

900 COURT ST NE SALEM, OR 97301

Date: June 13, 2019

TO: Ways and Means Human Service Sub Chairs Rep. Nosse and Sen. Beyer Ways and Means Tri-Chairs Rep. Rayfield, Sen. Steiner Hayward, Sen. Johnson

RE: HB 3180 Child Abuse Omnibus Bill

In an email I previously wrote to you as the Chair of the House Committee on Human Services and Housing, I highlighted my committee's highest ranked bills. HB 3180, the Child Abuse Omnibus bill, ranked the highest of all bills scored that seek funding and are currently in Ways and Means.

I now join several individual legislators who were involved in the workgroup who drafted the bill and/or who signed on as co-chief sponsors after learning about it, to urge its passage.

HB 3180 is among the top priority funding requests for all who sign this letter, and for me personally, it is my top personal bill request.

HB 3180 is the combination of HB 3178 (\$6 million increase in funding for Child Abuse Intervention Centers), HB 3179 (\$1 million Oregon Child Abuse Prevalence Study), and HB 3180 (\$100K Implementation of Erin's Law).

This trio of bills emerged from the workgroup which met monthly from July 2018 through January 2019 to examine the gaps in our child abuse system. We recognized the many good bills that were simultaneously being developed last summer and fall, such as the behavioral health components of the Student Success bill, new requirements for TSPC, and violence prevention. But the concepts developed by our workgroup fill remaining gaps.

Attached is the workgroup report and 173 letters of support - just a portion of the over 200 letters sent directly to people's individual legislators on behalf of the child abuse omnibus bill. We urge the full funding of \$7.1 million for the biennium from Criminal Fines Account (CFA) or General Fund. This investment will save millions of dollars in future years and decades by reducing mental health and addictions, lost productivity, and the myriad of consequences that result from childhood trauma.

Thank you for your immediate consideration,





Rep. Alissa Keny-Guyer

Rep. Ron Noble

Rep. Anna Williams

Rep. Cheri Helt

Sen. Dallas Heard

Sen. Tim Knopp



CHILD ABUSE PREVENTION & INTERVENTION WORK GROUP RECOMMENDATIONS

2018-2019 INTERIM

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

INTRODUCTION

The Child Abuse Prevention and Intervention Work Group (the "Work Group") was formed during the 2018 interim to create recommendations regarding how to prevent child abuse, identify and detect signs of child abuse, and treat child abuse most effectively. The Work Group also examined strategies for supporting youth who have questions or concerns about sexuality and healthy relationships. Work Group members identified recommendations to enhance statewide efforts on child abuse prevention, detection, and treatment. Five meetings (July 16, September 21, October 11, December 19, January 11) took place in the Capitol; the November 13 meeting was held at Liberty House in Salem. Several sub-group meetings and phone calls were also conducted. This Work Group report was generated on January 30, 2019.

MEMBERS

Rep. Keny-Guyer, Rep. Noble, Senator Heard, Senator Monnes Anderson, Alison Kelley (Liberty House), Jessica Duke (Oregon Health Authority (OHA)), Deb Carnaghi (Department of Human Services, (DHS)), Ashley Furlong (Principal, Davis Elementary, Reynolds), David Marshall (Human Resources Director, Hermiston School District), Megan Foster (Department of Justice Sexual Assault Task Force), and Janine Tebeau Jemerson (School Based Health Clinic).

Work Group sessions were open to the public and attended by participants from legislative offices, government agencies, and nonprofit organizations. Invited guests included: Sen. Sara Gelser, Anna Braun (President Courtney's office), KC Lewis (House Majority office), Taylor Smiley Wolfe (Speaker's office), Rosa Klein (Governor's office), Holly Heiberg (Oregon Health Authority), Rosalyn Liu and Leah Horner (DHS), Jennifer Donovan and Sasha Grenier (Oregon Department of Education), Jackie Sandmeyer (Title IX Education Specialist), Morgan Allen

(Confederation of Oregon School Administrators), Lori Sattenspiel (Oregon School Boards Association), Jared Mason Gere and Laurie Wimmer (Oregon Education Association), Jack Dempsey and Deborah Riddick (Oregon Nurses Association), Courtni Dresser (Oregon Medical Association), Vanessa Nordyke (Department of Justice), Sabrina Riggs (Dalton Advocacy), Lisa McMahon and Chris Coughlin (Children First for Oregon), Former Rep. Joe Gallegos, Anthony Rosilez (Teachers Standards and Practices Commission), Tracy Blood and Pamela Heisler (Prevent Child Abuse), and from Legislative Policy and Research Office (LPRO): Andrea Chiapella, Hanna Lai, Channa Newell, Hugh Ady, Alethia Miller and Lisa Gezelter.

Cassandra Soucy, Jamie Hinz and Amie Fender-Sosa from LPRO took turns staffing the Work Group.

BACKGROUND

The Work Group was established to consider concerns around child abuse prevention and intervention and form recommendations. The Legislature has considered various aspects of this issue through many past (often failed) legislative attempts at increasing school nursing and counseling, funding for under-resourced child abuse interventions centers, and passing and implementing Erin's Law. Experts in the child abuse field have long argued that not enough is done to protect children from abuse.

Because children are not receiving the intervention they need and Oregon lacks enough school personnel trained to detect signs of child abuse, some wanted to expand the mandatory reporting law, which led to the passage of SB 1540 in the 2018 session. The Work Group followed the varying interpretations of the child abuse mandatory reporting law (see pages 9, 10). However, rather than focus on the legal aspects of mandatory reporting, the Work Group chose to concentrate on other issues and recommendations to prevent, identify and treat child abuse, with a focus on students in K-12.

The Work Group examined gaps in primary prevention, intervention at the school level, reporting through law enforcement and Child Protective Services (CPS), and treatment through the Child Abuse Interventions Centers (CAICs). It then gathered information on efforts of other legislators and work groups that were focusing on these areas for the 2019 legislative session, and what issues remained ("Work Group Initiatives") for consideration for 2019.

The following are highlights of the Work Group Initiatives to address the gaps, followed by the other initiatives the Work Group examined and generally supported.

