



FREE AB 1432 Mandated Reporter Training Option Now Available in the SELF Resource Center

In partnership with Making Right Choices and one of our member JPAs, the Alliance of Schools for Cooperative Insurance Programs, SELF is pleased to provide the mandatory AB 1432 Mandated Child Abuse Reporter Training to all active members at no cost via the SELF Resource Center.

Effective January 1, 2015, all California school districts, county offices of education, charter schools and their school personnel are required to train mandated reporters on their child abuse reporting obligations under Assembly Bill 1432, signed by Governor Jerry Brown on September 29, 2014.

The above mentioned agencies must do all of the following:

- Annually train employees and persons working on their behalf who are mandated reporters under the Child Abuse and Neglect Reporting Act (CANRA) on their abuse and neglect reporting requirements;
- Train new employees and person working on their behalf who are mandated reporters within six weeks of each person's employment;
- Develop a process for all persons required to receive training under the law to provide proof of completing this training within the first six weeks of each school year or within six weeks of that person's employments.

The 35-minute online training module can be accessed by individual employees who are new users to the Resource Center. It will be automatically assigned to them when they create their account at the following link: <https://www.in2vate.com/self/>. They need only select their organization from the drop-down menu and follow the instructions from there.

Or if the member district/agency already has an administrator for the Resource Center for its staff, that administrator can assign the training to all staff members as needed. If you are listed as the site administrator for the SELF Resource Center for your district/charter school/agency and you would like assistance with assigning this free, mandated reporter training to your employees, please contact the in2vate helpdesk at 800-205-5262 and they will walk you through the process. In2vate is our risk management provider for the Resource Center.

If your district has never utilized the SELF Resource Center and you would like to get access so that you can assign training to your employees, please contact the in2vate helpdesk to set that up as well.

Once the training has been completed, the employee can print out a certificate of completion or if you have assigned the training as the administrator you can print out a report of all the employees who have completed the training.

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Conferences & Events

SEPTEMBER

CAJPA Fall Conference

South Lake Tahoe

Sept. 15-18, 2015

SELF Member Forum

Locations: North - Sacramento & San Jose

South - San Diego, San Bernardino

& Cerritos (or by Webinar)

Sept. 30, 2015; 10 am

OCTOBER

ACBO Fall Conference

Redondo Beach

October 26-28

NOVEMBER

ACSA Conference

Sacramento

November 5-7

New Legislation Review Webinar

By School Services/ASCIP/SELF

November 10; 10 am

About Us

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Our Mission

SELF is a member-owned, statewide partnership of public educational agencies providing quality pooled programs for excess coverage that benefit our students.

By the Numbers

SELF is the leading statewide excess liability provider for California's public schools and colleges, serving nearly 3 million students.

SELF Awareness

Comments should be sent to the above address or info@selfjpa.org.

Board

Area II Adam Hillman

Area III Richard Hare

Area IV George Linn

Area V Cathy Reineke

Dave George

Area VI Nancy Anderson

Diane Crosier

Renee Hendrick

Tony Nahale

Toan Nguyen

Karla Rhay

Community Colleges

Michael Gregoryk, John Didion,

Teresa Scott, Kevin McElroy

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We hope that our members will find this additional resource valuable and take advantage of the other training and resources available at no cost within the SELF Resource Center. The center provides online training for a variety of topics including bullying prevention, sexual abuse prevention and the mandated AB 1825 Sexual Harassment Prevention Training and houses recordings of many of SELF's Good Schools Workshop webinars.

If you would like more information on how you can better utilize this valuable tool, please contact Director of Communications & Member Services Lois Gormley at 916-553-3203 or lois@selfpa.org.



Legislative Update

Legislature Return to a Frenzy of Work

School Services of California, Inc.

With the Legislature out on Summer Recess, activity in Sacramento lulled significantly. However, that came to an end with the return of lawmakers on August 17, facing a flurry of legislative deadlines to get bills to Governor Jerry Brown before midnight on September

11—giving them just under a month to complete their work.

