



Division of District Operations

# Breaking the Silence

## Child Abuse Awareness Training

# Books & Punishment



### The Scenario

You walk into a classroom and notice Jimmy, a third grader, standing at the back of the classroom with outstretched arms and three books in each hand. He is clenching his teeth and trembling. The teacher explains that Jimmy is being punished for kicking another student. What do you do?

### Discussion Begins

#### What do you do?

**Do you report?** If so, to whom? If so, when? If you don't, what might happen to Jimmy? To the teacher? To you? To your school? To LAUSD?

If you report and the Department of Children and Family Services or Local Law Enforcement Agency tells you...

...to **handle it administratively**, what do you do next?

...**they will investigate**, what do you do next?

### Filing a Report

If an employee does not have reasonable suspicion of child abuse, he/she may ask clarifying questions; however, if an employee has reasonable suspicion, he/she must file a Suspected Child Abuse Report (SCAR) without further questioning.

In order to comply with the mandated reporting requirements, an employee must always file a SCAR if he/she has reasonable suspicion of child abuse, even if the

Department of Children & Family Services (DCFS) or the Local Law Enforcement Agency indicates to "handle it administratively."

Required steps for filing a SCAR:

1. Phone call immediately or ASAP to a Child Protective Agency (CPA)
2. Written report mailed to the CPA within 36 hours of receiving the information

SCARs must be filed with a CPA – either DCFS or a Local Law Enforcement Agency. Generally, reports are filed with the DCFS if they involve allegations of abuse or neglect by an in-home perpetrator. Generally, reports are filed with a Local Law Enforcement Agency if they involve allegations of abuse by a District employee or an out-of-home perpetrator or allegations of moderate to severe abuse by an in-home perpetrator.

# Books & Punishment

## Legal Response

Indications are that the child is under physical duress. There may be mental suffering as well, especially if the child is being humiliated in front of other students. Further, in this situation, any kind of physical punishment by school employees, such as running laps, doing push-ups, or holding heavy books is a form of corporal punishment, which is illegal and against District Policy (Abolition of Corporal Punishment, BUL-5747.1). This situation constitutes reasonable suspicion that child abuse has occurred and a SCAR must be filed with a CPA.

### Other Considerations

The safety and well-being of every student must be the first and foremost priority for all employees. As such, immediate action should be taken to remove any child from any situation which threatens her/his safety or well-being.

Whether you have reasonable suspicion that child abuse occurred, there is sufficient information to determine that improper conduct may have occurred (e.g., LAUSD Code of Conduct). You should notify an administrator of the possible inappropriate conduct. The administrator should then notify the Local District (LD) Operations Coordinator. At this time, the LD Administrator of Operations must exercise discretion as to whether the employee should be removed from the school site or work assignment (BUL- 6532.1, Protocols and Procedures to Report, Reassign and Investigate Allegations of Employee Misconduct).

The site administrator/division supervisor will inform the Local District/Division of law enforcement's determination as to whether the District may proceed with or should refrain from conducting an administrative investigation. Once clearance has been obtained from the Local Law Enforcement Agency, the administrative investigation shall proceed. Upon conclusion of the investigation, appropriate administrative action will be taken, if warranted.

## Emotional Support

### Listen

While seeing a colleague treating a student this way can elicit a strong emotional reaction, it is important to remain calm. Taking notes might be helpful with remembering the details to be included in the SCAR.

### Protect

This situation cannot be ignored and must be addressed by following the legal response. Doing so is the best way to protect students and promote a safe learning environment.

### Connect

You may acknowledge the teacher's frustration with Jimmy's behavior. Ask if there is anything that you can do to help. Every school site has protocols, systems, and resources to support and address student safety and well-being. This is an opportunity to become familiar with and use the procedures, policies, and resources at your work site.

### Model

Maintain a professional and calm level of emotions and reactions. Do not express shock or anger at the possible perpetrator or event.

### Teach

Work with Jimmy, his parents and his teachers to develop positive interventions to deal with his challenging behaviors.

