


**MEMORANDUM**

**February 18, 2019**

**TO:** The Honorable Chair and Members of The School Board of the School Board of Miami-Dade County, Florida

**FROM:** Alberto M. Carvalho, Superintendent of Schools 

**SUBJECT: ENHANCEMENTS TO EMPLOYEE TRAINING, INVESTIGATIVE PROTOCOLS AND MEASURES TO ENHANCE STUDENT SAFETY**

The safety and security of our students are always foremost in our thoughts and the focus of our actions. Over the past year, a number of communications have been forwarded to the Board regarding enhancements to safety and security including modifications to infrastructure, the installation of security cameras, and the deployment of security personnel including School Resource Officers. These enhancements are intended primarily to protect students and faculty from the threats associated with sudden external attacks. We have also reported to the Board steps taken to enhance social, emotional, and psychological supports through the creation of the Department of Mental Health Services. During this same period, Miami-Dade County Public Schools (M-DCPS) has also been focused on ensuring that our students are protected from those who may prey on innocence.

The sanctity of childhood is something that must be vigorously protected. Violations of that sanctity, particularly by an adult in a position of trust, are beyond reprehensible and will not be tolerated. In order to ensure that schools and classrooms remain safe, comfortable, and nurturing environments for the children of our community to learn and grow, the District has established processes designed to protect students while balancing the rights of employees. Further, as has been discussed with the Board, a constant review of processes, procedures, and practices must be ongoing so that continuous improvements to any investigative model may be made as best practices evolve over time. No child should ever fear going to school or fall victim to a predator while they are within the envelope of safety established within the schoolhouse walls. Therefore, the information that follows represents actions taken to ensure effective and appropriate handling of cases involving allegations that are sexual in nature.

- Training of Personnel
  - On January 17, 2019, a Superintendent’s directive was issued requiring that the entire workforce be trained and retrained regarding School Board Policies, statutory requirements, and professional expectations as it relates to appropriate conduct with students, between students, and/or employees.
  - Eight (8) Ethics Matter training modules were developed and delivered by each school’s administrative team at monthly faculty and staff meetings during the 2017-2018 school year. The annual process for 2018-2019 commenced in October 2018 and will continue through May 2019.

- On January 22, 2019, all principals and worksite administrators received written communication from Ms. Valtena Brown, Deputy Superintendent/Chief Operating Officer and Mr. Jose Dotres, Chief Human Capital Officer, reiterating the requirement to deliver the training modules, reminding them of their duty to report inappropriate conduct, and providing a document entitled, *Mandatory Guidelines for a Safe Learning Environment*, that must be reviewed by all employees, and signed affirming their receipt and understanding.
  - On January 24, 2019, **ALL** employees received an email regarding “Reporting Requirements and Professional Expectations”.
  - On January 24, 2019, a face-to-face Superintendent’s meeting was convened with all principals and District leadership to reinforce professional expectations and supervisory accountability.
  - Principals were also been directed to hold face-to-face staff meetings to review the “Mandatory Guidelines for a Safe Learning Environment” with all employees. These meetings were to conclude by February 15, 2019, and are to occur annually henceforth.
  - Employees are required to sign the “Mandatory Guidelines for a Safe Learning Environment” document indicating they understand their responsibility, particularly as it relates to student interactions. A copy of the signed form must be maintained in the individual’s worksite personnel file. Effective February 15, 2019, all new employees must receive and sign for a copy of this document upon hire.
- Review of Employee Investigative Process
    - In November of 2018, the Superintendent requested a thorough review of all processes related to addressing allegations of inappropriate interactions with students. The Office of Professional Standards (OPS) conducted a comprehensive internal review of the current investigative process, in conjunction with the Civilian Investigative Unit (CIU) and the General Investigative Unit (GIU).
  - Changes to lead investigative entity for allegations that are sexual in nature.
    - Effective November 17, 2018, all allegations of a sexual nature, (not rising to the statutory definition of sexual battery) between an adult/child, child/child, or adult/adult including: inappropriate comments made to students of a suggestive or sexual nature, inappropriate text messages/pictures sent to students, inappropriate touching or allegations of physical contact, are now exclusively assigned to Miami-Dade Schools Police for investigation. (The District has been advised that such cases will not be accepted by outside jurisdictions.)
  - Changes to lead investigative agency for **sexual battery**.

- Effective July 1, 2018, **all** cases of sexual battery as defined in State Statute 794.011, are now investigated by the local police jurisdiction/ municipality (Sexual Battery Unit), or Miami-Dade Police, with our internal School Police shadowing the investigation.