Many key education bills will face the scrutiny of the Senate and Assembly fiscal committees. Among these bills are Assembly Bill (AB) 141 (Bonilla, D-Concord), which prohibits a local educational agency (LEA) from charging a fee to a beginning teacher for an induction program; AB 292 (Santiago, D-Los Angeles) requiring LEAs to provide at least 20 minutes for students to eat after being served lunch; and AB 713 (Weber, D-San Diego), which would require, beginning with the 2017-18 school year, every child to complete one year of kindergarten before being admitted into first grade.

Additionally, education advocates are vigilantly watching for signs of last-minute maneuvers to push controversial policy initiatives through the end-of-session frenzy. Of particular interest this year are efforts to reform California's teacher evaluation system by repealing the Stull Act and replacing it with a best practice evaluation system based on accepted teaching profession standards, but that must be locally negotiated.

KMTG Legal Alert

Governor Signs SB 277, Eliminates Personal Belief Exemption from Immunization Requirement



SB 277 was signed into law by Governor Brown on June 30, 2015, and will take effect on January 1, 2016. SB 277 eliminates the personal belief exemption from the immunization requirement, but preserves the medical exemption.

Specifically, SB 277 prohibits the governing authority of a public or private school (including public or private elementary or secondary schools, day care centers/nursery schools, family care homes, and child development centers) (a "School") from unconditionally enrolling students who have established a personal belief exemption from immunizations.

As of January 1, 2016, children entering school will be required to show proof of the following ten immunizations: Diphtheria; Hepatitis B, Influenza Type B; Measles; Mumps; Pertussis (Whooping Cough); Polio; Rubella; Tetanus Hepatitis B; and Varicella (Chickenpox).

However, a child who has a personal belief exemption on file with the school before January 1, 2016, can remain unconditionally enrolled without the required immunizations until the child enrolls in the next grade span. A grade span means: birth to preschool, transitional kindergarten/kindergarten through grade 6; and grades 7 to 12, meaning that immunization "checkpoints" occur in kindergarten and 7th grade. So for example, if a currently enrolled kindergartener has a personal belief exemption on file before January 1, 2016, that child could remain enrolled without required vaccinations up until the next "checkpoint" when he/she enters 7th grade. At that next "checkpoint," the child will be required to have the necessary immunizations.

Moreover, after July 1, 2016, (1) a child could not be admitted to school for the first time until he/she obtained the specified immunizations and (2) a child could not be advanced to the 7th grade until the specified immunizations were obtained.

However, SB 277 exempts the following from the immunization requirements:

- Children enrolled in home-based private schools and students in independent study programs who do not receive classroom-based instruction.
- Children who are exempted from the required vaccinations for medical reasons. This exemption requires a written statement by a licensed physician that immunization is not safe for the child, and must indicate

the specific nature and probable duration of the medical condition or circumstances, included, but not limited to, family medical history.

SB 277 states a school district must permit special education students to access any special education and related services required by the student's IEP in those cases where the student does not have current immunizations.

In his signing message, Governor Brown stated "SB 277, while requiring that school children be vaccinated, explicitly provides an exception when a physician believes that circumstances—in the judgment and sound discretion of the physician—so warrant."

SB 227 also amends Health and Safety Code section 120375 to require the governing authority of a School to do the following:

1. Prohibit the further attendance of any non-exempted student who fails to obtain the required immunizations by January 1, 2016, until such time as the child has obtained the required immunizations.
2. File a written report on the immunization status of all new entrants to the School with the California Department of Education and local health department.
3. Cooperate with the county health officer in carrying out programs for immunization of children applying for admission. The governing authority may use funds, property, and personnel for that purpose, and may permit any licensed physician and qualified Registered Nurse to administer immunizations to children seeking admission.

What This Means To You

Districts need to advise parents of the new immunization requirements imposed by SB 277. As of January 1, 2016, Districts will need to prohibit attendance of non-exempted students who are not currently immunized. After July 1, 2016, Districts will need to prohibit admittance of a non-immunized student for the first time and cannot advance a student to the 7th grade unless the specified immunizations are obtained.