OREGON CHILD ABUSE PREVALENCE STUDY (WORK GROUP INITIATIVE)

More accurate data regarding the occurrence of child abuse in Oregon.

Over the past decade, the Oregon Department of Human Services (DHS) has received an average of 70,670 reports of suspected child abuse per year. In Federal Fiscal Year (FFY) 2017 (October 2016 to September 2017), 20.5 percent of reports of suspected child abuse or neglect came from schools. According to experts at measuring the prevalence of child abuse, rates of reports of suspected maltreatment and investigation findings do not provide an accurate picture of the prevalence of child abuse and neglect. The Oregon Child Abuse Prevalence Study (OCAPS), conducted by the University of Oregon's Center for the Prevention of Abuse and Neglect (CPAN), was designed to collect more accurate data beyond reports of suspected maltreatment to determine a more precise prevalence rate of child abuse.²

The purpose of OCAPS is to create an ongoing measurement tool to more accurately determine rates of child abuse and neglect in Oregon by directly surveying a sufficient and randomized sample of Oregon 6th and 11th/12th graders and caregivers. OCAPS asks the youth about abuse or neglect they may have experienced.

The study has three major pieces, implemented in stages. In Phase I, a pilot was completed with University of Oregon students (2017), and with Lane County High School students (2018); statewide high school implementation is planned for 2020. In Phase II, the survey will be adapted to a 6th grade level, piloted in 2020 and expanded statewide to a larger sample of Oregon school districts in 2022. Phase III will be with caregivers, guardians and parents of very young children.

Work Group members agree that more accurate data on the prevalence of child abuse and neglect is needed to move forward in the prevention, identification, and treatment of victims of abuse. The cost is estimated at \$1 million in the 2019-20 biennium (\$600,000 for year one,

¹ Office of Reporting, Research, Analytics and Implementation, Department of Human Services. 2017 Child Welfare Data Book. February 2018 (revised August 2018). https://www.oregon.gov/DHS/CHILDREN/CHILD-ABUSE/Pages/Data-Publications.aspx

² University of Oregon, College of Education. The Oregon Child Abuse Prevalence Study (OCAPS): Identifying Prevalence Rates of Child Abuse, Neglect and Adverse Childhood Experiences in Oregon (Summary). http://90by30.com/sites/90by30.com/files/resources/OCAPS_web_11.18.pdf, Visited 01/07/2019.

\$400,000 for year two). Once this baseline survey is complete, the Work Group suggests Oregon update it every three to five years to measure progress.

IMPLEMENTATION OF ERIN'S LAW (WORK GROUP INITIATIVE)

Additional funding for ODE to assist school districts with the implementation of Erin's Law.

Erin Merryn is a child abuse survivor who authored and lobbies across the country for Erin's Law, which requires public schools to implement a prevention-oriented child sexual abuse program for students to learn about body safety. In 2015, Oregon became the 24th state to pass Erin's Law (Senate Bill 856). Erin's Law in Oregon requires school districts to adopt a child sexual abuse prevention educational program for students in kindergarten through high school, parents of students, educational professionals and staff (administrators, teachers, etc.). Erin's Law aligns with the state Health Education standards, the Human Sexuality Law (2009), and the Healthy Teen Relationships Act (2013).

School districts face barriers in finding existing curricula meeting all the requirements and do not have the resources to invest in developing new curricula. Additionally, there is no comprehensive and equitable training available across the state for teachers and school staff to teach child abuse prevention and sexuality education. The Oregon Department of Education is partnering with community-based organizations and providing school districts with resources and tools to support their implementation of Erin's Law and sexuality education. However, with .5 FTE at ODE dedicated to help 197 school districts, the reach and breadth of this technical assistance is limited. Community partners frequently provide support to school districts in certain communities, but the Work Group sees the lack of investment in this work as a barrier to the full implementation of Erin's Law.

The schools need more support to be successful. To provide adequate support to the school districts, the Work Group suggests doubling the current 0.5 to 1.0 FTE (full time equivalent). This position would work with stakeholders from OHA, DOJ's Sexual Assault Task Force and others to review curriculum options available to schools for students and for teachers (such as the Darkness to Light video training for teachers), provide technical assistance regarding community partnerships and other ways to effectively implement Erin's law.

Sen. Rob Wagner has three related bills in collaboration with the Sexual Assault Task Force and Oregon Student Voice.

CHILD ABUSE INTERVENTION CENTERS (WORK GROUP INITIATIVE)

Additional funding to support the functions of Oregon Network of Child Abuse Interventions Centers (CAIC).

CAICs provide a comprehensive, trauma sensitive, multi-disciplinary response³ to child abuse throughout the state of Oregon, including medical and forensic interviewing expertise.

CAICs report high rates of abuse in their communities, increased need for CAIC services, and that current investment is insufficient to meet the needs of children. From July 2017 to June 2018, Oregon's 20 CAICs provided 7,895 children with intervention services. This represents an increase of 26% from just three years prior (6,254 children). The 2017 Child Welfare Data Book showed that over 80,500 reports of abuse were made to the hotline, and 32,000 investigations were completed. Conservatively, this means less than one in four investigations utilized the resources of a CAIC and up to three in four children did not have access to these services.

Currently, state Oregon's Child Abuse Multidisciplinary Intervention (CAMI) dollars fund less than 18% of CAIC budgets. (The remaining funds come from grants, fundraising, health insurance, and a small amount of federal funding through the Victims of Crimes Act (VOCA)). An increase of \$6 million in state funding would raise state contributions to 29.5% of the overall CAIC budget. This increase would correspond with nearly 1,220 additional children being able to access the services CAICs provide.

Six million additional dollars biennially from the General Fund, Community Care Organizations (CCOs) or the Criminal Fines Account, distributed through the Department of Justice in whole to the Centers is needed to help address part of the gap identified by the needs assessment survey. Work Group members recommended this be a long-term funding formula instead of one-time funding.

CENTRALIZED SCREENING (DHS INITIATIVE)

Funding for operations of the recently created DHS centralized child abuse screening hotline.

