



Breaking the Silence

Child Abuse Awareness Training

Sexting



The Scenario

A group of middle school students is huddled in the hallway looking at pictures on a cell phone. You catch a glimpse of one of the photos and recognize Juliet, a 7th grader, naked and posed in a very provocative manner. 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 Juliet? 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

If based upon the initial student statements, you do not have reasonable suspicion of child abuse, you may ask clarifying questions such as, "Who took the pictures? Who posted the pictures? How did you discover the pictures? Who else might have received the pictures?" If there is reasonable suspicion that child abuse occurred, a SCAR must be filed with a CPA.

Sexting

Other Considerations

Technology is an integral part of most people's lives. It's how we learn, communicate, educate, and connect. Like any tool, there is potential for misuse and harm. This vignette provides an opportunity to teach students that posting or sharing nude or semi-nude photos may harm the students' reputation, employability, and personal privacy, in addition to placing them at risk for criminal charges.

You could have reasonable cause to seize the phone to give to your school site administrator and Local Law Enforcement to determine if it constitutes the production and/or distribution of child pornography. Do not download pictures or forward them as evidence. The administrator may consult with the Local District Center (LD) Operations Coordinator. If it is determined that there is reasonable suspicion of child abuse, a SCAR must be filed with a CPA. Once clearance to handle the situation administratively has been obtained, the administrator may proceed with an investigation. Upon conclusion of the investigation, appropriate administrative action should be taken, if warranted.

A school-based investigation should be conducted respectfully and sensitively. Determine if Juliet voluntarily posted the nude pictures of herself, how the group of students came to be in their possession, and how broadly the pictures have been distributed.

In this vignette it is important to consider the potential of the behavior being deemed as criminal for producing and/or distributing child pornography, suspected child abuse, cyberbullying, and/or sexual harassment. These perspectives must be kept in mind while conducting an investigation. Refer to Bullying and Hazing Policy (BUL-5212.2), Title IX Policy/ Complaint Procedures (BUL-2521.1) and the Sexual Harassment Policy (BUL-3349.1).

Emotional Support

Listen

Observing this type of behavior may elicit a strong emotional reaction. Taking notes might be helpful with remembering details to be included in the SCAR.

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. It is the responsibility of District employees to monitor students and to speak with them, and their parents if appropriate, about the harmful effects of posting and sharing nude or semi-nude photos.

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. Students found sexting require support from teachers and parents, and may possibly need a referral for further counseling services.

Model

Maintain a professional and calm level of emotions and reactions to help them achieve balance and restore a calm environment. Do not express shock, anger or disbelief at the possible perpetrator or event. Instead, demonstrate a caring and inquisitive tone.

Teach

Adolescents benefit from guidance on safe and appropriate ways to manage emerging sexuality. This is an opportunity to help student's realize the potential harm of posting and sharing sexually explicit material. Share information with the students' parents on ways to monitor their children's online communications.

