

August 10, 2023



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AUG 14 2023  
PRESIDING

-MTS

Honorable Michael T. Smyth  
Presiding Judge of the Superior Court  
Presiding Department  
220 West Broadway  
San Diego CA 92101

Re: Response to the 2022-23 Grand Jury Report: "Assembly Bill 1227 Human Trafficking - The Fight Against Child Trafficking"

Dear Judge Smyth:

Enclosed is our response to the Grand Jury Report of May 23, 2023, concerning operational procedures and Assembly Bill 1227 requirement that all middle and high schools offer at least two courses regarding "Protection from Sex Trafficking" to all students during their 7-12 grade school career by the several agencies in San Diego County, including the San Diego County Office of Education.

A copy of the response is being provided to you in accordance with the Grand Jury's "Requirements and Instructions." In addition, our response to the report has been sent to Mr. Ed Lopatin, Grand Jury Foreperson.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Paul Gothold, Ed.D.  
County Superintendent of Schools

PG:GC:LE

Enclosure

“The specific focus of the 2022/2023 GJ investigation is San Diego County Office of Education’s (SDCOE) operational procedures concerning the AB 1227 requirement that all middle and high schools offer at least two courses regarding “Protection from Sex Trafficking” to all students during their 7-12 grade school career. AB 1227 serves as a foundation for accomplishing our goals.”

***Finding 01:*** County of San Diego school districts and administrators have no legal responsibility to protect, or liability for, students involved in off-campus activities being victimized by human traffickers.

SDCOE partially agrees with Finding 01. Although California Education Code § 44808 *et seq*, indemnifies a school district, or county board of education, county superintendent of schools, or any officer or employee of such district or board from responsibility, or liability for the conduct or safety of any pupil, at any time when not on school property, unless in the case of a school-sponsored activity (extracurricular or co-curricular), school districts and administrators are required to report suspicions of child abuse and neglect to the local child protection agency regardless of where the suspicion of abuse or neglect occurred. The human trafficking of children is included in the Child Abuse and Neglect Reporting act (CANRA).

***Finding 02:*** Education Code § 35160 provides the SDCOE with a vehicle to guide all 42 school districts in incorporating AB 1227 training into their curricula.

SDCOE partially agrees with Finding 02. While SDCOE offers guidance and technical assistance for school districts to incorporate AB 1227 (2017) training into their curricula, each governing board of a school district will determine how to implement student training within the school district. For example, a school district meets AB 1227 (2017) by providing human trafficking prevention training as part of comprehensive health curriculum.

***Finding 03:*** The SDCOE has in place the framework with the Human Trafficking School Safety Protocols (HTSSP) to solicit more parent involvement.

SDCOE agrees with Finding 03. The Human Trafficking School Safety Protocol (HTSSP) which is part of the Human Trafficking Youth Prevention Education (HTYPE) (aka *Project SaFE*) federal demonstration grant solicits parent involvement in Step 5 (Potential Victim of Human Trafficking) or Step 6 (Identified Victim of Human Trafficking).

***Finding 04:*** The San Diego County SELPA network is uniquely positioned to ensure that all special needs children in the County receive the valuable education that AB 1227 promises.

SDCOE agrees with Finding 04. If a SELPA has the capacity and resources to identify which students could appropriately receive human trafficking prevention education and develop a tracking tool to monitor completion.

***Finding 05:*** The SDCOE Train the Trainers (TOT) program currently does not specifically address human trafficking in the training curriculum.

SDCOE agrees with Finding 05. The SDCOE staff provides, through the Train the Trainers (TOT) program, training, technical assistance, and direct services to assist school districts in developing and supporting their Comprehensive School Safety Plans which include Active Shooter, Safety Planning, Threat Assessment, and Crisis Intervention and Recovery.

***Finding 06:*** The SDCOE *Expanded Learning and Community Engagement Program* currently does not include human trafficking training as part of extracurricular programs.

SDCOE partially disagrees with Finding 06. SDCOE has not assessed if SDCOE's *Expanded Learning and Community Engagement Program* includes or does not include human trafficking prevention education as part of extracurricular programs.

## RECOMMENDATIONS

The 2022/2023 San Diego County Grand Jury recommends the San Diego County Office of Education (SDCOE):

**23:18 Use Education Code § 35160 authority to take an active role in encouraging and guiding all 42 school districts within San Diego County, with the implementation of the requirements of the AB 1227 mandate into the curriculum.**

This recommendation **has been implemented**. SDCOE Student Wellness and School Culture department actively encourages and is available for guidance to all 42 school districts with the implementation of AB 1227.