At the time the Work Group met, centralized screening for child abuse reporting had been rolled out for about half of the state. The members of the Work Group generally agreed that research

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³ ORS 418.747

⁴ Internal CAIC preliminary data for fiscal year 20017-2018.

shows that centralized screening increases the effectiveness and consistency in screening decisions and creates additional training opportunities for screeners to build specialized expertise. Screening is usually the first point of contact for all mandated and non-mandated reporters of child abuse in Oregon. It is imperative that screeners apply ORS 419B.005 accurately and consistently to each allegation of abuse to determine when DHS is required to investigate.

At the time the Work Group began meeting, Oregon Child Welfare Programs operated under a district-wide child abuse reporting system in most areas of the state. Approximately 7,000 reports of child abuse or neglect were being processed through 15 child welfare offices each month, and at least that many phone numbers. Screening decisions varied based on where the call was received and a multitude of other reasons such as: workload, experience level, interpretation, biases, manager direction, etc. These reasons supported transitioning to the ongoing operation of a single, 24-7 child abuse hotline. Enhanced training, decision-making and data-informed tools, a single leadership structure and continuous quality assurance processes support increased accuracy, reduced bias and consistency in screening decisions. In addition, it affords opportunities for quality assurance measures. Overall, this will increase the level of safety for children exposed to abuse or neglect. The current DHS Policy Option Package (POP) for the centralized screening hotline operations for FY 2019-2021 is \$24.5 million.

SEXUAL HEALTH EDUCATION FOR FOSTER YOUTH (GOVERNOR'S INITIATIVE)

A sexual health education program for youth (ages 12 to 20) in foster care.

This initiative would be specific to the unique needs of foster youth and sexual health education; it would be inclusive, culturally sensitive, trauma informed, led by child welfare healthcare professionals, community partners and youth educators. The sessions would be provided locally in the youth's community, in a safe environment exclusive to foster youth, with the support of caseworkers available to process with a youth who has been triggered by a topic.

A curriculum that is specific to foster youth would fill in gaps in reproductive health education that result from inconsistent educational experiences. It would also address the distrust of adults, navigation of the complexities of relationships, especially in the absence of healthy role models, and acknowledge that histories of abuse may impact youth's relationships and sexual decisions. This is a current Governor Priority: Three positions are requested through the budget process for Health and Wellness Services to coordinate this statewide program.

JOINT COMMITTEE ON STUDENT SUCCESS (JCSS INITIATIVE)

The 2018-2019 Interim Joint Committee on Student Success (JCSS) created three workgroups: The College and Career Ready Work Group, High Quality Classrooms Work Group, and Students Ready and Able to Learn Work Group. The Work Groups' recommendations were combined into one document and submitted to the Legislative Fiscal Office for analysis. At the time this Work Group met, these recommendations have not yet been adopted or transformed into legislative concepts.

The 2019-2021 Agency Request budget for ODE included a proposal to address the recommendations of the School Safety Task Force. The proposal requests funding for:

- --Education Service Districts and others to assist their area districts in establishing multidisciplinary teams to develop intervention plans for students at risk of violence.
- -- A specialist in every elementary school, including a school counselor or psychologist.
- --Districts to create and implement family engagement plans. ODE will establish a list of recommended practices for districts.
- --Expand home visiting programs to move toward voluntary universal home screening and ensure that families with identified service needs are directed to appropriate service providers.
- --Increase access to intensive early childhood services such as Early Head Start and Relief Nurseries.
- --Explore additional policy options to build an integrated birth-to-five system that supports children and families.
- --Increase access to behavioral and physical health services by increasing the number of counseling, mental health, school nurses, and other staff available to students. These services could be provided directly by school staff or in partnership with other organizations such as School-Based Health Centers, CCOs, community groups, and county mental health and public health agencies.
- --Provide greater access and connections for students and their families to wraparound and support services that address issues to help students reach their full potential.

--Direct ODE to work with OHA to combine current student surveys into a valid, reliable statewide student and school climate survey (such as the OCAPS survey?).

This Work Group concurred with the findings of the JCSS, as well as with the previous Task Force on School Nursing that determined that each school should have access to mental and behavioral health services for students.

2019 Proposed Bills as of January 30, 2019

The Work Group was generally supportive of the following bill concepts pending details.

HB <u>2562</u>

Appropriates moneys from General Fund to Department of Education for Title IX enforcement and compliance, sexual harassment prevention and gender discrimination prevention.

HB 2604

Directs Department of Education to award grants to school districts to support safe schools by funding programs related to bullying prevention and youth empowerment.

HB <u>2657</u>

Directs Department of Justice to administer violence prevention funding program in consultation with Attorney General's Sexual Assault Task Force. Authorizes department to adopt rules.

SB <u>18</u>

Allows Teacher Standards and Practices Commission to discipline administrator who fails to make report, follow specified procedures or provide written notification related to suspected abuse of child or sexual conduct by educator.

SB 155

Requires all investigations involving suspected abuse or sexual conduct by school employees to be conducted by Teacher Standards and Practices Commission.

SB 156

Revises definitions of terms "school employee," "sexual conduct" and "student" for purposes of certain laws related to abuse and sexual conduct by school employees.

SB <u>573</u>

Directs Teacher Standards and Practices Commission to immediately suspend license or registration of teacher or administrator if commission determines there is reasonable cause.

HB <u>2657</u>

Directs Department of Justice to administer violence prevention funding program in consultation with Attorney General's Sexual Assault Task Force.

MANDATORY REPORTING LAW

The mandatory reporting law in Oregon requires school teachers and employees to report suspected abuse or neglect for any child or person under 18 years of age.⁵ Oregon law states that a person under 18 years of age lacks the legal capacity to consent to a sexual act.⁶ However, Oregon law provides a defense for certain consensual sexual offenses if the individuals involved are within three years of age and the lack of legal consent was due solely to the age of the other person (often referred to as the "age-gap defense").⁷

Every school employee must receive annual training regarding Oregon's mandatory reporting law. School districts and education providers receive guidance from the Department of Education on training curriculums, but at least one school district interpreted the mandatory reporting law to include any sexual contact between students as child abuse, due to the age-of-consent limitations in the law.

