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16 A BILL

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21 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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25 To establish a requirement that all schools in the District of Columbia shall adopt and implement
26 a policy to prevent and address child sexual abuse and to require that District of
27 Columbia Public Schools and public charter schools thoroughly vet potential hires
28 including by checking the national licensing database.
29

30 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
31 act may be cited as the "School Safety Act of 2018".

32 Sec. 2. Policy to prevent and address child sexual abuse.

33 (a) Beginning the 2019-2020 school year, schools shall adopt and implement a policy to
34 prevent and address child sexual abuse, as defined in § 22-3020.51. The policy shall include:

35 (1) Protocol for the school's response to an allegation of child sexual abuse
36 committed by a member of the staff, including the mandated reporting requirements as described
37 in § 4-1321.02 and § 22-3020.52;

38 (2) Protocol for informing the school community about the investigation or
39 allegation while maintaining appropriate integrity of the investigation and confidentiality of
40 those involved;

41 (3) Avenues for reporting, including to the Child and Family Services Agency or
42 the Metropolitan Police Department, child sexual abuse for any student who is the victim, or any
43 individual who witnesses such abuse or has reasonable cause to believe such abuse has occurred;
44 and

45 (4) How the school will implement the policy including through provision of
46 training and instruction required in subsection (c); and

47 (5) A list of appropriate resources, services, and information for children and
48 families affected by sexual abuse, including school-based supports.

49 (b) Schools shall provide the policy to parents and students and shall make the policy
50 publicly available.

51 (c) Beginning the 2019-2020 school year, schools shall provide:

52 (1) Training for all staff on child sexual abuse including reporting and response
53 protocols, receiving child sexual abuse reports and disclosures in a supportive, appropriate, and
54 trauma-informed manner, child sexual abuse prevention, warning signs, and effects,
55 communicating with students and parents about these issues, and other appropriate topics;

56 (2) Age-appropriate, evidence-informed, and culturally responsive instruction for
57 students in each grade level served by the school regarding recognizing and reporting child
58 sexual abuse, appropriate body boundaries and privacy rules, how to communicate concerns
59 about body boundaries or privacy violations to trusted adults, and other appropriate topics; and

60 (3) Information and training for parents including reporting child sexual abuse,
61 receiving child sexual abuse disclosures in a supportive, appropriate, and trauma-informed
62 manner, child sexual abuse prevention, warning signs, and effects, effective, age-appropriate
63 methods for discussing the topic of child sexual abuse, and school and community resources
64 available to assist with prevention and response to child sexual abuse.

65 (d) Prior to the beginning of the 2019-2020 school year, the Office of the State
66 Superintendent for Education shall:

67 (1) Develop a model policy on preventing and addressing child sexual abuse that
68 schools may adopt and shall consult with schools, direct service providers, mental health
69 professionals, community partners, child advocacy organizations, parents, and youth in
70 developing this model policy and

71 (2) Develop, maintain, and make available to schools a list of training resources,
72 including community organizations, to assist in fulfilling the requirements of this act, drawing on
73 the expertise of governmental and community-based child sexual abuse experts.

74 (f) This section shall apply to all schools, public and private, in the District of Columbia.

75 Sec. 3. Due diligence regarding potential, current, and former staff.

76 (a) Each local education agency shall make every possible effort to identify whether any
77 potential new staff member or staff member of a partner organization who has direct contact with
78 students has ever committed or been alleged to commit child sex abuse or other sexual
79 misconduct, including:

80 (1) Conducting criminal background checks;

81 (2) Contacting all former employers to identify any sexual misconduct allegations
82 that did not result in a criminal conviction;

83 (3) Cross-referencing the child abuse and neglect registry of any state or
84 jurisdiction where the individual has lived or worked; and

85 (4) Cross-referencing with the National Association of State Directors of Teacher
86 Education and Certification Clearinghouse to determine whether the potential new hire has
87 previously had an educational credential revoked in another jurisdiction for alleged sexual
88 misconduct or abuse toward a student or failure to report child sexual abuse.

89 (b) The local education agency shall consider whether any information gathered in this
90 process is grounds for withdrawing the offer of employment or partnership, based on the
91 proposed role of the individual.

92 (c) Each local education agency shall maintain a record of any allegation of sexual
93 misconduct or failure to report child abuse, including child sexual abuse, and shall:

94 (1) Provide that information to any other local education agency or educational
95 institution which is considering hiring the individual in question; and

96 (2) Report any revocation of education credential or termination of employment
97 as the result of an incident to the National Association of State Directors of Teacher Education
98 and Certification Clearinghouse.

99 Sec. 4. Fiscal impact statement.

100 The Council adopts the fiscal impact statement in the committee report as the fiscal
101 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
102 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

103 Sec. 5. Effective date.

104 This act shall take effect following approval by the Mayor (or in the event of veto by the
105 Mayor, action by the Council to override the veto), a 30-day period of congressional review as

106 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
107 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(1)), and publication in the District of
108 Columbia Register.