Districts also will need to determine how to address students who do not have current immunizations and that receive special education services, since these students cannot be prohibited from accessing special education and related services required by his/her IEP.

Questions

If you have any questions concerning this Legal Alert, please contact the following from KMTG, or the attorney with whom you normally consult:

Meghan Covert Russell or Diane Beall | 916.321.4500

Optional Excess Coverage Participation Skyrockets

More and more districts and JPAs are opting to secure higher limits beyond what is offered in the core Excess Liability Program. With the start of the 2015/16 program year, nearly 80 percent of the SELF membership is taking the additional coverage, up from about only 14 percent in 2013/14.

The surge in participation in the OEL can be attributed to the attractive pricing in that layer—currently only \$0.95 per ADA for K-12 and charter school members and a mere \$0.68 per FTES for community college members, and active education efforts by staff at SELF and its underlying JPAs.

Recent high profile incidents have also caused members to reassess their maximum limit needs. The unprecedented \$139 million Los Angeles Unified School District settlement on a multiple plaintiff sexual molestation case and the 2014 bush crash on Interstate 5 in Northern California killing five and injuring 30 are just two of the recent events to hit the news. Add to that new risks on the horizon—such as concussion lawsuit cases and the continually upward trend in jury verdicts and settlement awards—and most members agree that the additional limits are a valuable benefit of SELF membership.

But the optional limits are not a new benefit. SELF has been offering additional optional limits since 1989, recognizing even then that some districts may want the ability to augment their core layer coverage. Over the years, while the structure of the coverage and the limits available have changed—the premise has not. The limits are always optional and always affordable.

Members can add the coverage individually or a JPA can purchase the limits for all its members as a JPA Master Member. To apply individually, a district need only fill out and sign to application. To apply as a JPA Master member, a JPA Board resolution to add the coverage and a membership roster are required in addition to the signed application.

The additional coverage can be added at any time of year by. To start the process for adding the coverage, fill out the one page application at <http://www.selfjpa.org/programs/OELPAPP.pdf>

To get a quote or, if your district is interested in purchasing higher limits that what is currently being offered in the OEL, contact Director of Communications & Member Services Lois Gormley at **916-553-3203** or lois@selfjpa.org.

SELF Esteem

Congratulations to **Dave George**, Executive Director, Risk Management for **San Francisco Unified School District** and SELF Board Representative for Area V, who was featured in the May issue of Risk & Insurance magazine.

The profile piece highlighted George's 11 year career in risk management and explored his thoughts on the future of risk management, what the industry is doing right and emerging concerns on the horizon, such as cyber security.

Congratulations to **Dr. Karla Rhay**, Chief Administrative Officer of **Southern California Schools Risk Management JPA** and SELF's Board Secretary and Area VI Representative, on her appointment to the California Fraud Assessment Commission. The appointment is made by the Governor and requires Senate confirmation.

The commission, which is comprised of seven individuals including representatives from organized labor, self-insured employers, insured employers, workers compensation

insurers and the president of the State Compensation Insurance Fund. The committee is charged with allocating funding to fraud prosecutors statewide.



Congratulations to the 373 high schools and middle schools honored under the state's new Gold Ribbon Schools Award Program. The Gold Ribbon awards recognize California schools that have made gains in implementing the academic content and performance standards adopted by the State Board of Education. These include the California Standards for English Language Arts and Mathematics, California English Language Development Standards and Next Generation Science Standards.



Schools Excess Liability Fund

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Toll-Free (866) 453-5300



SELF Office

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Failure To Report Sex With A Student Leads To Title IX Claim

*Courtesy: My Community Workplace for Education Library
Published April 14, 2015*

The mother of a high school girl sued her daughter's school district and several school administrators after police charged a former assistant principal at the school with sexual crimes against her 16-year-old daughter.

The mother claims the school district had a responsibility to report suspicions that the assistant principal was having sex with her daughter, even though an internal investigation concluded that he had not engaged in misconduct. The report, which led police to conclude that illegal conduct had occurred and to arrest the assistant principal, was received months after the school first became aware of the possible crime.

