



# Breaking the Silence

## Child Abuse Awareness Training

# Love Letters from a Student



### The Scenario

Mr. Chen, a new teacher, confides that one of his male students is writing him love letters. He is uncomfortable with the letters, but doesn't know how to proceed. He wants your advice. What do you do?

### Discussion Begins

#### What do you do?

#### What do you advise the new teacher to do?

**Do you report?** If so, to whom? If so, when? If you don't, what might happen to the student? To Mr. Chen? 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, s/he may ask clarifying questions; however, if an employee has reasonable suspicion, s/he 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 s/he 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.

# Love Letters from a Student

## Legal Response

At this time, the facts establish that the student, and not Mr. Chen, is acting inappropriately. Accordingly, this does not rise to the level of suspected child abuse.

This situation might be a mere case of student infatuation or it might be a case of sexual harassment by the student. In either case, the student's misconduct is inappropriate and you should connect Mr. Chen with an administrator who can then advise him. The administrator should investigate the situation to determine if any additional misconduct has occurred by either party.

## Other Considerations

If this is a case of infatuation, someone who has a positive relationship with the student should discuss appropriate boundaries with the student. It is important not to embarrass him for having a same-sex attraction. It might be helpful to connect the student with LAUSD Project 10 resources in your area or school.

If this is a case of sexual harassment, you should connect Mr. Chen with the Title IX Complaint Manager, as well as an administrator. Follow the steps in the Title IX Policy/Complaint Procedures (BUL-2521) and Sexual Harassment Policy (BUL-3349). The Educational Equity Compliance Office may provide consultation.

If it is determined that improper conduct has occurred by the teacher, you should notify an administrator (e.g., LAUSD Code of Conduct). The administrator should then notify the Local Educational Service Center (ESC) Operations Coordinator. At this time, the Local ESC Administrator of Operations must exercise discretion as to whether the employee should be removed from the school site or work assignment [BUL-5813, Reassignment (Housing) of District Certificated and Classified Employees].

As appropriate, the Local ESC 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

Be positive and neutral. Communicate clearly that your concern is specific to the appropriateness of writing love letters to a teacher, not the same-sex component.

### Protect

Encourage Mr. Chen to document the incident and speak with his teacher liaison or supervisor. Advise Mr. Chen on appropriate ways to rebuff the student's advances without humiliating him.

### Connect

Check-in with Mr. Chen to assure that he has followed through with any recommendations. Connect the student with resources at the school or in the community. Every school site has protocols, systems, and resources to support and address student and employee safety and well-being. This is an opportunity for you to get familiar and connect with the procedures, policies, and resources at your school site.

### 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. By encouraging Mr. Chen to respond in this way, you are modeling professional conduct and promoting a safe learning environment.

### Teach

Take this as an opportunity to reflect on how you would handle such a situation. Different students and teachers may have different reactions to the same event. Teach the student and teacher what appropriate boundaries are and help them, identify who they can go to when they need help or guidance.



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