

**ORANGE COUNTY
BOARD OF EDUCATION**

AGENDA ITEM ABSTRACT

Meeting Date: September 9, 2013

AGENDA ITEM No. 13-09-08

ACTION: (Y/N) Y

SUBJECT: Orange County Rape Crisis Center Safe Touch Program Agreement

INFO. CONTACT: Dr. Denise Morton **PHONE:** 919-732-8126

ATTACHMENTS:

1. Orange County Rape Crisis Center – Safe Touch Program Memorandum of Agreement
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PURPOSE: To request the Board of Education approve the Orange County Rape Crisis Center Safe Touch Program Memorandum of Agreement.

BACKGROUND:

Orange County Rape Crisis Center in agreement with Orange County Schools provides students with safety curriculum topics related to Safe Touch according to their grade level. All seven elementary schools participate in this program. The topics that are covered are outlined below:

- **Pre-K** - "Your Body Belongs to You"
- **Kindergarten** - "You are a Special Person"
- **First Grade** - Safety and privacy rights
- **Second Grade** - "Someone to Talk To"
- **Third Grade** - "Yes You Can Say No"
- **Fourth Grade** - Internet safety and digital citizenship
- **Fifth Grade** - "Bullying"
- **Exceptional Children** - "Safe Touches Only"

FINANCIAL IMPACT: None

RECOMMENDATION: The Superintendent recommends the Board of Education approve the attached Orange County Rape Crisis Center Safe Touch Program Memorandum of Agreement.

**Memorandum of Agreement
Between
Orange County Schools
and
Orange County Rape Crisis Center**

2013-2014 School Year

The Memorandum of Agreement (MOA) between the Orange County Rape Crisis Center (OCRCC) and the Orange County Schools (OCS) has been written to provide understanding, give direction, and outline specific responsibilities regarding the Safe Touch Programs. It is reviewed by both parties, amended as necessary and renewed on an annual basis. This Agreement shall be effective from July 1, 2013 to June 30, 2014. OCS may terminate this MOA at any time at its complete discretion upon twenty (20) calendar days' notice in writing from the OCS to the OCRCC prior to the date of termination.

The OCS Director of College and Career Readiness will:

- annually in August, arrange for preliminary meeting between elementary counselors and OCRCC personnel.
- prepare and send letter of program notification to parent/guardian(s) in English and Spanish.
- review with counselors the purpose of personal safety program and reporting requirements.
- notify elementary principals of the personal safety programs and reporting requirements.
- provide information to principals, counselors and classroom teachers on expectations for teachers' and counselors' presence and participation during the sessions.
- annually (or more often as necessary) by June 30 review and update this agreement with OCRCC personnel.

OCS Elementary Counselors will:

- meet with OCRCC personnel in August to arrange district schedule for school participation.
- in collaboration with OCRCC staff, provide an opportunity for parents to preview materials used in the classroom.
- serve as school coordinator and contact person for OCRCC, which includes setting up class schedules and following up with any red flags¹ and disclosures² that occur during or after the programs.
- observe the OCS policies on abuse and neglect, bullying and cyberbullying (Policy #4240 "Child Abuse Reports and Investigations" and Policy #3532 "Prohibition Against Unlawful Discrimination, Harassment, Bullying and Cyberbullying").

¹ A red flag is any comment or behavior by a student that raises a concern during or after a Safe Touch program. Red flags may or may not turn out to be abuse. These concerns may be identified by the classroom teacher, other school personnel, or by the OCRCC representative and should be reported to the school counselor for follow up. Examples of a red flag include the following:

1. A student says, "I know what that is like," after viewing a video of a child who has been abused.
2. A student cries or is visibly upset during the presentation.
3. A teacher tells the presenter that she has been concerned about a child who seems to have more sexual knowledge than other children of the same age.
4. A student asks a specific question, such as "What if you tell your mom about your uncle and she doesn't believe you?" (as opposed to a general question, such as "What if you can't find someone to tell or you tell someone and they don't believe you?")
5. A student exhibits atypical behavior that suggests discomfort with the program (for example, putting their hood over their head, hiding their face, etc.)

² A disclosure is when a student states that he or she has been abused. Examples of disclosures include the following:

1. A student says, "My uncle touched my private parts and told me not to tell anyone."
2. A student says, "My dad hit me with a belt and I have cuts and bruises on my legs from the buckle."

