

THE  
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OF RISK MANAGEMENT

PARMA ANNUAL CONFERENCE

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SACRAMENTO CONVENTION CENTER

# Preventing Childhood Sexual Assault: Safeguards and Strategies

**Presented by:**

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A row of children, likely in a classroom, are shown in profile, looking towards the right. The image is overlaid with a blue gradient that fades from left to right. The children are of various ethnicities and are dressed in casual clothing.

# Our Goal

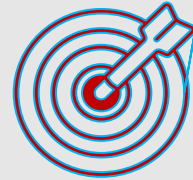
**ZERO incidents of childhood sexual assault (CSA).**

# THE PROBLEM

As the number of incidents of child sexual assault continue to rise and nuclear jury awards become more and more common, the need to develop and implement a comprehensive strategy to support our members and ensure the safety of children was imperative.



**Increasing  
number of victims  
of Childhood  
Sexual Assault  
(CSA)**



**Increasing jury  
awards: nuclear  
verdicts more  
frequent**



The background of the slide is a close-up photograph of a white shredder. The shredder has two vertical slots for paper and a series of vertical ventilation holes on the right side. A blue rectangular text box is overlaid on the left side of the image.

## Claim Trends

Only 10% of all claims are CSA related, yet-CSA costs equate to 50% of all liability claims.

# Jury awards \$102 million to women abused by San Jose teacher as teens

By Henry Lee | Published March 30, 2022 5:44PM | Crime and Public Safety | KTVU FOX 2

"All on the school's watch," Weatherford said. "Their strategy at trial was to blame everyone but themselves and they took zero responsibility during the trial."

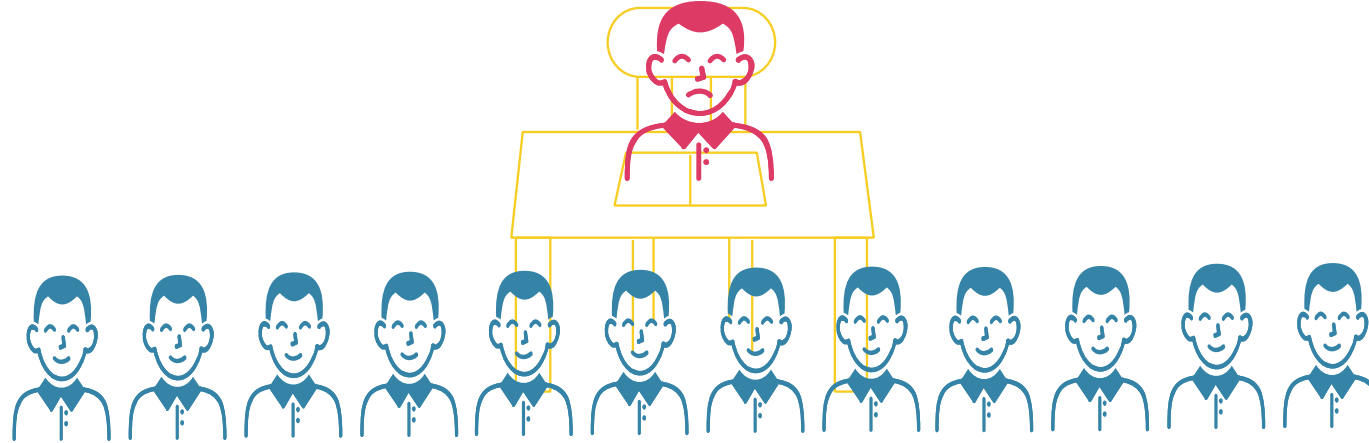
"He said if you don't spend more time with me, if you keep spending time with these boys, I'm going to put these nude pictures and videos of you online," [Name] was awarded \$65 million.

A young girl with long brown hair and blue eyes is sitting in a dark room, looking intently at a laptop screen. She is wearing large, silver and black over-ear headphones. Her right hand is resting on her chin, and her left hand is near the laptop keyboard. The scene is dimly lit, with the primary light source being the glow from the laptop screen, which illuminates her face and the headphones. The background is dark and out of focus.