Because of this interpretation, the Department of Human Services (DHS) requested clarification from the Department of Justice. In the opinion⁹, released September 11, 2018, Attorney General Ellen Rosenblum wrote:

We conclude that mandatory reporters are not obligated to report every instance of sexual conduct involving minors when the age-gap defense applies. Sexual conduct between participants less than three years apart by age does not need to be reported if the lack of consent is due to the age of the minors, and no other factors make the conduct a crime or otherwise qualify as "abuse." However, each instance of sexual conduct involving a minor must be considered by the potential reporter. If the conduct was likely harmful to the minor, it must be reported, regardless of the possibility of the age-gap defense.

⁵ ORS 419B.005 and ORS 339.388

⁶ ORS 163.315

⁷ ORS 163.345

⁸ ORS 339.400

⁹ Op Atty Gen 8294 (2018)

This Work Group was created prior to the Opinion issued above. Rather than focus on the legal issues regarding Mandatory Reporting, the Work Group chose to address the underlying issues of why children and youth are falling through the cracks and how Oregon can build and fund a seamless system of prevention and intervention. However, the Work Group did express relief that the Opinion appeared to resolve the various interpretations of the law.





July 16th, 2018 2 PM – 4:30 PM

Oregon State Capitol Room: Hearing Room C

Conference Number: 888-278-0296 Meeting Code: 7049786

AGENDA

| I. | Welcome, Opening Remarks2:00—2:15 pm Representative Keny-Guyer, Chair, Work Group |
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| II. | Work Group Operating Principles2:15—2:45 pm LPRO Staff |
| III. | Erin's Law Overview & Discussion2:45—3:20 pm Alison Kelley, Board Chair, Oregon Network of Child Abuse Intervention Centers |
| IV. | Oregon Health Authority – Healthy Teen Relationships3:20—3:50 pm Jessica Duke, Manager of Adolescent and School Health, Oregon Public Health Division, Oregon Health Authority |
| V. | Efforts by Other Groups in Oregon3:50 – 4:10 pm Michele Roland-Schwartz, Executive Director, Oregon Attorney General's Sexual Assault Task Force |
| VI. | Task Force on School Nurses Report (2016)4:10 – 4:20 pm Senator Monnes Anderson |
| VII. | Concluding Comments & Next Steps4:20—4:30 pm |

Key Issues Discussed:

- Overview of Work Group Goals and Operating Principles
- Erin's Law Overview (Senate Bill 856, 2015)
- Discussion on the Healthy Teen Relationship Act (<u>House Bill 4077, 2012</u>) and Human Sexuality Education Rule (OAR 581-022-1440)
- Attorney General's Sexual Assault Task Force Overview
- School Nurse Task Force Overview

<u>Members in attendance:</u> Representative Keny-Guyer, Representative Noble, Senator Heard, Senator Monnes Anderson (P), Alison Kelley, Jessica Duke (P), Deb Carnaghi, Ashley Furlong (P), David Marshall(P)

Members Sending Surrogate: Megan Foster, represented by Michele Roland-Schwartz

Members Not in Attendance: Janine Tebeau Jemerson

Representative Keny-Guyer led opening remarks, touching on the gaps in the system leading to child abuse. The work group will be taking a comprehensive look at how to prevent, identify, and treat child abuse most effectively, and develop recommendations to enhance statewide efforts toward prevention, identification, and treatment. The work group will also review and produce recommendations on how to support school-aged youth when they have questions, concerns, or need to talk to someone about questions relating to their bodies, their sexuality, and sexual activity. Representative Keny-Guyer laid out guiding principles for the work group:

Issue 1. Prevention

Problem: Without proper education and support, youth can be at risk of engaging in unhealthy teen relationships that may constitute child abuse.

Objective: If young adults are engaging in relationships, empower them to engage in consensual and healthy teen relationships.

Issue 2. Detection

Problem: Mandatory reporters can over or under report abuse based on inadequate training about how to detect the signs of child abuse.

Objective: Provide mandatory reporters with education and training to help them more effectively identify, and report, potential child abuse.

Issue 3. Intervention:

Problem: Once child abuse has been identified, intervention and treatment services may not be available.

Objective: Ensure that child abuse survivors have access to intervention and treatment services.

Alison Kelly gave an overview of Erin's law, including its history and need as explained by written testimony from Erin Merryn. Alison noted that older research indicated that 1:10 children will be sexually assaulted by the end of the 12th grade, but new research suggests that number is closer to 1:3 girls and 1:5 boys by the end of high school. She also touched on the lifetime costs of sexual assault. Senator Heard inquired as to whether the work group would be looking at the effects of constant exposure to graphic images and pornography as a cause of abuse. Alison indicated that such a goal or recommendation may be possible and that it is important to keep in mind that in pornography, there is always a victim. The discussion moved on to implementation of the law and other programs in education. Senator Monnes Anderson touched on the need to coordinate with the Student Success Task Force and its findings. Alison also recommended a book called "the Deepest Well" for further study on trauma and abuse and recommendations were made by David Marshall to include trauma informed care as part of the discussion. Rep Noble also asked the group to keep in mind that healthy educational content must match age.

Jessica Duke provided an overview of three programs currently in operation that bear on the discussion of child abuse: Sex Abuse Prevention Instruction (aka, Erin's Law), Human Sexuality Education Law, and the Healthy Teen Relationship Act. Jessica explained that while Erin's law is not specifically related to sexual education, it is incorporated into that curriculum. School districts may select a curriculum so long as it meets the standards. ODE has a staffer who assists in review of the curriculum to ensure it meets standards. Ashley and David provided information on how curriculum is implemented in their schools, both in the selection of programs and the training of teachers and staff. Both educators indicated there is no direct reporting by the school district or school that they have met the standards, but rather it is included as one component of the yearly Division 22 assurances.

Michele Roland-Schwartz of the Sexual Assault Task Force provided information on efforts by other groups across the state to address child abuse issues. Michele cautioned the group that just as no one-size fits all program to prevent campus sexual assault was appropriate for different college campuses, so too may a variety of curriculum be appropriate for different school districts around the state in regards to child abuse. Michele also brought up the 90by30 study on the prevalence of child abuse. Michele also recommended contact with Oregon Voices for youth participation in the work group.

