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TEARING DOWN WALLS, BUILDING CAPACITY, & DESIGNING OUR FUTURE

Think Your School is Safe? Think Again! Conducting a Policies & Procedures Self-Audit

Presenters:

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The world needs what our children can do.

Typically, a comprehensive self-audit of school policies and procedures is undertaken when a school encounters a:

- serious,
- high profile,
- often reputation damaging,
 - campus divisive

situation (crisis?!) such as a student on student campus sexual assault.

No School is Immune

“Student at Friends School Accused of Sexually Assaulting Other Students”

WJZ CBS Baltimore, February 14, 2017

Who, What, When and How

Who — does the audit, assists with the audit, reviews the audit report, implements the audit recommendations?

What — kind of an audit do you do? (Student safety is the focus.)

When — does the audit take place and how long does it take?

How - is the audit undertaken and how do you evaluate and implement the findings and recommendations?

Typically an outside consultant is hired by the school's legal counsel.

The outside consultant should have expertise specific to independent schools, their culture, environment, constituencies, standard of care, best practices, legal obligations, and safety concerns. Being hired by the school's legal counsel will help to preserve attorney client privilege (and thus confidentiality) to the greatest extent possible especially as it relates to discussions, findings and conclusions regarding weaknesses in policies and procedures, and considerations and decisions about options and recommendations.

The outside consultant's work will help the school's legal counsel in their rendition of legal services to the school.

Standard of Care versus Best Practices

They are not the same.

Standard of care: refers to the standard that a school is obligated to meet to carry out its duty of care to students under its control.

Best practices: Refers to a method or technique that is considered superior to those used by other schools, and that can be used as a benchmark.

Ideally, your school should seek to engage in best practices to meet your standard of care.

Handbooks Review

A critical part of the self-audit will be a review of your school's student/parent and employee handbooks as they relate to student safety concerns.

Handbook Review

1. Need consistency in terminology and policies within, between and among handbooks.
2. May need age appropriate language.
3. Ensure compliance with federal and state laws.
4. Examples of areas of concern: behavioral expectations of students, parents and employees; flexibility to deal with situations as they arise; off-campus behavior; age 18 and over students; acceptable use policies; sexual harassment and misconduct policies; disclaimer language; search policies; cooperation in investigations; dean's leaves; medical information sharing; drug and alcohol use; sanctuary/amnesty policies; reporting obligations, etc.

Other Documents to be Reviewed

1. Employment Application and Contracts
2. Student Application and Enrollment Contracts
3. Waivers
 - a. Student activity permission and release form
 - b. Off campus trip forms
 - c. Media release
 - d. Transportation forms
 - e. Medical forms

Cont'd

Other Documents

4. Bylaws
5. Emergency Response Plans
6. Board of Trustees Policy Manual or Orientation Materials
7. Host Family Agreement and Handbook
8. Travel Forms
9. Others?

People to Talk to

1. Head(s) of School
2. Senior Administrators
3. Deans
4. School Nurse and Doctor
5. Athletic Director
6. School Counselor
7. Safety and Security Director
8. Director of Diversity, Inclusion and Equity
9. SRO, if any
10. Others? Head of Summer Programs, International Studies

Education, Awareness and Training Programs

1. Take a look at student, parent and employee trainings over the last 3 to 5 years
2. Consider taping programs for reuse
3. Develop ongoing and coordinated programs for student, faculty, staff and parents
4. Keep a record of all training programs
5. Report to the Board of Trustees
6. Conduct table top and other training to front line responders. *The middle of a crisis is not the time to learn how to deal with one.*

The Report and Recommendations

1. **What are you asking for?** To identify areas of concerns, or to identify areas of concern and offer specific recommended changes?
2. **Phases of Recommendations**
 - a) Phase One: immediate changes that can be made if recommendation is accepted. E.g. Adopt an employee code of conduct or social networking guidelines for interactions between employees and students.
 - b) Phase Two: Changes that may require more in-depth study, buy-in or consideration. E.g. create a task force to evaluate the adoption of a sexual misconduct and sexual assault policy. Conduct a similar self-audit of summer programs. Consider adoption of a sanctuary policy, record retention policy, climate survey, review of school admissions forms, hiring practices, create a risk management committee of the Board.
 - c) Phase Three: Recommendations for third party reviews. Areas of safety concern that were observed but are beyond the scope of the student safety self-audit. E.g. domestic and foreign field trips, physical facilities, data security audit.