## Online Child Sexual Abuse On the Rise

According to the Internet Watch Foundation (IWF), 2021 is being touted “as the worst year on record for online child sexual abuse.”

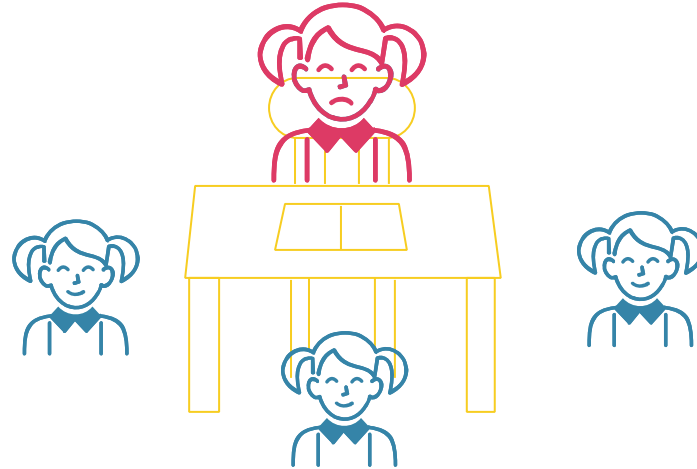




## A SOBERING PICTURE OF ABUSE



Centers for Disease Control reports  
**1 in 13 boys are victims of sexual abuse and molestation**  
before the age of 18 years old.

