

ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT

Resolution No. 25-22/23

**REAFFIRMING THE CRITICAL ROLE OF SCHOOL PERSONNEL
AS MANDATED REPORTERS IN THE SAFETY
AND WELL BEING OF ALUM ROCK STUDENTS**

WHEREAS, the safety of students and staff is the District's highest priority;

WHEREAS, Board of Trustees and all school personnel in the Alum Rock Union School District value above all else the emotional, psychological, and physical safety of each and every student; and

WHEREAS, school personnel play a key role in identifying and helping vulnerable or abused children; and

WHEREAS, children spend most of their day in school, where school personnel have regular contact with them, and therefore, the ability to observe changes in appearance and behavior that others may not as readily notice; and

WHEREAS, school personnel individually may be a source of support and care for many children and may therefore be a trusted adult to whom a child confides in about abuse and neglect; and

WHEREAS, being abused or neglected as a child can be linked to physiological, emotional, and behavioral issues immediately after the abuse, as well as later in life; and

WHEREAS, child abuse and neglect can affect future generations through intergenerational trauma resulting in a cycle of damage and distress to our Alum Rock community; and

WHEREAS, every employee of the District whose duties require direct contact with and/or supervision of children are Mandated Reporters in the State of California; and

WHEREAS, California state law requires that school districts provide annual training to employees on mandated reporting responsibilities; and

WHEREAS, the District provides annual training to employees on mandated reporting responsibilities; and

WHEREAS, under the mandated reporting laws any Mandated Reporter who, within the scope of their employment, gains knowledge of or observes a child whom they reasonably suspect is the victim of child abuse or neglect shall immediately, or as

soon as is practicably possible, report said abuse or neglect to the San José Police Department or Santa Clara County Sheriff's Department or the county welfare department (Santa Clara County Department of Family and Children's Services (formerly known as "Child Protective Services" or "CPS")) or other designated local agency; and

WHEREAS, 'reasonable suspicion' does not require certainty that child abuse or neglect has occurred, as any 'reasonable suspicion' is sufficient and

WHEREAS, a mandated reporter is not to conduct an investigation or collect evidence before making a report and

WHEREAS, depending on the assessment of a trained social work or law enforcement professional, a report to DFCS may not necessarily trigger an immediate investigation by DFCS but may ultimately be critical evidence in establishing a record of abuse or neglect involving a child; and

WHEREAS, per Assembly Bill 2085 which was signed into law on September 29, 2022, the State's mandated reporting laws were amended to define general neglect to only include circumstances where the child is at substantial risk of suffering serious physical harm or illness, and would provide that general neglect does not include a parent's economic disadvantage; and

WHEREAS, failure to report as a mandated reporter is a misdemeanor crime punishable by up to six (6) months in jail and/or up to a \$1000 fine; and

WHEREAS, the Board of Trustees finds that it is necessary and appropriate at this time to redouble its efforts to provide training and awareness surrounding mandated reporting requirements and the subjects of child abuse and neglect.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees reaffirms its commitment to making student safety its highest priority and to creating and maintaining safe school sites and to providing the training essential to establishing and maintaining a safe learning environment for all students;

NOW, THEREFORE, BE IT FURTHER RESOLVED the District shall annually, within the first 2 months of the start of the school year, facilitate the following:

- Encourage all District staff to attend annual mandated reporter training in-person
- Distribute an Advisory to all school personnel reminding them of their responsibilities as mandated reporters
- Provide parents of the District with information regarding child abuse and neglect, and access to mandated reporter training (<https://mandatedreporterca.com/training/general-training>)
- Verify that all mandated reporters in the District are compliant with annual mandated reporter training

- Verify the presence of graphics/posters in all teachers lounges and or school personnel common areas reminding of mandated reporter responsibilities, reporting protocols, and a copy of this resolution
- Provide links to child abuse prevention videos and resources to school personnel

PASSED AND ADOPTED this 15th day of December, 2022, at a regular meeting by the following vote:

AYES_____ NOES_____ ABSTAIN_____ ABSENT_____

Andres Quintero, Board Member _____

Minh Pham, Board Member _____

Corina Herrera-Loera, Board Member _____

Ernesto Bejarano, Board Member _____

Linda Chavez, Board Member _____