



Breaking the Silence Child Abuse Awareness Training

Student to Student



The Scenario

Bob tells you that, while he was using the restroom, another student, Jon, pushed him against the bathroom stall, touched him inappropriately, and propositioned him sexually. What do you do?

Discussion Begins

What do you do?

Do you report? If so, to whom? If so, when? Is there more than one victim here? If so, do you make one or two reports? If you don't, what might happen to Bob? To the suspected abuser? To other students? To you? To your school? To LAUSD?

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

Legal Response

This conduct may be sufficient for you to form reasonable suspicion that child abuse has occurred. If so, a SCAR must be filed with a CPA.

If based upon Bob's initial statements, you do not have reasonable suspicion of child abuse, you may ask clarifying questions such as, "Where did he touch you? How did he touch you?" There is a difference between touching a shoulder and touching genitalia. If there is reasonable suspicion that child abuse occurred, a SCAR must be filed with a CPA.

Student to Student

Other Considerations

Advise your school site administrator of the inappropriate conduct, as it may constitute sexual harassment and require additional administrative action. The administrator may notify the Local District Operations Coordinator for further guidance.

Parents/guardians of all parties involved should be notified at the appropriate time, pending the law enforcement investigation.

If the behavior meets the criteria of sexual harassment, follow the steps in the Title IX Policy/Complaint Procedures (BUL-2521.1) and Sexual Harassment Policy (BUL-3349.1). A recommendation for expulsion must be considered in a sexual battery situation. Refer to applicable policies, including the Expulsion of Students - Policy and Procedures (BUL-6050.2). The Educational Equity Compliance Office may provide consultation in this area. Document all your actions.

If appropriate, you may consider filing another SCAR naming the student who perpetrated the incident as a possible victim. Considering the student's age and the aggressive sexual nature of his actions may provide reasonable suspicion that he is being or has been abused.

If you determine that the incident was not aggressive, but an awkward and inappropriate expression of interest, engage Jon in a conversation about appropriate ways to express his interest in someone. Be explicit that the "problem" in this scenario is that the behavior was unwanted, not that it was same-sex. Do not shame or stigmatize either boy. Advise him of the Sexual Harassment Policy (BUL-3349.1).

Emotional Support

Listen

Hearing about this type of behavior may elicit a strong emotional reaction. Listen carefully and neutrally, while conveying your concern and interest for Bob's well-being. Ask open-ended questions, as needed, to help him feel safe.

When speaking with Jon, the alleged perpetrator, be aware that he may not have had strong guidance as to the inappropriateness of such behavior. Educate him about the respectful treatment of all and the expectations the school and District has for appropriate behaviors.

Protect

The situation must be addressed immediately by following the legal response and if necessary, the mandated child abuse reporting procedures. This is the best way to protect students and promote a safe learning environment.

Reach out to both parties, separately. Let the students know that you take this incident seriously.

Connect

Ask Bob and Jon what would be most helpful at this time. 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. Be certain not to embarrass or shame the boys because of the same-sex nature of the incident.

Teach

Talk with Bob about the fact that no one has the right to touch him. Help him to understand that it is normal to have a confusing range of feelings as a result of experiences like this. Assure Bob that there are employees on campus to help him. Talk with Jon about appropriate behaviors.