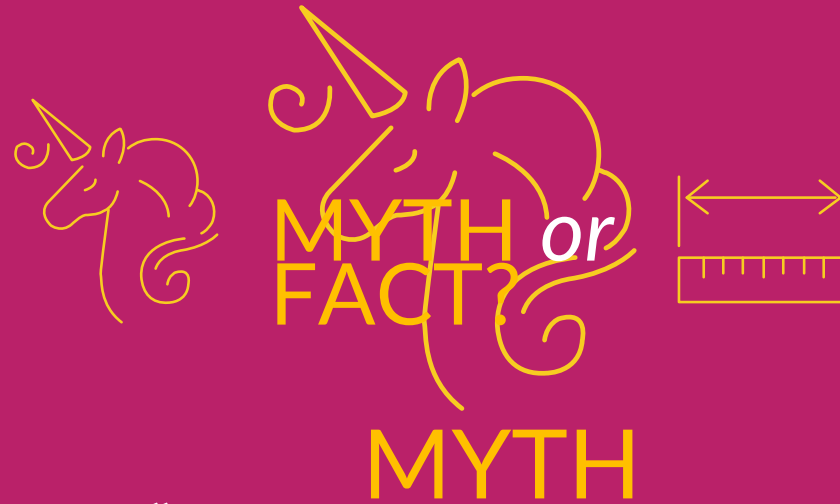


## A SOBERING PICTURE OF ABUSE

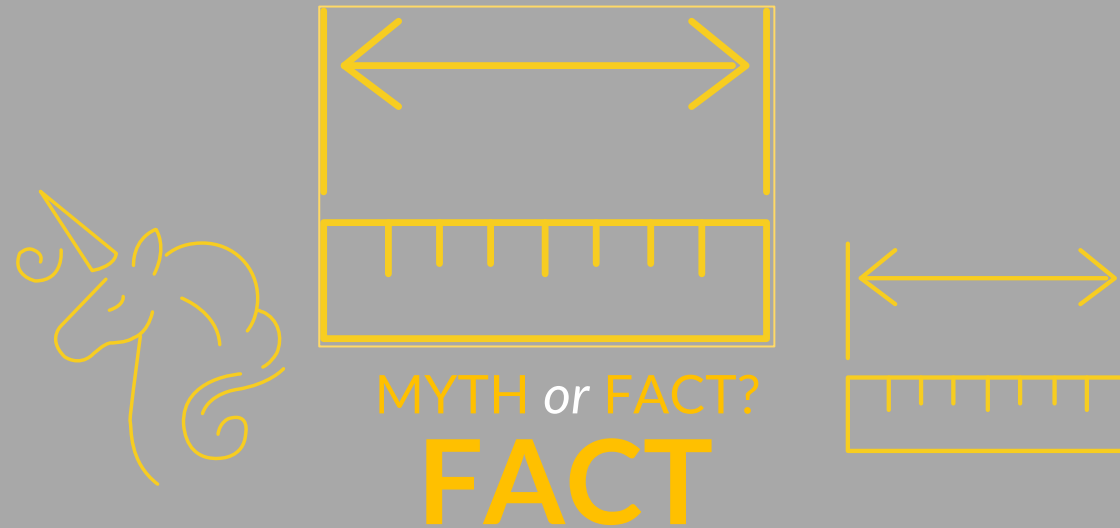


**Centers for Disease Control reports**  
**1 in 4 girls are victims of sexual abuse and molestation**  
**before the age of 18 years old.**





Since “Stranger Danger” is responsible for over 90% of child sexual abuse cases, it is imperative that prevention efforts focus on teaching students how to protect themselves from unsafe situations where they are known or trusted by families of targeted victims and over 40% of abuse incidents are youth to youth.



Children with disabilities are two to three times more likely than children without disabilities to experience abuse. Many children with disabilities are more vulnerable to abuse, which makes boundary policies and protections even more critical in youth serving environments.

# Why CSA Prevention in Schools and Public Agencies?

*Public Relations, Safety and Fiscal Imperatives....*

- **Credibility as a “Model of Safety”**
  - Program enrollment, recruitment and retention
  - Increased outcomes and achievement correlates to sense of safety
  - Nurtures productive, positive, accountable program environment
  - Mandated Reporter compliance etc.
- **Most sexual abuse can be prevented, program provides pragmatic deterrent**
  - Child well-being, prevents lifelong trauma
  - Children have a right to expect a safe environment (parent expectations)
- **Reduced deductibles & legal defense costs, nuclear awards**
  - Prevents diverting funds allocated for program needs to fund claims
  - Maximizing financial funds for program priorities and programmatic supports from ASCIP



## Group Share:



- 1) What safeguards or strategies have you implemented around childhood sexual assault prevention?
- 2) What strategies do you believe are the most effective in CSA prevention?
- 3) What concerns or struggles are impacting agencies in CSA?

# Two Prevention Targets: Systematic Change and Direct Education

## Childhood Anti-Assault & Response Education (CAARE)

- Customized CAARE Action Plan for each member
- Safeguards and strategies targeting CSA prevention
- Incident support & recovery
- Vetted partners, services and trainings

## KnowGO Campaign

- Know what is ok or not ok by how you feel
- GO to a safe place + a safe person you trust
- Curriculum is hosted on digital portal-“click on link”
- Engaging, vibrant, age-appropriate, and data-driven

# Four Pillars of CSA Prevention

- Agency Culture/Norms/Values
- Training/Screening
- Incident Protocols for Identification and Response
- Incident Support and Recovery





# Agency Culture

- Assess/survey agency for CSA prevention practices, procedures, and protocols
- Establish a district-wide policy for Professional Boundaries
- Engage in a CSA educational awareness campaign/curriculum
- Engage in a CSA educational awareness campaign/curriculum Provide updated CSA Guidelines, ensure message is frequent, strong and accessible
- Assessing physical environments for CSA risk, i.e.; keeping windows clear, removing inappropriate furniture
- Clear messages prioritizing the safety of children that start from the onboarding process



# Training/Screening

- Access additional clearinghouses for all employee background checks-go beyond DOJ
- Implement systems to monitor employee access and ongoing clearances
- Training for staff at all levels for CSA prevention and Professional Boundaries policy
- Specialized trainings for specific classifications and scope of work
- Training, resources and outreach for stakeholders engaging with your clients/children
  - What are the expectations for vendors, consultants, volunteers?



