| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
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 **Agenda Item: E**

**Date: March 18, 2021**

# Title: Final Review of Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines

**Presenter: Dr. Samantha Hollins, Assistant Superintendent of Special Education and Student Services**

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## Purpose of Presentation:

Action required by Board of Education regulation.

Executive Summary:
At its January 28, 2021, business meeting, the Board of Education accepted first review of an update to the *Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines*. These guidelines were last approved in 2003 in compliance with § [22.1-298.1](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-298.1/) of the *Code of Virginia.* The legislation requires persons seeking initial licensure as teachers and persons seeking licensure renewal as teachers for the first time to complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Board in consultation with the Department of Social Services.

Revisions to the *Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines* are proposed to reflect amendments to Virginia legislation ([HB 2597](https://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+HB2597) (2019), [SB 1661](https://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+SB1661) (2019), [SB 706](https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB706) (2020), [HB 1242](https://lis.virginia.gov/cgi-bin/legp604.exe?081+sum+HB1242) (2008), [HB 2193](https://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2193) (2013), [SB 1117](https://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1117) (2018), [SB 184](https://lis.virginia.gov/cgi-bin/legp604.exe?181+sum+SB184) (2018), [HB 150](https://lis.virginia.gov/cgi-bin/legp604.exe?181+sum+HB150) (2018)) and to align with current terminologies and best practices. Specifically, the proposed revisions include reorganization of learning objectives for clarity purposes, updating types of child abuse and types of responses to include human trafficking, and aligning with systems of care and trauma-informed strategies for social services interventions. The *Child Abuse Recognition and Intervention Training Curriculum Guidelines* meet the Board of Education’s Comprehensive Plan to actively foster equitable, supportive, and safe academic, disciplinary, and physical environments, and support and promote wrap-around services and mental and physical wellness and intervention programs to increase opportunities for all students to achieve (Goal 1).

## Action Requested:

Final review: Action requested at this meeting.

Superintendent’s Recommendation:
The Superintendent of Public Instruction recommends that the Board of Education approve the revisions to the *Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines*.

## Rationale for Action:

By adopting the revised *Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines*, the Board of Education will provide essential guidance for the training of licensed school personnel in recognizing and reporting child abuse or neglect. The revisions were necessitated by amendments in applicable legislations and reflect current best practices in child abuse or neglect interventions.

## Previous Review or Action:

Previous review and action. Specify date and action taken below:

Date: January 28, 2021

Action: First Review

Background Information and Statutory Authority:
The 2002 Virginia General Assembly amended and enacted § [22.1-298.1](https://law.lis.virginia.gov/vacode/title22.1/chapter15/section22.1-298.1/) of the *Code of Virginia*. This legislation requires persons seeking initial licensure as teachers and persons seeking licensure renewal as teachers for the first time to complete study in child abuse recognition and intervention in accordance with curriculum guidelines developed by the Virginia Board of Education in consultation with the Virginia Department of Social Services. The Virginia Board of Education approved the *Child Abuse and Neglect Recognition and Intervention Training Curriculum Guidelines* in 2003.

Since 2003, there have been several amendments to legislation regarding child abuse and neglect. These amendments to § [63.2-1506.1](http://law.lis.virginia.gov/vacode/63.2-1506.1) ([HB 2597](https://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+HB2597) (2019), [SB 1661](https://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+SB1661) (2019), and [SB 706](https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB706) (2020)) pertain to human trafficking assessments by local department of social services and include:

* *If a report or complaint is based upon information and allegations that a child is a victim of sex trafficking or severe forms of trafficking as defined in the federal Trafficking Victims Protection Act of 2000 (22 U.S.C. § 7102 et seq.) and in the federal Justice for Victims of Trafficking Act of 2015 (P.L. 114-22), the local department shall conduct a human trafficking assessment, unless at any time during the human trafficking assessment the local department determines that an investigation or family assessment is required pursuant to §*[*63.2-1505*](https://law.lis.virginia.gov/vacode/63.2-1505/)*or*[*63.2-1506*](https://law.lis.virginia.gov/vacode/63.2-1506/)*.*

Additionally, amendments to § [63.2-1505](http://law.lis.virginia.gov/vacode/63.2-1505), [HB 1242](https://lis.virginia.gov/cgi-bin/legp604.exe?081+sum+HB1242) (2008), [HB 2193](https://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2193) (2013), [SB 1117](https://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1117) (2018), [SB 184](https://lis.virginia.gov/cgi-bin/legp604.exe?181+sum+SB184) (2018), [HB 150](https://lis.virginia.gov/cgi-bin/legp604.exe?181+sum+HB150) (2018) pertain to complaints against school personnel and include:

* *In addition, where the applicant has resided in another state within the last five years, the school board shall require as a condition of employment that such applicant provide written consent and the necessary personal information for the school board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The school board shall take reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. Such reasonable steps shall include, but not be limited to, contacting any central child abuse and neglect registry maintained by the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states for use by local school boards.*
* *A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to §*[***63.2-1505***](http://law.lis.virginia.gov/vacode/63.2-1505)*, and after all rights to an appeal provided by §*[***63.2-1526***](http://law.lis.virginia.gov/vacode/63.2-1526)*have been exhausted. The fact of such finding, after all rights to an appeal provided by §*[***63.2-1526***](http://law.lis.virginia.gov/vacode/63.2-1526)*have been exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person's license to teach.*
* *In cases in which the subject of the investigation is a full-time, part-time, permanent, or temporary employee of a school division who is suspected of abusing or neglecting a child in the course of his educational employment, the time period for determining whether a report is founded or unfounded and transmitting a report to that effect to the Department and the person who is the subject of the investigation shall be mandatory, and every local department shall make the required determination and report within the specified time period without delay*;
* *If a report of child abuse and neglect is founded, and the subject of the report is or was at the time of the investigation or the conduct that led to the report a full-time, part-time, permanent, or temporary employee of a school division located within the Commonwealth, notify the relevant school board of the founded complaint without delay.*

The proposed revisions to the *Guidelines* include updates to reflect these changes to legislation, reorganization of learning objectives for clarity purposes, and alignment with current terminologies and best practices to reflect trauma-informed practices and systems of care approaches in social services interventions.

The Virginia Department of Education included in the development of the proposed revisions to the *Guidelines* stakeholders that included school-based personnel representing diverse Superintendent’s Regions, the Virginia Department of Social Services, specialists from the Virginia Department of Education, and a representative of an agency providing training to family support professionals.

The Virginia Department of Social Services provides a free child abuse recognition and intervention online course for educators that meets the requirements of the Board of Education’s approved guidelines. Last updated in 2018, this course already meets many of the new requirements in the proposed training guidelines. As a partner in the development of these proposed guidelines, the Department of Social Services (DSS) is currently working on updating the course to fully comply with all new requirements. Additionally, [*A Guide for Mandated Reporters In Recognizing and Reporting Child Abuse and Neglect*](https://www.dss.virginia.gov/files/division/dfs/mandated_reporters/cps/resources_guidance/032-02-0280-03-eng-07-19.pdf), available on the DSS website, has been updated and is aligned with the new requirements.

Timetable for Further Review/Action:
Upon Board approval and any technical or editorial edits by Department staff, the document will be posted in Town Hall pursuant to the requirements of the Administrative Process Act, and posted on the Virginia Department of Education website.

## Impact on Fiscal and Human Resources:

Any costs associated with the development and dissemination of the document will be provided by the Virginia Department of Education funds according to state procurement policies and procedures and will be absorbed within existing resources.