- collaborate with OCRCC representatives to facilitate reports of suspected abuse or neglect to the Principal and Child Protective Services (CPS) as required by OCS policies and applicable law; this may include, if necessary, disclosure to OCRCC representatives of the names of students whose behavior raises suspicion of abuse or neglect or who disclose abuse or neglect. Such information will be used for the sole purpose of reporting the allegation to CPS.
- attend Safe Touch Programs or arrange for another OCS Student Services staff member or administrator to attend sessions.
- inform teachers of materials needed at each grade level for Safe Touch programs.

OCS classroom teachers will:

- observe the OCS policies on abuse and neglect, bullying and cyberbullying (Policy #4240 “Child Abuse Reports and Investigations” and Policy #3532 “Prohibition Against Unlawful Discrimination, Harassment, Bullying and Cyberbullying”).
- collaborate with school counselors to set up class schedules for Safe Touch programs.
- remain in the classroom and actively participate in the Safe Touch program presentation.
- monitor students’ behavior during the program and work with OCRCC representatives to report any behavior that raises suspicion of abuse or neglect to the school counselor; this may include disclosure to OCRCC representatives of the names of certain students, which will be used for the sole purpose of reporting the concern to the school counselor.
- help OCRCC representatives with classroom behavior management as needed.
- observe the OCS policy on confidentiality (Policy #7315 Confidential Information) within the classroom with all classroom staff, guests and visitors.
- have materials (Smart Board, CD player, etc.) ready for presenters before the program is to begin.
- use best efforts to ensure students attend all program sessions.

OCRCC staff will:

- collaborate with OCS personnel to implement Safe Touch Program.
- meet with OCS counselors in August to arrange district schedule for school participation.
- provide trained staff or volunteers to teach lessons in personal safety that meet North Carolina Standard Course of Study goals two (Personal Health and Safety) and three (Relationships).
- in collaboration with school counselors, provide an opportunity for parents to preview materials used in the classroom.
- present Safe Touch lessons to students in Pre-K through fifth grade as described below.
- monitor students’ behavior during the program and report any behavior that raises suspicion of abuse or neglect (red flags or disclosures) to the school counselor.
- comply with OCRCC confidentiality policy and OCS confidentiality policy.
- make a report of suspected abuse or neglect to CPS either in collaboration with OCS personnel or independently, as required by law.
- closely follow the schedule established by OCS counselors and teachers.
- provide an annual report of Safe Touch program, including numbers and summaries of teacher and counselor evaluations.
- agree that all student records, if any, obtained in the course of providing services to the OCS under this MOA be subject to the confidentiality and disclosure provisions of applicable federal and state statutes and regulations, and OCS policies.

Description of Safe Touch and Sexual Bullying Curriculum

- **Pre-K (25 minutes):** The Pre-K program, “Your Body Belongs to You” utilizes a picture book and puppets to introduce personal safety to preschool students. Students learn the difference between good, bad and

uncomfortable touches and the importance of telling a trusted adult about situations that make them feel bad or uncomfortable.

- **Kindergarten (30 Minutes):** The kindergarten program, "You are a Special Person" helps children identify good, bad, and confusing touches. Students learn to "Say No, Get Away, and Tell Someone" when they feel threatened. Puppets are used to role-play situations for classroom discussion.
- **First Grade (30 Minutes):** The first grade program will use a variety of teaching methods to further the messages of safety and privacy rights. Students will learn a safety song and role play safe ways to tell someone "No!" when they are uncomfortable.
- **Second Grade (45 Minutes):** The second grade puppet show is called "Someone to Talk To". In this program, puppets discuss physical abuse, coming to school sick, babysitting for younger brothers and sisters, inappropriate touches, and trusted adults students can turn to for help.
- **Third Grade (45 Minutes):** The third grade program is called "Yes You Can Say No" and uses a video to teach students how to avoid potential abuse, how to tell a trusted adult, and how to talk about problems they face.
- **Fourth Grade (45 Minutes):** The fourth grade program about internet safety and digital citizenship empowers students to reflect on their own uses of internet and social media, identify safety practices and consider positive communication practices. The program introduces issues of bullying and bystander intervention which are built upon in the 5th grade.
- **Fifth Grade (45 minutes):** In the program "Bullying," presenters will briefly review child sexual abuse, go over internet safety, and then approach the topic of sexual bullying. This program is an introduction to sexual harassment with age appropriate terms and examples. Students learn what they can do and who they can go to for help if they encounter or witness sexual bullying.
- **Exceptional Children (30 minutes):** "Safe Touches Only" is a program specifically designed for students with developmental disabilities in self contained classrooms. A variety of materials, such as picture books and puppets are used to illustrate the concept of safe touches. Children will review different ways to keep their bodies safe (wearing seat belts, etc.) and will learn the difference between good, bad and confusing touches. Students will learn the safety saying, "Say No, Get Away, and Tell Someone," and the presenters will help the students identify safe adults that they could tell if they were having a problem. The above basic structure will be modified with teacher and counselor input as needed to ensure the program best meets the needs of each classroom.

