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

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

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

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

(1) Protocol for the school’s response to an allegation of child sexual abuse committed by a member of the staff, including the mandated reporting requirements as described in § 4–1321.02 and § 22–3020.52;
(2) Protocol for informing the school community about the investigation or allegation while maintaining appropriate integrity of the investigation and confidentiality of those involved;

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

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

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

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

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

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

(2) Age-appropriate, evidence-informed, and culturally responsive instruction for students in each grade level served by the school regarding recognizing and reporting child sexual abuse, appropriate body boundaries and privacy rules, how to communicate concerns about body boundaries or privacy violations to trusted adults, and other appropriate topics; and
(3) Information and training for parents including reporting child sexual abuse, receiving child sexual abuse disclosures in a supportive, appropriate, and trauma-informed manner, child sexual abuse prevention, warning signs, and effects, effective, age-appropriate methods for discussing the topic of child sexual abuse, and school and community resources available to assist with prevention and response to child sexual abuse.

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

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

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

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

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

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

(1) Conducting criminal background checks;

(2) Contacting all former employers to identify any sexual misconduct allegations that did not result in a criminal conviction;
(3) Cross-referencing the child abuse and neglect registry of any state or jurisdiction where the individual has lived or worked; and

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

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

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

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

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

Sec. 4. Fiscal impact statement.


Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as
provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(1)), and publication in the District of Columbia Register.