



# Breaking the Silence Child Abuse Awareness Training

## Two Gay Dads



### The Scenario

You overhear a teacher tell Janice, a student, that her two gay fathers are going to hell. Janice is visibly upset.

### Discussion Begins

#### What do you do?

**Do you report?** If so, to whom? If so, when? If you don't, what might happen to Janice? To Janice's relationship with her dads? 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.

#### Legal Response

Willful cruelty/emotional maltreatment may constitute child abuse. While it is unlikely, it is not impossible, that a single verbal interaction with a student could create a reasonable suspicion of child abuse.

Accordingly, you must consider whether you have a reasonable suspicion that child abuse has occurred. If based upon your initial observation you do not have reasonable suspicion of child abuse, you may ask clarifying questions such as, "I noticed your teacher talking to you about your dads earlier, what did he/she say? Do you know why she said that? What do you think she means by it? Is this the first time she says something like this to you?" If there is reasonable suspicion that child abuse occurred, a SCAR must be filed with a CPA.

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## Other Considerations

Whether you have reasonable suspicion that child abuse occurred, there is sufficient information to determine that improper conduct and/or discrimination may have occurred (e.g., LAUSD Code of Conduct). The teacher's actions may also be considered discriminatory on the basis of sexual orientation. In addition, given the public nature of the teacher's comments, other students or employees may also claim discrimination or a hostile environment. Also, this may constitute unprofessional conduct. As such, you should report the conduct to the administrator and the Title IX Complaint Manager. Follow the steps in the Title IX Policy/Complaint Procedures (BUL-2521.1) and Sexual Harassment Policy (BUL-3349.1). Staff from the Human Relations, Diversity and Equity office and/or the Educational Equity Compliance Office may provide consultation.

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).

As appropriate, the Local LD Operations Coordinators and/ or Employee Performance and Accountability Representatives shall consult with Employee Relations and communicate with the Local Law Enforcement Agency to determine whether they may begin 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

Hearing a student being addressed in a derogatory manner may elicit a strong emotional reaction. Listen carefully, pay attention, and convey your concern and interest in Janice's well-being, thereby helping her to feel safe. You may want to take notes to help with remembering the details, to be included in the SCAR.

### Protect

Act immediately by following the legal response. Let the student know that you take her disclosure seriously. Doing so is the best way to protect students and promote a safe learning environment.

### Connect

Convey concern for the student's well-being. 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. It is good to be aware of your thoughts and feelings and reactions about the event as they can affect your students. Your students will be watching you for both verbal and nonverbal cues and it will influence how your students cope and behave.

### Teach

Encourage students to speak to trusted adults if they experience inappropriate interaction with staff. This is an opportunity to bring real world issues into your classroom. As the opportunity arises, talk/teach about the inappropriateness of name-calling and the importance of respectful attitudes toward lesbian, gay, bisexual and transgender concerns, including respect for diverse families. Staff from the Office of Human Relations, Diversity and Equity may provide consultation.