# Incident Identification

- Support/enhance agency reporting mechanisms for abuse or concerns (include anonymous processes)
- Refine agency protocols for response to reports of CSA or boundary violations
- Establish CSA Advisory Committee: Human Resources, Risk Management, other departments responsible for direct services
- Request assistance with investigations & Human Resources consultation





# Incident Response & Recovery

- Develop a plan for a CSA Response Team
  - This includes Legal/Claims + Human Resources+ Public Relations + Crisis Response for impacted victims and community
- Identify and provide community linkages to restorative, crisis supports & counseling resources for victim(s), cover costs for services
- Establish a seamless referral system between Human Resources, Risk Management and other departments to ensure timely coordination of support and counseling for potential victims and families
- Responses need to be timely and compassionate- Who will be the voice/link/agency representative to the family?



Customized Action Planning + collaborative  
process + leadership from different  
programs/departments = effective prevention

 <b>Proposed CAARE CHAMPION ACTION PLAN</b> Moreland School District (MSD)	
Interchangeable Menu of Strategies & Safeguards	Tentative Timelines
Establish BP 5131, 42 on professional boundaries	Fall 2021 complete
Include NASDTEC ( <i>National Association of State Directors of Teacher Education and Certification</i> ) for all certificated employee background checks	May 2022 complete
Implement reporting mechanisms for students to report assault or concerns	January 2022
Human Resources Hotline	July 2020 complete
Administer training on child sexual assault prevention	December 2021 complete
CSA ( <i>Child Sexual Assault</i> ) prevention training for human resources teams	July 7, 2021 complete
Implement LMS mid-year refresher training	January 2022 ongoing
On-boarding packet for new employees on professional boundaries	October 2022
Implement age appropriate <b>KnowGO</b> or other student curriculums/training	
Teacher Training (1 hour)	
Parent Training (1 hour)	
Implementation pre-winter break week or at school's preference	
5 sessions in each classroom	

**Customized Action Plan**  
 Created for Individual Agency  
 Collaboration • Policies • Assessment  
 • Services • Trainings



# Additional Strategies

- Human Resources is first line of defense
- Customized strategies to address challenges faced by different departments
- Trainings relevant to scope of work of employees
- Build on strengths, mitigate weaknesses for comprehensive approach
- Clear and concise messaging: continuous reinforcement



## TEMPLATE: ADULT-STUDENT PROFESSIONAL BOUNDARIES (ETHICS) POLICY

BP 5141.42 (Students)  
or  
BP 4119.21 (Personnel)

**Editorial note:** Most abuse prevention policies tell bad people not to do bad things. This policy is different. It focuses on the "grooming" behaviors that often lead to abuse, and makes everyone accountable to report boundary violations regardless of whether they have reasonable suspicion that abuse has occurred. Our goal is to prevent the abuse before it happens by making the educational environment uncomfortable for those that would do children harm; and in doing so, protect innocent adults from being falsely accused.

 <b>CAARE TRAINING CALENDAR 2022- 2023</b> Training Links will be available on the ASCIP Calendar: Click link: <a href="https://ascip.org/calendar/">https://ascip.org/calendar/</a> For more information: Email Heidi Cisneros: <a href="mailto:Cisneros@ascip.org">Cisneros@ascip.org</a> or call 562.215.6690				
Date	Title	Purpose/ Target Audience	Presenters	Webinar Description
	CSA and Title IX Investigations: Aligning District and Law Enforcement Mandates	Members have requested assistance with investigations.	Kristine Kwong, Partner Musick, Peeler & Garrett LLP  P.J. Guida, Projects Director, Knowledge Saves Lives KSL	Aligning educational and law enforcement mandates during Title IX investigations can be challenging. Title IX and law enforcement experts have partnered to present strategies and protocols to support effective and thorough investigation your districts. A panel will focus on members to analyze procedural processes relative to discipline, crime investigations and arrests that may occur on school campus. The aim is to encourage and advance discussions in district about the role of law enforcement personnel on such

INTERVIEW/ORIENTATION PACK

PROFESSIONAL BOUNDARIES

EMPLOYEE

The Governing Board expects adults, to maintain ethical standards in their interaction with students are required to maintain an atmosphere conducive to discipline and establishing professional boundaries.

