



What to do when a student tells?

Answers to commonly asked questions

Disclosures of sexual or physical assault or neglect can create a number of questions for faculty and administration in the schools. It is not uncommon for an educator to hear from a student that he or she is being hurt. In an effort to clarify your role and obligations, below are the most common asked questions and answers to help you deal effectively with disclosures.

GENERAL QUESTIONS:

What is a disclosure?

When a student tells you they are being abused sexually or physically, or abused through physical neglect.

What is red flag behavior?

Often students are afraid to tell someone they are being hurt. However, they may exhibit signs of abuse or neglect. These may include, but are not limited to:

- Unexplained cuts or bruises
- Fear of going home
- Destructive/angry/aggressive behavior
- Sexual misconduct
- Frequent absences
- Fear of adult contact
- Depression
- Clinging behavior
- Severe drop in school performance

Ask questions of a student who is exhibiting these signs to determine the source of the behavior.

What do I do once I have received a disclosure?

The law defines any reasonable cause to know or suspect abuse as motivation to report. The best thing to do is discuss students' behavioral and physical changes or problems with social workers, school psychologists, counselors and administrators.

Who is required by law to report a disclosure?

An employee of a public or private school is mandated to report suspected abuse or neglect. Any student 17 and under who discloses must be cared for through a report, even if the abuse is taking place outside of school.

Are there any circumstances where a report is not necessary?

When a disclosing student is 18 years or older, educators do not have to report unless the student is a special needs individual.

What happens once I report?

Depending on the circumstances of the abuse or neglect, an investigation process will begin. You may or may not be involved in the process. Once a student's disclosure has been reported administrative school personnel can follow through and be involved in the investigative process.

What is my liability as an educator?

As long as you report in good faith, you face no liability.

What about confidentiality?

If a student discloses to you who is 17 or under, you are not held by confidentiality. Don't urge students to disclose to you by promising to keep their secrets. By law you cannot. Instead, let them know that you can see that they are hurting and that they deserve to be safe. Professional discretion is vital, but telling counselors and administrators is appropriate and often necessary.

What if the alleged perpetrator is a school employee?

It is rare, but sometimes a school employee may be implicated in disclosure. Go immediately to a superior and proceed with reporting. Do not confront the alleged perpetrator.

REPORTING DISCLOSURES:

What is the process for reporting a disclosure?

Follow the steps below:

1. A disclosure must be verbally reported by the educator or other school personnel immediately to either a county department (i.e. Social Services) or a local law enforcement agency (i.e. the police).
2. Find out what your school's policy is about making reports. *Some schools have policies in place stating that an administrator or social worker handles the reporting process.*
3. Document the disclosure in writing. This must be done by the educator who received the disclosure and the school official who makes the report.
4. Utilize the social worker, psychologist, counselor or administrator within your school for support throughout the process.

What about disclosure of sexual harassment?

Sexual harassment is any unwanted sexual behavior that creates a hostile or intimidating environment. If a student discloses about sexual harassment:

1. Listen but avoid judgment.
2. Confirm with the student that it is okay to contact the Title IX officer to make a report.
3. Report to the Title IX officer immediately.
4. Assist the student in arranging a meeting with the Title IX officer.

Your school must have a sexual harassment policy, a grievance procedure and a Title IX Officer. Student-to-student, employee-to-student and employee-to-employee sexual harassment are all illegal under Title IX and EEOC regulations.