Evaluation of the Report and Recommendations

1. Who reviews?
2. Do you have a separate task force?
3. What is the role of the Board of Trustees?
4. Working with Legal Counsel
5. Confidentiality

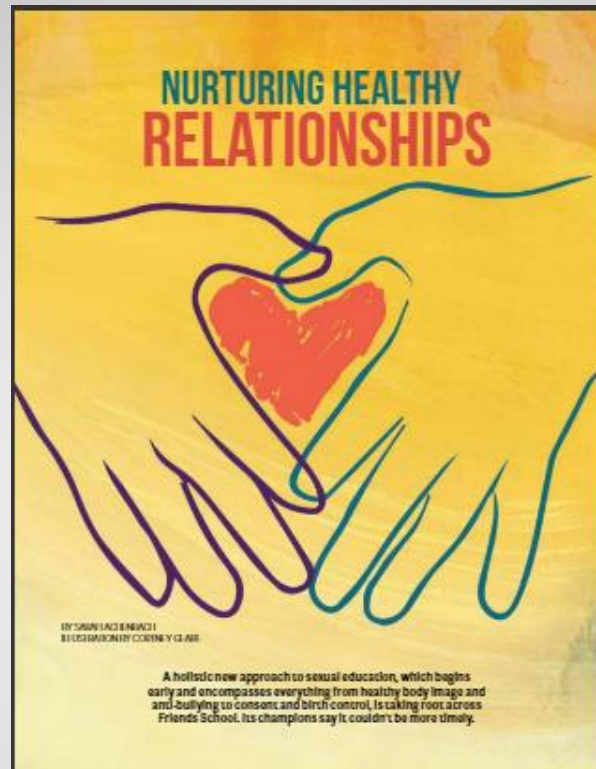
Communication and Transparency

1. What do you communicate to the various school constituencies such as Board, faculty and staff, parents, students, alumni, the great community?
2. When do you communicate to them?
3. Are there any follow-up communications?

Implementation and Timeline

1. How does the school go about implementing the recommended changes?
2. What is the timeline from start to implementation, and from implementation to completion?

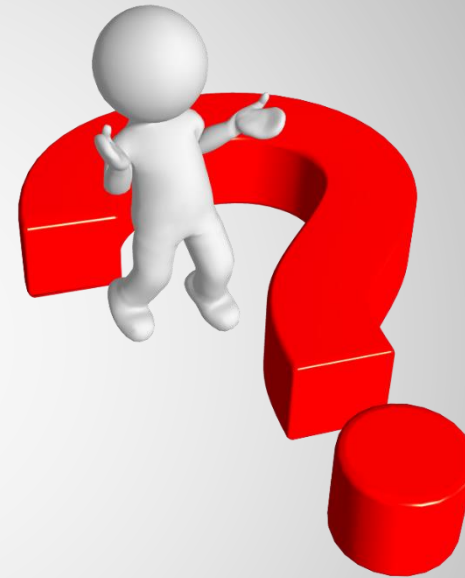
Other Initiatives



“A holistic new approach to sexual education, which begins early and encompasses everything from healthy body image and anti-bullying to consent and birth control, is taking root across Friends School. Its champions say it couldn't be more timely.”

What are the lessons learned?

Ideas, Input and Questions?



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Please note that the information shared in this session and materials are **not legal advice**.

For questions about specific situations or the application of these materials to your school, speak to the appropriate school administrator or seek legal advice.