The lawsuit alleges the district allowed a hostile educational environment in violation of Title IX by subjecting her daughter to sexual harassment from the assistant principal that "interfered with her school performance and created an intimidating, hostile and offensive educational environment that severely affected her psychological well-being."

A federal judge dismissed several of the claims in the suit, but not the Title IX hostile educational environment claim. The school district has 21 days to file a response. The judge has denied two motions by the school district to dismiss the Title IX charge.

In a criminal case, the former assistant principal pleaded guilty to sex crime charges pertaining to his interactions with the girl.

Commentary and Checklist

In this case, the school district may have created a hostile educational environment by failing to notify law

enforcement of the possibility that a student was the victim of sexual harassment, even though the school's internal investigation determined there was no wrongdoing.

Title IX prohibits sexual discrimination in educational programs and activities receiving federal funding. According to the U.S. Department of Education, sexual harassment is a form of sexual discrimination prohibited by Title IX. Sexual harassment that is "sufficiently severe, persistent, or pervasive that it adversely affects a student's education or creates a hostile or abusive educational environment" is illegal under Title IX.

With charges of a serious nature, school employees should report the allegations to police so that law enforcement can investigate. Although schools should also carry out their own internal investigation, schools do not have the same resources as law enforcement, and therefore are unable to be as thorough as a police investigation. As a result, an internal investigation may not be as accurate as a police investigation, and schools that only conduct an internal investigation may be allowing a predator to continue victimizing students.

Failing to report charges to law enforcement puts the welfare of students at risk and is illegal, because school employees are mandatory reporters. This means they are legally required to report suspected child abuse to the police.

Related Links

For more information visit the U.S. Department of Education Office of Civil Rights Sexual Harassment Guidance page at: <http://www2.ed.gov/about/offices/list/ocr/docs/sexhar00.html>

Getting Started with SELF Resource Center

One of the benefits of SELF membership is access to the SELF Resource Center, a computer-based risk management resource that can be used to train your staff and learn about timely topics affecting school districts.

Logging in

- Please visit www.selfjpa.org.
- Click on “SELF Resource Center” under the Resources menu.
- In the user ID and password fields provided, enter your user ID and password and click the “Login” button.
- You may also visit www.in2vate.com/self to log in.
- If you have forgotten your user ID and/or password, please contact the in2vate Helpdesk at **800.205.5262** or helpdesk@in2vate.com.

Creating Your User ID and Password for the First Time

- Please visit www.selfjpa.org.
- Click on “SELF Resource Center” under the Resources Menu.
- In the left bottom corner, click the “Create My Account” link
- Using the drop down menu provided to the left, please find and click on your district or agency name, and then click the “Select” button. If your district name is not shown, contact the SELF office.
- Enter your first name, last name, email address, and a password (at least four characters long) and click the “Continue” button.
- On the following page the profile “Member-SASC” should be selected for you, please click the “Continue” button.
- Please make a note of your user ID and password for SELF Resource Center at this time.
- You may now log in, print your user account information, or exit the program by selecting the appropriate button.

- You may also visit www.in2vate.com/self to create a user account for the first time.
- **Please do not create more than one user account for yourself.** Please contact the helpdesk (**800.205.5262** or helpdesk@in2vate.com) if you have forgotten your user information or experience complications during the user registration process.



Accessing the Training on SELF Resource Center

- During the online user registration process you will be automatically assigned five training courses:
 - Smarter Adults—Safer Children: Preventing Child Sexual Abuse
 - Smarter Adults—Safer Children: Bullying Prevention (Cyberbullying now included!)
 - Smarter Adults—Safer Children: Technology Safety & Security
 - California Sexual Harassment Prevention (AB 1825) Training
 - FACTA Identity Theft “Red Flag” Regulatory Compliance Training
 - Mandated Reporter Training (AB 1432)
- Plus you may choose one “member choice” course from the in2vate catalogue.
- These training topics are accessed by clicking on the “My Training” tab at the top of the screen followed by clicking on the “Online Training Modules” link to the left.
- To access stored, recorded webinars, click on the “Webinars” link at left.