Next, Senator Monnes Anderson spoke about the School Nurse Task Force, its history, and recent report. She spoke on pilot programs involving Coordinated Care Organizations linking reimbursement for school nurses to Medicaid funding. The work group agreed that further information on that topic was needed.



September 21st, 2018 9 AM – 11 AM

Oregon State Capitol Room: Hearing Room C

Conference Number: 888-278-0296 Meeting Code: 7049786

AGENDA I. Welcome, Introductions, July Meeting Recap9:00—9:15 am Representative Keny-Guyer, Chair, Work Group July Meeting Video Archive (use Internet Explorer) II. Joint Committee on Student Success Committee Update......9:15—9:30 am Representative Smith Warner, District 45 Senator Frederick, District 22 Representative Fahey, District 14 Prevention Efforts in Oregon......9:30—9:55 am III. Sasha Grenier, Sexual Health Education and School Health Specialist, Oregon Department of Education Meg Foster, Prevention Program Coordinator, Oregon Attorney General's Sexual Assault Task Force IV. Training for Teachers......9:55 — 10:20 am Anthony Rosilez, Executive Director, Oregon Teacher Standards and Practices Commission (TSPC) Trent Danowski, Deputy Director, Oregon TSPC V. Curriculum for Teachers & Youth.......10:20 – 10:45 am Mary Ratliff, Project Coordinator, Protect Our Children, The Ford Family Foundation VI. Concluding Comments & Next Steps......10:45—11:00 am

Key Issues Discussed:

- Overview of the Joint Committee on Student Success tour
- Prevention Efforts in Oregon
- Resources for Prevention Discussion
- Training for Teachers
- Curriculum for Youth

<u>Members in attendance:</u> Rep. Keny-Guyer, Rep. Noble, Sen. Monnes Anderson (P), Alison Kelly, David Marshall, Megan Foster, Deb Carnaghi, Jessica Duke, Ashley Furlong

Members Not in Attendance: Sen. Heard, Janine Tebeau Jemerson

Introduction and Recap of July Meeting

Representative Keny-Guyer opened by reminding the group of the reasons the work group had been formed. The work group is tasked to consider what policy interventions are needed to improve child abuse prevention and intervention. Specifically, is there any legislation needed during the 2019 session? It was emphasized that the point of this committee is not to tackle the legal issues, but rather focus on prevention and intervention efforts.

Joint Committee on Student Success Overview

After opening remarks, the work group shifted to an update given by members of the Joint Committee on Student Success (Joint Committee). Representative Barbara Smith Warner, Senator Lew Frederick, and Representative Julie Fahey informed the work group that the Joint Committee had been touring the state with a bipartisan and bicameral committee with members ranging in various policy areas of expertise. The Joint Committee is focused on collecting information to get a sense of what is working well, what challenges schools are facing, how these two topics differ in urban and rural schools, and how they differ in large and small schools. During the 2019 session, the Joint Committee hopes to dedicate sources of funding along with additional accountability and cost containment measures. Structurally, the Joint Committee is split into three work groups: 1) students read and able to learn, 2) college and career readiness, and 3) teachers and classrooms. In each of these three work groups, the Joint Committee members noted that the legislature needs to be more deliberate about funding mandated services. Teachers need more time to teach, and there need to be more adults in schools. Sen. Frederick noted that each school JCSS visited addressed the topics of behavioral and mental health. Since there are limited access to adults who can help students with these issues, often the outcomes are severe consequences; Frederick suggests that a contributing factor to this is that school counselors have too

large a work load. One legislative idea is to link the capacity of counselors to the new CCOs so there is a counselor in every school. Rep. Fahey added that Oregon needs a significant investment for early learning and that the Joint Committee has received requests from K-12 schools asking to fund more pre-K systems because the schools claim they will reap the investments later with fewer disciplinary issues.

Prevention Efforts in Oregon

Next to speak were both Sasha Grenier, Oregon Department of Education (ODE), and Meg Foster, Oregon Attorney General's Sexual Assault Task Force, briefed the committee on prevention efforts in Oregon. Prevention education in Oregon's K-12 schools is done by educating youth on the skills to prevent violence, teach new social norms, and create a comfort in reporting violence. Currently, there is no designated curriculum used by schools that meets all of Oregon's standards. Oregon is creatively addressing this topic on how school districts need to further spread resources to create their own curriculum; this challenge affects smaller districts more than larger ones. Topics covered in sexual education are difficult to teach, even for experienced teachers. Those who are qualified are mostly health teachers, coaches, and other school staff who continue to have budget cuts affect their job status. ODE is creating a new Teacher Training Institute, but resources are limited.

Meg Foster explained prevention as preventing people from perpetrating acts of sexual violence saying, "the only thing that prevents the likelihood of someone experiencing sexual violence is reducing the likelihood that someone might perpetrate sexual violence." A sense of connectedness to a caring adult has shown to reduce the risk of expressing these behaviors and claims - some of the best examples of success are in Oregon's rural communities. Dufur schools (south of The Dalles) has a community lead, multi-level program for 6th, 8th, and 10th students. Students in Grants Pass advocated for a mandatory Healthy Relationships course for incoming 9th grade students. Malheur County offer programming in multiple languages (English, Spanish, Russian, and Arabic). Lane County is engaged with the 90/30 campaign which sets the goal to reduce child abuse by 90 percent by the year 2030. Foster explained that one of the reason for the gaps in curriculum and programming is a result that we are asking generations of people, who were taught to be uncomfortable talking about sex and sexual violence, to start teaching these topics to younger generations; Oregon needs more training and investment in that training.

