

# **Board Policy**

## **Prevention of Sexual Misconduct and Abuse in Schools**

BP 5141.41

### **Students**

Responsibility for protecting students from sexual misconduct and abuse is shared by the Governing Board, Superintendent, administrators, teachers, and other district employees, school volunteers, parents, state agencies, and law enforcement. The district has developed Guidelines for the Prevention of Sexual Misconduct and Abuse in Schools to help our schools deter misconduct, provide accountability, and establish clear and reasonable boundaries for interactions among students and teachers, other district employees, and adult volunteers.

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to student sexual abuse. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected sexual abuse.

The Superintendent or designee may provide a student who is a victim of sexual abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

### **Student Sexual Abuse Prevention**

The district's instructional program may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The Superintendent or designee shall provide training regarding appropriate employee relationships and boundaries with students that will promote a positive environment while protecting students and employees.

### **Child Abuse Reporting**

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect, including but not limited to child sexual abuse.

### **Legal Reference:**

#### **EDUCATION CODE**

32280-32288 Comprehensive school safety plans

33195 Heritage schools, mandated reporters

33308.1 Guidelines on procedure for filing child abuse complaints

44252 Teacher credentialing

44691 Staff development in the detection of child abuse and neglect

44807 Duty concerning conduct of students  
48906 Notification when student released to peace officer  
48987 Dissemination of reporting guidelines to parents  
49001 Prohibition of corporal punishment  
51900.6 Sexual abuse and sexual assault awareness and prevention

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act  
273a Willful cruelty or unjustifiable punishment of child; endangering life or health  
288 Definition of lewd or lascivious act requiring reporting  
11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form:

[http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf)

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss/ap>

California Department of Social Services, Children and Family Services Division:

<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, Child Welfare Information Gateway:

<https://www.childwelfare.gov/can>