#### Additional Investigative Process Modifications

- On February 8, 2019, a directive was given that additional safeguards and enhancements be explored and implemented to refine the District's investigative processes as outlined below.
  - Investigators will no longer have the ability to independently close cases of a sexual nature. Moving forward, regardless of the investigative outcome, such cases will undergo a high-level independent, internal review process and will require sign-off by legal as well as a senior level administrator.
  - The Incident Review Team (IRT) will continue to consider the following when assigning a case to an investigative entity: an employee's OPS history, arrest history, SPAR History, and school-site Personnel File history, with input from the site administrator.
    - A checklist will be developed to ensure all factors are taken into consideration and will be signed off by the OPS Administrative Director or OPS/Designee.
    - As part of the above referenced checklist, IRT will confirm that all cases involving allegations of a sexual nature, that involve an adult and a child, have been reported to DCF by the school site as required by law.
  - Those cases that conclude with a finding of *No Probable Cause*, subsequent to February 15, 2019, will require that, as a reminder, the subject be issued a copy of those School Board Policies relevant to the incident, and be re-issued the Mandatory Guidelines for a Safe Learning Environment. The subject must sign indicating they are in receipt of the documents and a copy must be maintained in the OPS file.
- On February 13, 2019, a Superintendent's directive was given requiring all investigative entities to annually evaluate their current procedures and participate in training specifically geared toward improving the investigative process.
- As part of the above referenced annual review process, the District will conduct specific Case Study Reviews to continuously evaluate and improve the investigative process.
- The Personnel Investigative Model (PIM) will be reviewed and revised as appropriate.

- As is our practice, every case brought forward will include a retroactive look at the individual to determine if they have been the subject of similar allegations that were found to have probable cause.
- Effective February 14, 2019, investigative procedures have been changed to ensure that in cases involving allegations of a sexual nature, the same investigator will no longer be assigned to investigate an employee in a subsequent allegation. Employees who have repeated allegations will be assigned a new investigator to ensure a fresh lens is applied to the subsequent investigative process. Any variance from this protocol will require specific approval of the Chief of Miami-Dade Schools Police.

#### Student Advocate

- The District is exploring the creation of a student advocate position responsible for coordinating internal and external services including counseling, advocacy, and other available support for students involved in sexual harassment and/or abuse. Until such position is created and authorized, the Division of Student Services and Mental Health Services Department will ensure students are afforded every support available.

#### Raising Awareness

- To continue raising awareness of sexual abuse and its prevention, the Office of Communications will be relaunching a districtwide campaign on the importance of being an “upstander” and speaking out should one recognize the signs of victimization in someone they know. This campaign, launched in May 2018, #OKToTellMDCPS, is being shared through our District’s social media platforms and principals will be encouraged to share at their locations.
- Miami-Dade County Public Schools (M-DCPS) has partnered with several community agencies to create awareness as the foundation of prevention of sexual molestation or inappropriate adult behavior which can lead to abuse. Over the last several years, each April, the Division of Student Services has collaborated with Amigos for Kids to support Blue Ribbon Month, a campaign that raises awareness about the importance of preventing child abuse. This collaboration includes the promotion of school-wide activities to recognize the signs of abuse and emphasize the importance of reporting.
- As highlighted in the February 12, 2018 staff follow-up memorandum to the December 6, 2017 agenda item H-11, *Preventing, Educating, and Raising Awareness of How to Protect Against Sexual Predators/Sexual Molestation*, sponsored by Vice Chair Dr. Martin Karp, the Division of Student Services is coordinating the District’s efforts to protect our students against sexual abuse through the education of students, parents, and other stakeholders on recognizing the signs of abuse as well as knowing how to advocate on behalf of victims. The Division of Student Services’ website includes curriculum programs and resources that school counselors and classroom teachers are encouraged to use to teach students to recognize inappropriate behavior and ensure that students always feel safe and comfortable.

- The District is also exploring other opportunities to engage parents and community stakeholders on issues of sexual abuse, including educating them on the myriad of reporting options available to them. A Parent Academy course on the topic is in development and will be launched early this spring.

The enhancements outlined above clearly demonstrate our District's ongoing, steadfast commitment to promoting, maintaining and ensuring that the children entrusted to our care can come to school each day and feel safe and secure. Heightened employee accountability and training regarding reporting requirements and professional expectations, student/parent awareness campaigns, modifications to the investigative process, and internal and external review processes will only serve to ensure a safe and supportive learning environment. Any proposed enhancement or improvement detailed above have been reviewed in collaboration with the School Board Attorney's Office and those modifications that may require a policy amendment will be brought forward to the School Board for its consideration forthwith. We will not violate the trust our parents and students place in our educational system and remain fully committed to comprehensively addressing any behavior that threatens the safety of our children.

Should you need additional information or have any questions, please feel free to contact me or Mr. Jose Dotres, Chief Human Capital Officer, Office of Human Capital Management, at 305 995-7007.

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cc: School Board Attorney  
Superintendent's Cabinet  
Region Superintendents