress of pupils, parents, and employees from school site; including access to the school campus. 		
<ul style="list-style-type: none"> • Procedures that create a safe and orderly environment conducive to learning at the school. 		
<ul style="list-style-type: none"> • Access to the school campus (visitors). 		
<ul style="list-style-type: none"> • The rules and procedures on school discipline. 		
<ul style="list-style-type: none"> • Crisis Response Plan. 		
<ul style="list-style-type: none"> • Hate crime reporting procedures and policies. 		
<p>6. The plan may include clear guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on campus.</p>		
<p>7. The plan may include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school.</p>		
<p>8. The plan should include verification that the school safety plan was evaluated at least once a year, and revised by March 1 every year.</p>		

<p>9. The plan should include documentation that school safety plan was submitted for approval to either the district office or county office of education. Evidence of approval at the district or county level should be included.</p>		
<p>10. The plan should include verification that the SSC/Planning Committee communicated the school safety plan to the public at a public meeting at the school site.</p>		

Child Abuse/Molestation Prevention and Reporting

DISTRICT EMPLOYEE AS AN ALLEGED PERPETRATOR

- A. Witnesses to, or recipients of information about suspected child abuse when a district employee is the alleged perpetrator, should:
- Immediately telephone the appropriate child protective agency and follow-up with a written report in accordance with California State law; and
 - Immediately advise their supervising administrator of the alleged conduct (such notification may be oral or in writing).
- Note: Advising the administrator is not a child abuse report and does not relieve the reporter from his or her legal obligation to file a formal report.***
- B. When facts are brought to an administrator's attention that suggest or create a reasonable suspicion that a district employee engaged in child abuse, the administrator must:
- File a child abuse report in accordance with California State law.
 - If the authoritative agency conducts an investigation, cooperate with the representative during the investigation and obtain approval from the agency representative to take the administrative action necessary to secure the safety of the victim and of others at the site.
 - Except as provided below (see this section, paragraph C), administrators may not take action with staff, students or the employee in question prior to or during the authoritative agency's investigation without the approval of the agency. This means that the administrator may not: interview witnesses, interview the alleged perpetrator, contact parent(s) of alleged victim, take written statements, seek verification of information, or take disciplinary action. Taking any such actions without the acquiescence of the investigating agency could interfere with, or compromise the agency investigation.
 - If the agency elects not to conduct an investigation, completes an investigation and/or advises the school official to "handle administratively," document the incident, immediately call the District office and apprise the District Superintendent/designee of the alleged conduct and take appropriate action.
 - School administrators should consult with the Superintendent/designee to determine what administrative action should be taken.
- C. Temporary Removal of Employee Accused of Suspected Child Abuse
- District officials may temporarily relocate an employee named as the alleged perpetrator in a report of suspected child abuse provided that:
 - The investigating agency is notified prior to the actual relocation of the employee; and/or
 - If the investigating agency objects to the relocation, the agency may negotiate a mutually agreeable resolution.

This information on the Risk Advisor website is intended to assist Keenan clients in identifying and reducing certain loss exposures. It is not possible for us to identify all potential sources of liability or to offer a fail-safe mechanism for dealing with them. Keenan offers no guarantee that clients will recognize any financial savings or improved loss experience as a result of the information and suggestions presented here.

- Circumstances under which a district employee named as an alleged perpetrator in a report of suspected abuse may be temporarily relocated/reassigned may include, but are not limited to:
 - Instance(s) where the student/alleged victim sustains physical injury.
 - Allegations of sexual abuse, molestation/ child annoyance. (i.e., molestation without physical contact)
 - Multiple incidents of physical assault.
 - Instances where the age and/or developmental ability of the student(s) are risk factors to the student's safety.

Note: In all instances, the safety of students will be the primary criterion for any relocation decision. Employees temporarily transferred/ relocated will not be presumed guilty and will have all appropriate due process rights.