The interactions and relationships between district be based upon mutual respect and trust, and adhere to professional boundaries. Relationships between consistent with the educational mission of the school of students.

District adults will not intrude on a student's privacy unless the intrusion is necessary to serve a legitimate purpose of this policy, the term "legitimate educational purposes or communications related to teaching, administration, or other purposes within the school duties."

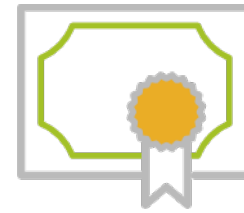
**Definition:** A Boundary violation is an act or omission by a district employee or volunteer who do not have a legitimate educational purpose to abuse the adult/student relationship.

A

Please write a brief statement of the term "legitimate educational purpose."

## Recognition of Your “CSA Prevention” Champions:

- Successful implementation
- Individuals or departments
- Innovation in developing safeguards
- Provides marketing and messaging opportunity







# Jury Awards: What have we learned?



- Awards escalate when juries sense the agency/district had limited to no preventative actions, policies or protocols
- Awards escalate when juries sense a lack of integrity in the response and management of an incident
- Reptile Theory
- Award amounts significantly escalate when juries believe offender was enabled or protected

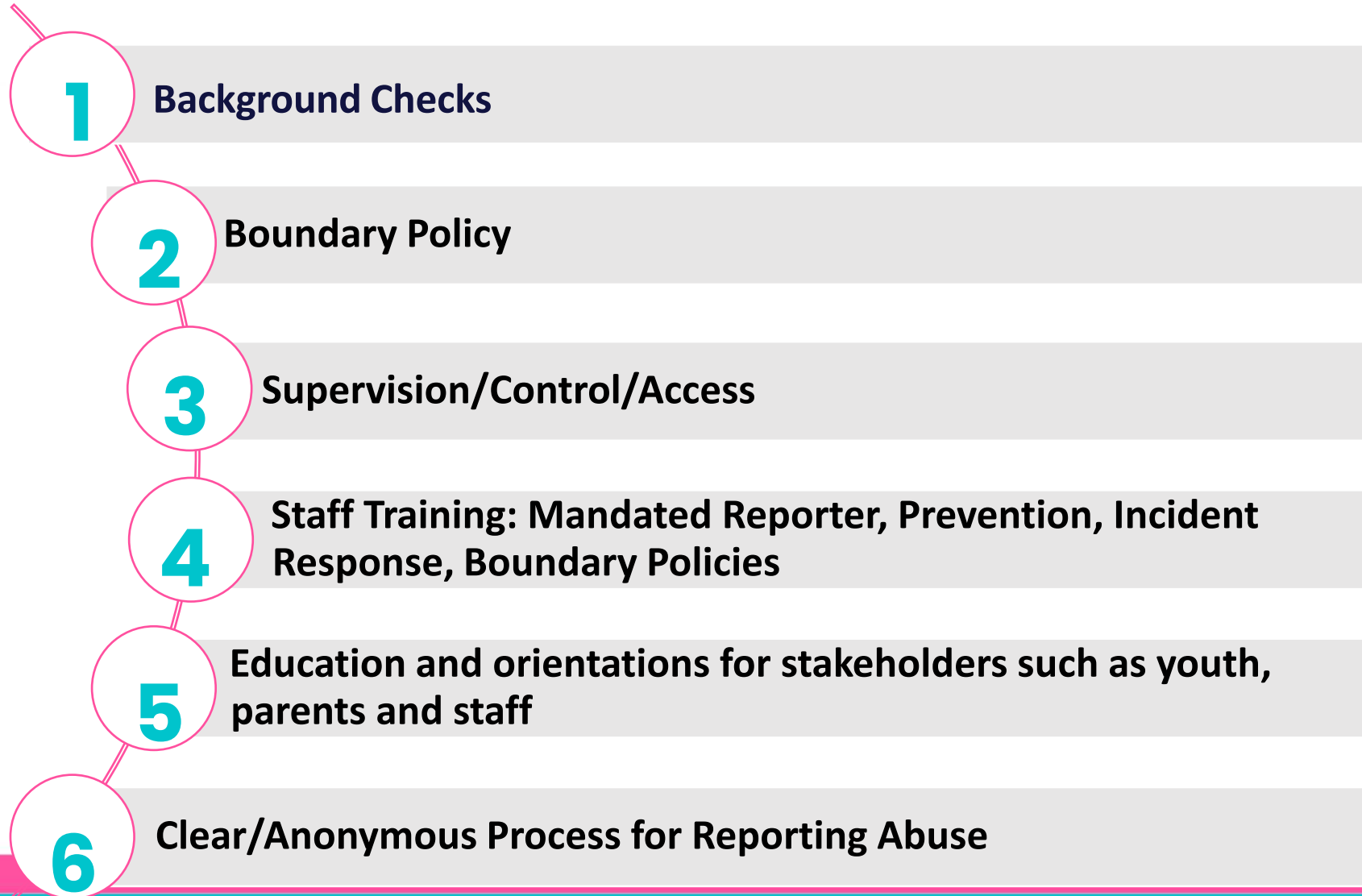




# Factors to Consider Between Settling and Trial

- What is demand? Is it fair or realistic?
- Level of jury sympathy
- Venue: trends, patterns, norms
- What message does settling “this specific type” of case send?
- Witness inconsistencies, believability, integrity

# Risk Management: Baseline



# Reflection: AB218

- Reviewing/defining AB218
- What is the status of this bill?
- How will agencies/districts be impacted moving forward?
- What have we learned from data?



## ○ Trends: According to CHILDDUSA as of 2023....

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- 50 jurisdictions (44 states) have no SOL: for some or all CSA crimes (not CA)
- 18 jurisdictions (15 states) No civil SOL for some or all CSA claims (not CA)
- 27 jurisdictions (24 states) have revival or window law or allow for expired civil claims (includes CA)



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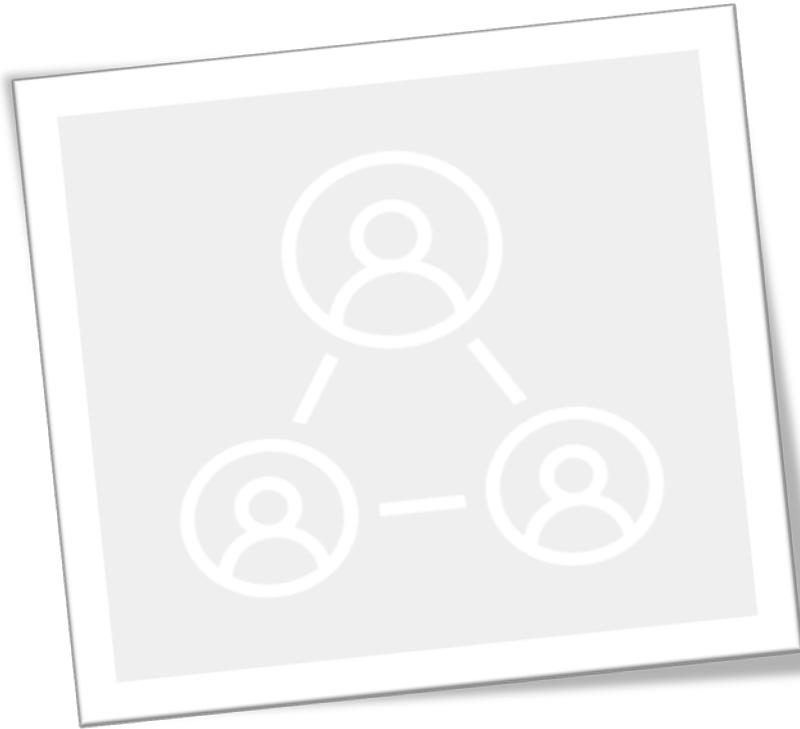
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# Audience Questions & Sharing

# Prevention is a win/win for all.



**For more information :**

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Thank you for joining  
the effort to prevent  
Child Sexual Assault  
and ensuring children's  
safety.

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