Training for Teachers

Dr. Anthony Rosilez and Trent Danowski, from the Oregon Teacher Standards and Practices Commission (TSPC), next spoke about Oregon's programs to train and license teachers. The TSPC has three primary charges: to license teachers in Oregon, monitory teachers, and approve programs and curriculums taught in Oregon. In 2016, the TSPC adopted national standards including the establishment of training for pre-

service educators in the areas of sexual education. Also, before are pre-service educator is recommended, they must understand the standards of the occupation as well as standards and any legal concerns. Usually, these courses are taught in their graduate programs as a school law course of some kind. To monitor teachers, the TSPC works collaboratively with school districts. The TSPC prevents and exits educators who are doing harm to students, and it is their responsibility to appropriately sanction educators. The TSPC is going through a redesign of multiple educator licenses. The Administrator License will soon include responsibilities such as: investigating and resolving disputes, leading and supporting teachers in trainings, and strengthening leadership surrounding curriculum design and implementation. The Student Services License (for social workers, school counselors, and school psychologists, etc) is also under a redesign to redefine the scope of their authority. Lastly, the TSPC is redesigning how to renew a license. Currently educators need to obtain twenty-five hours of training in topics regarding education and have their district sign that the training was accomplished. Changes to come include the TSPC creating order to these processes by creating 'themes' for trainings. A certain number of hours of training being spent on student social services, curriculum and instruction, community and family engagement, and others will need to have annual training for a license to be renewed. The TSPC will be submitting two legislative concepts. The first will require that a licensed administrator be the only person to open and close a file of misconduct. This is to create a method of accountability by which the TSPC map reprimand poorly handled cases. The second concept requires superintendents to inform the principals of the school an educator is being transferred to of that educator's history of misconduct.

Curriculum for Youth

In the final topic of the meeting, Mary Ratliff told the committee about the Ford Family Foundation's programming efforts in Oregon. The Stewards of Children program (based on A Darkness to Light curriculum) is a trauma informed, video training. The curriculum teaches and empowers adults to prevent child sexual abuse, gives adults the tools to recognize the signs and behaviors of abuse, and teaches them how to react responsibly. In the past two and a half years, the Ford Family Foundation has reached out to fourteen sites. Each site gets funding and is told to produce a budget, which must allocate resources for an FTE employee. Over fifteen-thousand people have been training, the majority being educators and youth serving specialties. Alison Kelly explained that the program builds from Five Concrete Steps: 1) learning the facts and recognizing the problem, 2) minimizing the opportunity for sexual violence, 3) being able to talk about these issues in public, 4) recognizing the signs of sexual abuse, and 5) teaching people to act responsibly.

Next Steps & Resources for Prevention Discussion

The group then entered into a discussion on how to improve resources for prevention efforts in Oregon. Specifically examining how organizations can share resources or how the work group can brainstorm ideas for the 2019 legislative session. One member responded by explaining there are two dedicated federal funding streams - communitybased programs to partner with schools for prevention efforts and Preventative Block Grant. It was explained that there are interspersed resources around the state and that no equitable system exists to support programming all over the state. One work group member confirmed that their school needed to cut specialist staff by reducing the Physical Education teacher role to only have them working 18 weeks of the year. This member also explained their school had four school therapists in the past two years, making it difficult for students to receive those needed services. Another member asked how schools can strengthen connections with outside groups who share the vision of the schools. One challenge mentioned is that the outside groups may share a vision, but they do not share staff and turn over beyond the control of the school negatively affects school programing. Another barrier mentioned was grant funding which often ends once programs become successful, though the success of the program was directly related to the funding. Work group members were asked to send Cassie Soucy, LPRO Analyst, any ideas for improving resources for prevention of child abuse efforts prior to the next meeting.

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Future Meeting Dates

Monday, October 15th – 11 AM to 1 PM at the Oregon State Capitol, Hearing Room C Tuesday, November 13th

- 12 PM to 1 PM Tour of Liberty House Child Abuse Assessment Center at <u>2685</u>
 4th St NE, Salem, OR 97301.
- 1 PM to 3 PM Work Group Meeting at Liberty House Board Room in Building 1 at 385 Taylor St NE, Salem, OR, 97301

Tuesday, December 11th - 1 PM to 3 PM at the Oregon State Capitol, Hearing Room C

Previous Meeting Videos

Meeting #1 – July 16, 2018 Meeting #2 – September 21, 2018



October 15th, 2018 11 am – 1 pm

Oregon State Capitol Room: Hearing Room C

Conference Number: 888-278-0296 Meeting Code: 7049786

AGENDA

| Welcome, Introductions, September Meeting Recap11:00 am Representative Keny-Guyer, Chair, Work Group |
|---|
| JCSS Subcommittee on Mental Health Supports11:10 am Doug Wilson, Legislative Fiscal Office |
| Senate Education Committee – 2019 Bill |
| Detecting Child Abuse Among Students |
| Best Practices in Responding to Disclosures |
| Discussion on Policy Options for Detection |
| Concluding Comments & Next Steps12:55 pm Representative Keny-Guyer, Chair, Work Group |

MEETING SUMMARY

DATE: October 15, 2018

TIME: 11 am – 1pm

LOCATION: Oregon State Capitol, Hearing Room C

Introduction and Recap of September Meeting

Rep. Keny-Guyer opened the meeting and explained that the focus of this workgroup has been on the school-aged population. This is a result of recent legislation as well as efforts to protect children who enter the school system, discussions to increase school nurse support (also in response to SB 1540), and questions about reporting all sexual contact or activity. Rep. Keny-Guyer commented that the work group is aware of gaps in the reporting process and recommended focusing on three areas: 1) Prevention. 2) Intervention and 3) Recommendations.

The November meeting will be at Liberty House and will focus on improving care for at-risk children when there are allegations of abuse.

Regarding the December meeting: there are ongoing efforts such as the Student Success committee and other efforts the work group wishes to support, as well as other gaps, which could be considered for legislation. Rep. Keny-Guyer stated there is an open request for ideas, including suggestions for funding or policy. Members expressed a desire for a cohesive approach.

Rep. Keny-Guyer acknowledged there are concerns about the zero to five-aged population but noted there is another workgroup for that age range.

Student Ready and Able to Learn Work Group Update

Doug Wilson, Legislative Fiscal Office, made a presentation on the Students Ready and Able to Learn work group of the Joint Committee on Student Success. One of the major themes is mental health in school and preschool, where it has been noted that teachers also need support. There has also been discussion on school provided services, community mental health services and other wraparound services and related solutions. The work group meets soon to discuss recommendations and cost.

A member stated that approximately half of children in Oregon are on the Oregon Health Plan (OHP) and if Coordinated Care Organizations (CCOs) could cover half the children in a school district, that would be considered progress. Rep. Keny-Guyer requested updates on the Student Ready and Able to Learn work group.

Senate Education Committee Discussion

It came to Sen. Roblan's attention that there were issues surrounding teacher sexual conduct in schools, and some new federal language in the Every Student Succeeds Act. The senator had requested an LC opinion on how the federal law would affect state statutes.

Hannah Lai reviewed the differences in Oregon and federal law. They are reviewing the process for looking into someone's background regarding allegations of sexual abuse/ neglect, and creating a framework that does not allow a separation agreement to suppress those records. Oregon has been trying to address this for the past 10 years, where an education provider faces allegations of sexual misconduct or abuse and the teacher is sent to a different school before the investigation is complete. The federal law background check applies to any new job, not just other education jobs.

There are also a few legislative recommendations related to the Whitehurst report which was requested by Portland Public Schools. One of the recommendations is regarding the definition of sexual misconduct. Currently it has a very high threshold, specifically unreasonably influencing education performance of the child is required.

Also discussed, how teachers are mandatory reporters, and that the standard for mandatory reporters is higher than what is required (criminal behavior vs. grooming behavior). Reporting is required to be provided to DHS or the police, and there are some variations in how those reports are handled by the respective agencies. Also, the list of mandatory reporters is incomplete (for example, applying to licensed teachers but not school board members).

Lisa Gezelter discussed the draft request from Sen. Roblan. It has about 14-15 elements, including: aligning state law with 20 USC sec. 7926, while retaining the requirements that exceed federal law; modifying the definition of centralized investigation of sexual misconduct at TSPC; requiring districts to check with TSPC before hiring; having all school employees and contractors (and possibly regular volunteers—discussion surrounding this) register with the state; adding school board members and charter members to the list of mandatory reporters; and prohibiting school districts from entering into a resignation agreement if there is an open investigation.

Discussion about leaving employment before the investigation is completed and how the school should handle those types of situations. Discussion on how to write the legislation so that incidents that are not crimes are also required to be reported, and whether these investigations should be connected to the multidisciplinary teams.

Rosalyn Liu / Haley Percell, School-based Health Center Program

Rosalyn Liu and Haley Percell gave an overview of school-based health centers in Oregon. There are 75 certified school-based health centers in 25 counties and 49 school districts. Medical clinics on school grounds are operated by a medical agency. The state certifies health centers, however, certification is voluntary. Certification does make the center eligible for state funding. Members discussed minimum state certification standards.

Rep. Keny-Guyer asked about how to improve mental health/emotional services at schools that already have a health-center, and how to provide these services for schools that do not have it; how many schools would benefit and are of the size that could warrant/ accommodate one; and for the schools that are too small, how do we assist them?

Response: there is not enough capacity to meet the needs right now as well as difficulty determining the pay source for each student patient and client prioritization. The health center supports youth engagement projects around mental health and creating an integrated partnership with the school. Recruitment and retention is difficult in rural areas. The center would like some flexible funding to build resilience, for pieces other than diagnosing.

These clinics are also in smaller schools that have a little over 100 children – they have some flexibility, but it is difficult. Suggestion that maybe every school has access, but they aren't fully staffed. For example, a mobile unit that allows there to be some presence at the school. Right now, they do not fund mobile health programs for schools. They would also need to consider whether this model is appropriate for every school.

There is a recommendation from the National Alliance of School Nursing of one nurse for every 750 students. Oregon's current ratio is 1 for every 2,400, approximately. What is an ideal ratio? (This ratio does not include a mental health professional recommendation).

Comment that there is a huge shortage in school nurses. Most organizations now recommend one nurse per school building. However, most of the nurses are concentrated with the students who need medical care to attend school. School nurses become even more important in areas where students lack other resources outside of school. Some states have implemented legislation requiring health coordinators that coordinate health teams for school settings (Tennessee and Kentucky).

Oregon School Boards Association

Discussed of the definition of sexual conduct. Schools are very frustrated with definition and how difficult it is to prove sexual misconduct with the current statutory definition.

Jackie Sandmeyer, TIX Education Specialists

Oregon is now the leading best practice model in the country for Title IX. Title IX has a broad threshold, which requires all "responsible employees" to have reporting requirements. Many school employees report they feel they have to conduct a legal analysis when deciding whether

to report, and that often they are in crisis after a disclosure. This training works to address these issues. Question: What should be funded more for title IX compliance for minors? Response: A place to receive training regarding prevention, consultations, investigations and response.

Policies that currently support prevention include the comprehensive sex ed law, Healthy Teen Relationship Act and Erin's Law.

Rep. Keny-Guyer stated there are good policies in existence, but they are underfunded. Request that these organization determine what the biggest needs are and the cost.

Next Steps and Prevention Discussion

There are six major ideas thus far. Rep Keny-Guyer invited additional ideas: regulatory, policy or funding.

Three suggestions came out of this discussion:

- 1. Examine the Multi Disciplinary Team (MDT) statutes to coordinate a more traumainformed response so children can avoid telling his/her story multiple times, including for a Title IX investigation.
- Fund the Oregon child abuse prevalence study to increase the amount of data available, and couple it with the Healthy Teens Survey. The Sexual Assault Task Force is already working with legislators on how to get funding for community-based prevention efforts. There was an additional suggestion to better couple prevention and response in training.
- 3. Request information on LCs that already exist so that the committee and its members can be informed and know if they want to support those LCs.

Leah Horner, DHS

DHS submitted a request for sexual health education for children in foster care. Also, the centralized hotline has set-up funding but does not have ongoing funding.