SCHOOL SITE PROCEDURES

Although State law mandates individual responsibility to ensure required reporting, it also allows for reporters to develop internal procedures to facilitate the reporting process. Each school shall develop a local child abuse/neglect reporting site plan that includes, at minimum, a schedule for professional development regarding child abuse reporting, and the distribution to school-site employees of the Child Abuse Reporting Information Sheet. Documentation of these activities shall be incorporated in the School Site Safety Plan. Staff training certification should be recorded on Keenan SafeSchools or per district procedure.

Note: No school-site employee should be required to submit, maintain, or distribute copies or logs of child abuse reports.

PROHIBITED ACTIONS

- The individual's reporting responsibility must not be impeded, inhibited, or assumed by an employee's administrator, colleague or supervisor nor may any person be subject to sanctions of any kind for making such a report.
- School police or security officers must not be asked to, and may not investigate reports of alleged child abuse.
- The reporting employee must not seek to verify the suspicion or prove that abuse has occurred. Investigation (questioning witnesses, obtaining written statements) as well as notification (family, alleged perpetrator), counseling, and/or family intervention are the responsibility of the child protective services agency.
- Under no circumstances should a staff member be required to explain or justify a decision to report or be compelled to meet with the parent/alleged perpetrator named in the report. Should a parent/alleged perpetrator request information about a report, why a report was made or who made the report, he/she should be referred to the appropriate welfare, probation or law enforcement agency. Staff may discuss the legal requirements as well as the district's policy and procedure for child abuse reporting with a parent/alleged perpetrator but never the specifics/contents of a report.
- Any individual(s) bringing forth an allegation of abuse should not be made to repeat the allegation(s) or to provide a written statement regarding the allegation(s) prior to the report being made. Likewise, if a child discloses that he/she was abused, the child should not be asked to provide a written statement or to repeat the information to other adults at the site.
- Mandated reporters should never contact the reportable victim's home or the alleged perpetrator prior to making the report if abuse is suspected.
- Mandated reporters should not contact the reportable victim's home or the alleged perpetrator, including district employees once the report is made unless approval is obtained from the investigating agency or until the agency investigation has been completed.

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- Prior to making a report, mandated reporters should never conduct an investigation of any kind once abuse is suspected.
- Mandated reporters shall not be retaliated against for reporting under these procedures and applicable laws.

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California Department of Education

January 2015

**REPORTING ON ALTERNATIVE TRAINING PROVIDED
FOR MANDATORY REPORTERS**

California requires that school employees receive annual training on the identification and reporting of child abuse and neglect. The California Department of Education (CDE), in conjunction with the California Department of Social Services (CDSS), provides an online training module for this purpose. California *Education Code* Section 44691(c) requires that "School districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools that do not use the online training module provided by the State Department of Social Services shall report to the State Department of Education the training being used in its place."

For the convenience of school districts, the CDE has prepared this form for districts that are required to report the alternative training methods used.

School district notification to the CDE may be submitted by e-mail, mail, or fax to:

Nancy Zarenda
Education Policy Consultant
Coordinated School Health and Safety Office
California Department of Education
1430 N Street, Suite 6408
Sacramento, CA 95814-5901
E-mail: nzarenda@cde.ca.gov
Fax: 916-319-0218

School District: _____

Superintendent Signature

Date

Contact information for person submitting this form:

Name: _____

Phone/E-mail: _____

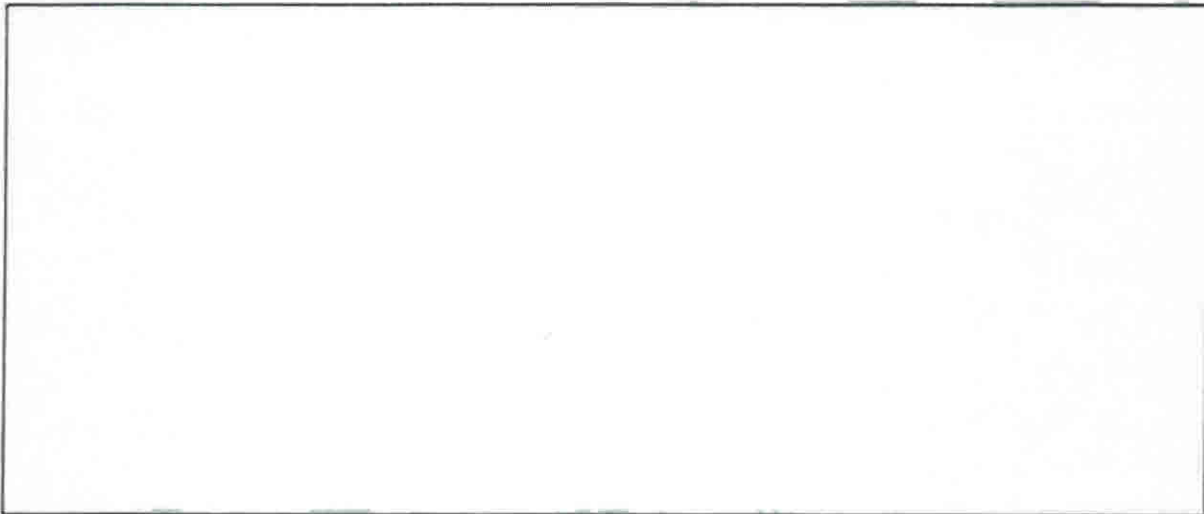
Name/Title of alternate training: _____

Contact information for training provider: _____

Provide a description of the training, including topics covered; you may also attach an outline from the training used.



Optional: The CDE is interested in learning why alternate training was used. In the space below, please explain the reasons why the district did not use the training in the duties of mandated reporters created by the CDSS.



To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

Attachment D

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE			MANDATED REPORTER CATEGORY				
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS		Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO				
	REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE			TODAY'S DATE				
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY							
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)									
	ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL				
		OFFICIAL CONTACTED - TITLE			TELEPHONE ()					
C. VICTIM <small>One report per victim</small>	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	TELEPHONE ()				
	PRESENT LOCATION OF VICTIM			SCHOOL	CLASS	GRADE				
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)			PRIMARY LANGUAGE SPOKEN IN HOME				
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME				TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)				
	RELATIONSHIP TO SUSPECT				PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK				
D. INVOLVED PARTIES	VICTIM'S SIBLINGS									
	NAME		BIRTHDATE	SEX	ETHNICITY	NAME		BIRTHDATE	SEX	ETHNICITY
	1. _____		3. _____		2. _____		4. _____			
VICTIM'S PARENTS/GUARDIANS	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()			
	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	HOME PHONE ()	BUSINESS PHONE ()			
SUSPECT	SUSPECT'S NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	TELEPHONE ()				
	OTHER RELEVANT INFORMATION									
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____									
	DATE / TIME OF INCIDENT				PLACE OF INCIDENT					
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)									

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://www.leginfo.ca.gov/calaw.html> (specify "Penal Code" and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some of the requested information is not known. (PC Section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

- Mandated child abuse reporters include all those individuals and entities listed in PC Section 11165.7.

II. TO WHOM REPORTS ARE TO BE MADE ("DESIGNATED AGENCIES")

- Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC Section 11165.9.)

III. REPORTING RESPONSIBILITIES

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

IV. INSTRUCTIONS

- **SECTION A - REPORTING PARTY:** Enter the mandated reporter's name, title, category (from PC Section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes-no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (Continued)

- **SECTION B - REPORT NOTIFICATION:** Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.
- **SECTION C - VICTIM (One Report per Victim):** Enter the victim's name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes-no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes-no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes-no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.
- **SECTION D - INVOLVED PARTIES:** Enter the requested information for: Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).
- **SECTION E - INCIDENT INFORMATION:** If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

V. DISTRIBUTION

- **Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
- **Designated Agency:** *Within 36 hours* of receipt of Form SS 8572, send **white copy** to police or sheriff's department, **blue copy** to county welfare or probation department, and **green copy** to district attorney's office.

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian