

Reasonable Doubt

The Scenario:

A student, Cheri, tells you that she has had a sexual encounter with an employee. You know the employee has an upstanding work record and is known to be vigilant in enforcing the rules. You are also aware that the student reporting this has a poor discipline record and has a history of fabrication. What do you do?

Discussion Begins

The Scenario Continues:

Cheri gives you a specific date, time, and location of one particular encounter between the two. What do you do?

Discussion Continues

What do you do?

Do you report? If so, to whom? If so, when? If you don't, what might happen to Cheri? To the employee? 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 (DCFS) tells you...

...to **handle it administratively**, what do you do next?

...**they will investigate**, what do you do next?



Legal Response

Regardless of the specificity of Cheri's accusation, find out if the sexual encounter was consensual. If not, you must file a Suspected Child Abuse Report with either the Department of Children and Family Services (DCFS) or the Local Law Enforcement Agency. If the activity was consensual, Cheri's age and the age of the employee will determine whether there is reportable child abuse (see BUL-1347.0 for guidance). Whether or not reportable child abuse exists, the conduct described is more than likely inappropriate for the workplace (see LAUSD Code of Conduct). However, you need more details.

Other Considerations

Whether or not you have reasonable suspicion that child abuse occurred, there may be sufficient information to determine that improper conduct has occurred (see the LAUSD Code of Conduct). You should notify an administrator of the inappropriate conduct. The administrator should then notify the Local District Operations Coordinator. At this time, the Local District Superintendent or Unit/Division Head must exercise discretion in whether the employee should be removed from the school site or work assignment (BUL-3357.1).

As appropriate, the Local District Operations Coordinators and/or Division of Human Resources 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 should be taken, if warranted.

Listen

Listen carefully, pay attention, and convey your concern and interest in Cheri's well-being to help her feel safe.

Protect

Act immediately by following the legal response. Let the student know that you take her disclosure seriously.

Connect

Ask Cheri what would be most helpful to her and if there is another adult with whom she feels comfortable speaking. 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.

Teach

Help Cheri to understand that it is normal to have a confusing range of feelings as a result of experiences like this.

Emotional Support