Future Meeting Dates

- Tuesday, November 13th -Tour of Liberty House Child Abuse Assessment Center and Work Group Meeting at 385 Taylor Street NE, Salem, OR 97301
- Tuesday, December 11th 1 PM to 3 PM at the Oregon State Capitol, Hearing Room C

Previous Meeting Videos

Meeting #1 – July 16, 2018

Meeting #2 – September 21, 2018

Meeting #3 – October 15, 2018



November 13th, 2018 12 pm – 3:30 pm

Liberty House Child Abuse Assessment Center at 2685 4th St NE, Salem, OR 97301

Conference Number: 888-278-0296 Meeting Code: 7049786

AGENDA

| Lunch and Tour of Child Abuse Assessment Center12:00 pm Alison Kelley, Board Chair, Oregon Network of Child Abuse Intervention Centers |
|--|
| Welcome and Introductions1:00 pm Representative Keny-Guyer, Chair, Work Group |
| Department of Human Services – Child Welfare1:05 pm DHS Staff |
| Child Abuse Investigations and Assessment1:30 pm Alison Kelley, Board Chair, Oregon Network of Child Abuse Intervention Centers |
| Specialists' Experiences with Child Abuse Assessments 2:00 pm |
| Public Safety and MDT Process2:30 pm |
| Sustainability of the Centers2:50 pm |
| Discussion of Policy Proposals3:05 pm |
| Concluding Comments and Next Steps3:25 pm |

Meeting Agenda and Directions November 13, 2018 Meeting

SB 1540 Workgroup Members & Attendees:

In advance of our meeting on Tuesday, November 13th, we wanted to share the agenda and some instructions for the afternoon meeting.

Please note that this meeting will take place in **Building 1 of Liberty House**, **located at 385 Taylor Street NE, Salem, OR, 97301.** Liberty House is the local Child Abuse Intervention Center serving Marion and Polk Counties. Parking is available in the Liberty House Building 1 parking lot and on Taylor Street. Enter the building and proceed through the foyer to the board room.

Tours of Liberty House will be available starting at 12:05 pm. All are welcome to join, including those who are not official members of the workgroup. The workgroup meeting will begin at 1:00 pm in the board room.

Since this meeting falls over the lunch hour, Liberty House will be providing some light refreshments—coffee, cookies and water. Attendees are also welcome to bring their own lunches.

We are looking forward to the opportunity to discuss the system for responding to concerns of child abuse and the work of Child Abuse Intervention Centers. We encourage all members to attend this meeting in person, but there will be a dial-in option available if necessary.

- 12:00-1:00: Lunch & Tour of Liberty House: Led by Alison Kelley, CEO, and Dr. Erin Hurley, Medical Director, Liberty House. Plan for everyone to be back from the tour by 12:50 p.m. to give people a chance get settled.
- 1:00-1:05: Welcome and Introductions—Rep. Keny- Guyer and Alison
- 1:05 1:30: DHS Child Welfare overview
 - o Generally Marilyn Jones, DHS Child Welfare Director
 - Data Analytics Paul Bellamy, DHS
- 1:30-2:00: Overview of the Response Process: The art and science of child abuse investigation and assessment a discussion highlighting the evidence/research that supports the multidisciplinary team approach and the work of CAICs. Alison S. Kelley, JD; Neda L. Grant, LPC
 - The effects of trauma on children
 - The many agencies involved in responding
 - How the Child Abuse Assessment model helps: forensic interview, medical assessment, family support
 - Karly's Law
 - o The reality of sexual and physical assaults on children: ACES and more
- 2:00-2:30: Hearing from the specialists:
 - Forensic Interviewer: Explain what a forensic interview is, complexities of the interview and its process, and how interviews are used. Brief explanation of the training required of an interviewer. Rachel Petke, Forensic Interviewer, CARES NW and Kevin Dowling, Executive Director, CARES NW
 - Pediatrician/Medical Director: Discuss the specialized training child abuse pediatricians receive, what happens in a medical examination, and how complicated/high stakes the role

- is Erin Hurley, MD, FAAP, Liberty House Medical Director; Cathleen Lang, MD, Children's Center Medical Clinic Director.
- Trauma Focused Cognitive Behavioral Therapist (TFCBT): Explain the process of TF-CBT and why it works, as well as other modalities. Neda L. Grant, LPC; Hope & Wellness Services Director, Liberty House.
- **2:30-2:50: Understanding the Multidisciplinary Team:** Discussion of the MDT process and the roles that CACs play; review of cases to highlight the complexity of investigations; critical risks and frustrations due to lack of funding —*Brendan Murphy, Deputy District Attorney, Marion County*
- 2:50-3:05 Sustainability of the Centers: One Center's billing staff will talk about the disparity between what it costs to provide the services, what the centers are able to bill for. and the average levels of reimbursement. The discussion will highlight how CACs could make a greater impact preventing abuse before it happens. Brenda Keevy, Juliette's House; Russel Mark, Executive Director, Juliette's House; Kevin Dowling, Executive Director, CARES NW.
- 3:05--3:25 Discussion of Policy Proposals
- 3:25-3:30 Wrap Up *Rep Keny-Guyer*



December 11, 2018 1 PM – 4 PM

Oregon State Capitol Room: 350

Conference Number: 888-278-0296 Meeting Code: 7049786

AGENDA

| I. | Welcome, Introductions, November meeting recap 1:00-1:15 Pl | | | |
|------|---|--|--------------|--|
| II. | Center for the Prevention of Abuse and Neglect | | 1:15-2:00 PM | |
| | A. | Oregon Child Abuse Prevalence Study | | |
| | B. | 90by30 Child Abuse Prevention Initiative | | |
| III. | Break | | 2:00-2:05 PM | |
| IV. | Review of Discussion Process and Final Product 2:05-2:10 PM | | | |
| V. | Polic | y Recommendations | 2:10-3:45 PM | |
| | A. | Prevention | | |
| | B. | Identification | | |
| | C. | Intervention and Treatment | | |
| VI. | Concluding Comments and Next Steps 3:45-4:00 PM | | | |



January 11th, 2019 2:30 PM - 4:00 PM

Oregon State Capitol Room: Hearing Room C

Conference Number: 888-278-0296 Meeting Code: 7049786

AGENDA

| Welcome, Opening Remarks | 2:30 PM - 2:45 PN | |
|--|-------------------|--|
| Final Recommendations | 2:45 PM - 3:45 PN | |
| Oregon Child Abuse Prevalence Study | | |
| Centralized Screening | | |
| Sexual Health Education for Youth in Foster Care | | |
| Erin's Law | | |
| Child Abuse Intervention Centers | | |
| Joint Committee on Student Success | | |
| Concluding Comments | 3·45 PM - 4·00 PM | |