

To Hug or Not To Hug (Elementary)

You observe that Ms. J is a popular teacher assistant. She is often seen chitchatting and playfully joking with students in the halls and in a classroom after school. It is common for her to greet students with a hug or a pat on the back. The principal has cautioned her about hugging students many times, but she responded that other staff members hug students. A student who is often isolated and moping around the school has complained to you that Ms. J's physical contact makes him feel awkward, especially when no one is around. He said that these "alone" hugs are longer than normal. Also, the student showed you an iPad that Ms. J gave him for his birthday.

Discussion Questions

1. What initial actions would you take?
2. Is this enough information for reasonable suspicion of child abuse? If not, what clarifying questions would you ask?
3. What possible concerns arise from this scenario? How does this situation become a violation of law or district policy?

Keep in Mind

District Policy

All employees with reasonable suspicion of child abuse or neglect *must* report the suspected abuse or neglect to a Child Protective Services Agency (CPSA) pursuant to the law and the *Child Abuse and Neglect Reporting Requirements* bulletin.

Reasonable Suspicion Definition

Reasonable suspicion means that it is objectively reasonable for a person to contemplate a suspicion, based upon facts or allegations that could cause a reasonable person in a like position, drawing from a person's training, education, and experience, to suspect child abuse or neglect.

Clarifying Questions

An employee who does not have reasonable suspicion of child abuse or neglect may ask clarifying questions to help with the employee's determination of reasonable suspicion. If an employee, however, does have reasonable suspicion of child abuse or neglect, the employee *must* file a SCAR without further clarifying. Also, an employee with reasonable suspicion *must* file a SCAR even if the CPSA 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 CPSA; and
- (2) Written report *must* be filed with a CPA within 36 hours of receiving the information. The CPSA will either be the Department of Children & Family Services (DCFS) or the local law enforcement agency. 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). However, the CPSA, not the mandated reporter, is responsible for ensuring that the report gets to the appropriate agency (P.C. section 11165.9)