



Division of District Operations

Breaking the Silence

Child Abuse Awareness Training

Be a Man



The Scenario

You overhear Mr. Garcia, the teacher in the room next to you, telling Johnny to, “be a man” and calling him, “a fag, a pansy, and a queer.” He degrades Johnny in front of the other students who laugh and often join in on the name calling. 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 Johnny? To other students? 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.

Be a Man

Legal Response

Willful cruelty and a child's mental suffering constitute child abuse. You must consider whether Mr. Garcia's actions alone create a reasonable suspicion that child abuse has taken or is taking place. If you do not have reasonable suspicion of child abuse, you may ask Johnny a clarifying question such as, "I heard Mr. Garcia speaking to you, what happened?" If there is reasonable suspicion that child abuse occurred, a SCAR must be filed with a CPA.

Other Considerations

Whether you have reasonable suspicion that child abuse occurred, there is sufficient information to determine that improper conduct may have occurred (see the LAUSD Code of Conduct). Mr. Garcia's actions may also be considered discriminatory on the basis of sexual orientation regardless of whether Johnny is gay. In addition, given the public nature of Mr. Garcia's activities, other students or employees may also claim discrimination or a hostile working environment. This conduct may constitute unprofessional conduct and discrimination on the basis of sexual orientation. 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).

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

Hearing a student being addressed in a derogatory manner may elicit a strong emotional reaction. However, listen to the interaction to be able to recall the exact language used. You may want to take notes to help with remembering the details, to be included in the SCAR.

Protect

The situation must be addressed by following the legal response. 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. Staff from the Office of Human Relations, Diversity and Equity may provide consultation.