Micellaneous Provisions

1. **No Obligation.** Nothing in this Agreement shall be construed to create any right or entitlement on the part of the OCRCC to any compensation, or request for funding, from OCS or any other person or entity.
2. **Insurance.** OCRCC agrees to maintain \$1,000,000 in general liability and other appropriate insurance for all employees and agents of OCRCC providing services under this MOA.
3. **Lunsford Act/Criminal Background Checks.** All parties acknowledge that N.C. General Statute 14-208.18 prohibits anyone required to register as a sex offender under Article 27A of Chapter 14 of the General Statutes from knowingly being on the premises of any school or other facility dedicated to the care of minors. OCRCC shall conduct criminal background checks on each of its employees or agents who, pursuant to this MOA, interacts with OCS students or provides services on OCS property or at OCS events. Such checks shall include an annual check of the State Sex Offender and Public Protection Registration Program, the State Sexually Violent Predator Registration Program, and the National Sex Offender Registry. OCRCC shall provide documentation to the OCS of criminal records and background checks before assigning its employees or agents to provide services under this MOA. OCRCC shall likewise provide documentation to the MOA of its annual checks of the aforesaid sex-offender registries. The mandatory sex-offender registry checks may be completed by accessing the North Carolina Sex Offender Registry website at <http://sexoffender.ncdoj.gov/>. In the alternative, OCRCC will furnish the OCS with sufficient information to allow the OCS to perform criminal background and

sex offender registry checks on the OCRCC's employees and agents. Under no circumstances shall any employee or agent be assigned to work with any student or on OCS property or at OCS events if (1) said worker appears on any of the aforesaid sex-offender registries; (2) said worker has been convicted of a felony; (3) said worker has been convicted of any crime, whether misdemeanor or felony, involving sex, violence, or drugs; or (4) said worker has engaged in any crime or conduct indicating that the worker may pose a threat to the safety or well-being of students or school personnel, as determined within the sole discretion of OCS. OCRCC further agrees that it has an ongoing obligation to provide the school system with the name of any new contractual personnel who may deliver goods or provide services under the MOA. The OCS reserves the right to prohibit any contractual personnel of OCRCC from delivering goods or providing services under this MOA.

4. **Access to School Premises.** The OCS shall maintain full, final, and plenary authority to grant, deny, or restrict OCRCC, its agents or employees' access to school premises and school-sponsored events, including the authority to determine what services, if any, will be delivered, and by whom, to students on school premises or at school-sponsored events. Nothing in this MOA shall be construed to create any right of access to school facilities or school-sponsored events on the part of OCRCC, its agents, or employees, and the OCS expressly reserves the right to deny or restrict OCRCC, its agents, or employees access, on a temporary or permanent basis, to any school facility or school-sponsored event, or to any individual student on school property or at a school-sponsored event, with or without cause, at any time, and without prior notice to OCRCC.
5. **Applicable OCS Policies.** OCRCC acknowledges that the Orange County Board of Education has adopted policies governing conduct on OCS property and agrees to abide by any and all relevant OCS policies while on OCS property.
6. **Relationship of the Parties.** Nothing herein shall be construed as creating a partnership or joint venture between OCS and OCRCC; nor shall any employee of OCRCC be construed as an employee, agent, or principal of the OCS.

No provision of this agreement shall be construed to abrogate any individual's responsibility, pursuant to NCGS 7B-301 and 115C-400, to report a case of a juvenile suspected to be abused, neglected, or dependent to the director of the county Department of Social Services.

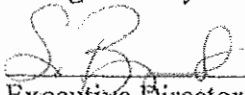
This document has been reviewed and approved.

Chief Academic Officer, Orange County Schools

Date

Director of College and Career Readiness,
Orange County Schools

Date



Executive Director, Orange County Rape Crisis Center

8/30/13

Date

IN WITNESS WHEREOF, the parties to this agreement have hereunder set their respective hands on the day and year first above written.

For the Orange County Board of Education:

Donna Coffey, Chair
Orange County Board of Education

Date

Dr. Del Burns, Interim Superintendent
Orange County Schools

Date

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