**23:19 Use the framework of the Human Trafficking School Safety Protocols (HTSSP) to solicit more parent involvement through an outreach campaign to assist all 42 school districts, Parent Teacher Associations (PTA), Parent Teacher Organizations (PTO), Foundations, or other parent organizations, within the County to find ways to involve and educate parents in human trafficking and the need for them to take an active role in human trafficking education of their children.**

This recommendation **has not yet been implemented but will be within the next three months**. SDCOE will launch a communications campaign to district superintendents, charter school leaders, and parent groups to share resources available to support the prevention of human trafficking. Further, the SDCOE Student Wellness and School Culture department will use the HTSSP to support schools/districts/charters with identifying strategies to involve and educate parents in human trafficking and reinforce the need for them to take an active role in human trafficking education of their children.

**23:20 Develop a methodology to perform routine monitoring of all 42 school districts' compliance with the Human Trafficking School Safety Protocols (HTSSP).**

This recommendation **has not yet been implemented but will be in the future**. SDCOE has a methodology in place for monitoring compliance of HTSSPs for districts/schools/charters participating in Project Safe from Exploitation (Project SaFE), which includes 12 schools within 5 districts and 11 individual charter school districts. Within the next three months, the Student Wellness and School Culture department will expand routine monitoring that will include all 42 school districts' compliance with the implementation of protocols that address human trafficking.

**23:21 Develop a methodology to perform routine monitoring of all 42 school districts' compliance with the training of pupils, educators, and administrators' requirements of AB 1227.**

This recommendation **has not yet been implemented but will be within the next three months**. The Student Wellness and School Culture department will develop a methodology to perform routine monitoring of all 42 school districts' compliance with the training of pupils, educators, and administrators regarding the requirements of AB 1227.

**23:22 Consider adopting the framework of the Commercial Sexual Exploitation of Children (CSEC) Advisory Council *Recommended Protocols for Schools* and encourage all administrators, staff and teachers are trained in its use.**

This recommendation **has been implemented**. The *Recommended Protocols for Schools* was created in response to AB 1227 in 2018 in collaboration with the CSEC Steering Committee lead by Child Welfare Services (CWS), Health and Human Services Agency, County of San Diego. The protocols have been shared with all school district Superintendents and are promoted as a best practice. Districts are encouraged to implement the framework of the CSEC Advisory Council Recommended Protocols for Schools in their districts. The *Recommended Protocols for Schools* is available on SDCOE's webpage, Human Trafficking of Children. Technical assistance and training are offered by the Student Wellness & School Climate department at no cost.

**23:23 Coordinate with the six SELPAs in San Diego County to address the curriculum necessary to comply with AB 1227 Human Trafficking to ensure all Special Education children in the County of San Diego receive this critical training.**

This recommendation **has not yet been implemented but will be within the next three month**. The SDCOE Student Wellness and School Culture department will share resources on AB 1227 Human Trafficking with leaders of the six SELPAs in San Diego County, and will encourage them to share the resources with special education leaders in the districts they serve. Please note that each governing board of a school district will determine how to incorporate training within the school district.

**23:24 Seek additional grant funding, or earmark general operating funds, to continue *Project SaFE* and encourage all 42 school districts in San Diego County to participate in *Project SaFE*.**

This recommendation **has been implemented**. SDCOE regularly seeks funding to support the continuation of Project SaFE and similar initiatives. SDCOE encourages participation from all 42 school districts provided funding is available.

**23:25 Through the SDCOE *Expanded Learning and Family Community Engagement Programs*, encourage all 42 school districts to develop and implement before and after school programs that entice students and parents to engage in understanding the risks human trafficking poses.**

This recommendation **has not yet been implemented but will be within the next three months**. The SDCOE Expanded Learning and Community Engagement department will, share information and resources to all 42 school districts and will encourage them to offer human trafficking training as part of their before and after school programs.

**23:26 Encourage all 42 school districts to develop and make available to parents, through each district's web portal, the tools and curriculum necessary for them to take an active role in educating their children on identifying and avoiding the dangers of human trafficking.**

This recommendation **has been implemented**. SDCOE Student Wellness and School Culture department actively encourages all 42 school districts to utilize district web pages to share necessary and relevant information, tools, and resources regarding human trafficking that would assist parents in taking an active role in educating their children on identifying and avoiding the dangers of human trafficking.

**23:27 Consider posting Human Trafficking Hotline Posters in each school.**

This recommendation **has been implemented**. SDCOE has posters available and actively encourages their use to provide necessary information to students on school campuses.