

# SCENARIO 3: THE COOL VOLUNTEER

## (elementary schools)

**(approximate 1 to 2-minute review)**

*Jimmy Smith is the parent of a 5<sup>th</sup>-grade male student. His wife is a stay-at-home mom who cares for three younger siblings. After clearing Megan's law and fingerprinting, Jimmy started volunteering in his son's class. On several occasions, Jimmy told you how "attractive" some of the 5<sup>th</sup>-grade female students were, but these comments stopped after the principal spoke to him. The students call him the "cool volunteer" because of the way he talks, and he doesn't follow school rules. You overhear the 5<sup>th</sup>-grade female students say that Jimmy smokes weed and drinks. They also said that Jimmy texts and invites them, and their moms to the movies and concerts.*

### District Policy

All employees with reasonable suspicion of child abuse or neglect *must* report the suspected abuse or neglect to a child protective agency (CPA) pursuant to *Child Abuse and Neglect Reporting Requirements*, BUL-1347.4.

### Reasonable Suspicion Definition

Reasonable suspicion means it is reasonable for a person, based on the person's training, education, and experience, to entertain a suspicion of child abuse or neglect.

### Clarifying Questions

An employee who does not have reasonable suspicion of child abuse or neglect may ask clarifying questions to determine whether or not suspected abuse or neglect exists. If an employee, however, does have reasonable suspicion of child abuse or neglect, the employee *must* file a Suspected Child Abuse Report (SCAR) without further questioning. Also, an employee with reasonable suspicion *must* file SCAR even if the CPA states "handle it administratively."

### Required Steps for Filing a SCAR

Filing a SCAR consists of two steps: (1) Telephone call *must* be made immediately, or as soon as practically possible, to a CPA; and (2) Written report *must* be filed with a CPA within 36 hours of receiving the information. The CPA will either be the Department of Children & Family Services (DCFS) or the local law enforcement. Generally, SCARs are filed with DCFS if the alleged perpetrator is in the home, and if the allegations involve an out-of-home perpetrator (e.g., employee), the SCARs are filed with local law enforcement (e.g., LAPD).

**(approximate 4 to 5-minute small group discussion)**

### Discussion Questions

1. Does the school have any immediate responsibilities?
2. Is this information enough for reasonable suspicion of child abuse? If not, what information is required?
3. Do you need the female students to write statements prior to filing a SCAR report?
4. If you did not have reasonable suspicion, what clarifying questions would you ask?
5. Who can you ask clarifying questions to? Female students, parents, principal, Jimmy?

6. Are the female students' uncomfortableness or comfortableness relevant in your analysis?
7. Would your analysis change if the parents consented to the communications?
8. Do you see/notice any indicators for possible grooming behavior by the teacher?
9. What possible concerns arise from this scenario?
10. How could or how does this situation become a violation of law or District policy?
11. Would your response change if the volunteer was a female?
12. Would your response change if the volunteer was a teacher or another employee?
13. Does Jimmy's volunteer status change your analysis?
14. Can a school govern a volunteer's acts on campus? What about off campus?
15. Do volunteers have more or less rights to interact with students on campus?
16. Can a school prevent a parent from volunteering on campus?

**(approximate 5 to 10-minutes large group discussion)**

**Initial Actions**

The safety and well-being of every student must be the first and foremost priority for all educators. Immediate action should be taken to bring the matter to the attention of the site administrator in order to protect any student from any situation which threatens the student's safety or well-being. For example, the school may initiate volunteer consequences, student safety plans, etc.

This scenario may involve "grooming" or adult sexual misconduct, and it also involves Student Code of Conduct violations. Accordingly, a SCAR may be filed with a CPA. Also, since the allegations involve suspected abuse by a volunteer, these SCAR reports are generally filed with local law enforcement.

**Considerations**

**1. GROOMING OR ADULT SEXUAL MISCONDUCT**

As described below, this inappropriate conduct violates the Code Conduct with Students Policy, and it may also rise to the level of suspected child abuse regardless of gender or job title. For example, in an attempt to gain trust and confidence, a perpetrator may engage in "grooming" or adult sexual misconduct, that is, physical or non-physical activity directed to the student, student's parents, or other adults with the purpose of developing a sexual or romantic relationship with the minor.

As described herein, grooming activities vary but generally methodically increase over time and allow a groomer to test their targets as to gauging acceptance and silence at each step. Children who are victims of adult misconduct may feel conflicted about the situation, especially if people they trust, such as school staff or other adults working with students (teacher/volunteer/classroom assistant/employee of school), are implicated.

Grooming activities may be done privately or publicly and gradually progress to sexualized behaviors. Signs that may signify grooming include, but are not limited to: (1) touching that is intimate or sexual in nature; (2) personal or social media interaction with student without others' knowledge or supervision; (3) meeting a student away

from school grounds or hours; (4) giving gifts or spending extra time with a student in nonsexual ways; and (5) sexual or personal oral or written comments made to a student.

Also, adults who engage in grooming may exhibit some of the following behaviors: Testing boundaries of students to determine whom to target or who is a vulnerable student; trying to build a more personal relationship with the student, such as telling the student personal stories and involving student personal matters (e.g., favors/errands); discouraging the student from sharing with others; acting in a manner to manipulate student's affection; engaging in intimidation and threats to silence and isolate student.

Based on the above, an employee with reasonable suspicion of child abuse must file a SCAR without further questioning. Also, pursuant to policy, an employee must inform their site administrator of these allegations of inappropriate conduct because the District administrator is obligated to: (1) stop the misconduct, if any; (2) investigate the misconduct, if any; and (3) take appropriate administrative and/or disciplinary action, if warranted.

If you, however, do not have reasonable suspicion of child abuse you may ask clarifying questions to determine whether or not suspected abuse exists. Also, if based upon the initial information you receive, you do not have reasonable suspicion of child abuse, you may call and consult with the CPA and inform your site administrator of the inappropriate employee (or adult working with student) conduct. Although some grooming type of conduct may not be criminal, they often violate other laws and professional codes of conduct in the educational setting.

## 2. CODE OF CONDUCT WITH STUDENTS

Although Jimmy is a volunteer, this scenario is an example of a Code of Conduct with Student violation. Pursuant to the District's volunteer policy (BUL-6746.2), volunteers are expected to follow the student's code of conduct. For example, the following violates District policy: (1) communicating with students for purposes that are not specifically school-related; and (2) communicating with students at home or cell phone with matters that are not school-related. Thus, this scenario violates the District's *Code of Conduct with Students*, BUL-5167.0.

With volunteers, schools should enforce clear boundaries between volunteering and how the volunteers communicate with students. Communications should be school-related and should not be overly personal to the extent manifested in the scenario and on personal electronic devices, such as by cell phone texts. If the communications are overly explicit and personal, this could raise suspicion of suspected child abuse.

Though conduct of this nature may be seemingly innocuous on its face, it can in some cases also be considered a form of boundary invasion that some adults use to get closer to young persons, build trust, and potentially engage in other increasingly more inappropriate boundary invasions leading up to and including sexual misconduct. If left unaddressed, this behavior could escalate and even result in reasonable suspicion of child abuse and discipline for the employee. In general, when allegations of inappropriate conduct or behavior are made, the relevant District administrator is obligated to: (1) stop the misconduct, if any; (2) investigate the misconduct, if any; and (3) take appropriate administrative and/or disciplinary action, if warranted.

If you have reasonable suspicion of child abuse based on the scenario, you must file a SCAR without further questioning. If you, however, do not have reasonable suspicion of child abuse you may ask clarifying questions to determine whether or not suspected abuse exists. Thus, you may ask clarifying questions of the student or colleague if the information provided raises any concerns for you. Depending on the context and any additional overtures that may become known or suspected, you may develop concerns about possible other violations leading to suspicion of child abuse and required mandated reporting.

## Emotional Support

### Listen

Ask open-ended questions that are not of an accusatory nature and actively listen to their response.

### Protect

Even if there is no reasonable suspicion for child abuse, it is still important to monitor the student's overall well-being. Ongoing communication with the student can also indicate if further assistance is needed, or mandated reporting procedures must be followed. This is an opportunity to become familiar with and use the procedures, policies, and resources at your work site.

### 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.

### Model

Maintain a professional and calm level of emotions and reactions to help the student achieve balance and restore a calm environment.

### Teach

Teach students to identify supportive adults at home and school. Teach concepts of healthy relationships. Students may express different reactions to the same event.