

# On the Border of Disorder: School Personnel's Experiences Reporting Child Abuse on the U.S.–Mexico Border

Ernst VanBergeijk, PhD, MSW

Teresa Sarmiento, MSW

This qualitative research study is a unique and rich portrayal of public school–mandated reporters and their experiences with reporting child abuse on the U.S.–Mexico border. Twenty-eight school personnel were interviewed using grounded theory methods. Situations that involved parental substance abuse, domestic violence, and neglect were the most difficult for reporters to identify as potential child maltreatment. Emergent themes included (a) the inherent conflict between the mandate to report suspicions of child abuse versus the need for evidence, (b) the threat of potential violence as a result of a report, and (c) the impact of culture on reporting. The two theoretical models were developed to understand mandated reporters' behavior. Implications for future policy, practice, and research are discussed. [*Brief Treatment and Crisis Intervention* 5:159–185 (2005)]

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Part of my job as a school social worker involved setting up behavioral contracts with children to help them attain various academic and behavioral goals. The ultimate reward in the eyes of the kids was a trip to a fast-food restaurant for a lunch with their social worker and teacher. I took a group of students along with their teachers to Carl's Jr. on San Ysidro Boulevard. It was a frequent lunchtime haunt of

many of the school district's employees. When I entered the restaurant, I saw many familiar faces. I said hello to friends and colleagues. Then I sat down and chatted with the kids.

My back was to the door. Looking at the faces of my students and my coworkers, I saw their eyes widen, their jaws drop, and their faces expressing shock. Out of the corner of my eye, I saw a man raising a gun near my head. I thought my life was over. I thought it was going to happen again. After all, we were just a couple of blocks from the old McDonald's.

As it turned out, the man pointing a gun was an undercover police officer. He was pointing a gun at a suspected drug dealer who was out of my sight. The arrest frightened the patrons of

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From Fordham University.

Contact author: Ernst VanBergeijk, PhD, MSW, Fordham University, Graduate School of Social Service, 113 West 60th Street, Lowenstein Building 723G, New York, New York 10023. E-mail: vanbergeijk@fordham.edu.

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the restaurant. A collective sigh of relief could be heard when the officer identified himself and pulled out his badge. The kids chattered about the excitement. They were too young to remember. The adults were all shaken. We looked at each other and started talking across the room. They too had the same thought. "This is it. My life is over. I'm going to die. It's happening again."

To this day I can't sit with my back to the door of a restaurant.

—Ernst, former school social worker, San Ysidro School District

### Research Question

The research question driving this study stemmed from my experience as a school social worker. The issue that vexed and perplexed me was, why were some teachers so reluctant to report abuse and others seemingly nonplussed by having to file a report. What was it about their experience dealing with this issue that made it difficult or easy? The main question driving this study was, what are school personnel's experiences reporting child maltreatment? The purpose of the study was to understand the issues facing teachers and support staff as they came to grips with the complexities of recognizing and intervening in situations of child maltreatment. Grounded theory method (Strauss & Corbin, 1990) was used to generate codes, themes, and conceptual models.

With such close proximity to Mexico, part of the inquiry included the role that geography played in the situation. San Ysidro is the main port of entry for immigration and trade between Mexico and the state of California. Yet, little has been written about this community. Kurtz (1973) explored the politics of the poverty habitat in San Ysidro, but failed to mention the possibility of child abuse. Wambaugh (1984) captured the complexity of this community and the danger immigrants

faced when they crossed the border, in his nonfiction account of the Border Crimes Task Force. Only one publication to date (Daigle, 1994) broached the subject of child abuse reporting on the U.S.–Mexico border. However, this study focused on child welfare policy among several border communities. It did not explore the actual reporting of child abuse from the community level. San Ysidro provided a unique opportunity to explore the effect that a chaotic border environment had on child abuse reporting.

### Role of the Researchers

Initially, the purpose of the data collection was to inform a larger study on child abuse reporting. The epistemology for the study was postpositivist. Based on the interviews and field notes, a survey instrument was developed for another study. I was searching for predictor variables that I could use in a survey to explain behavior regarding child abuse reporting.

On revisiting the data, I was more interested in understanding what happened to me when I worked in San Ysidro as a school social worker. I was both an insider and an outsider. Educationally and professionally I belonged to the schools I worked in. I felt a connection to the immigrant families because I was a child of immigrant parents and learned English as a second language. However, there were times when I was reminded that I was an outsider. The community members gave me the nickname *Huéro*, or "Whitey." I wanted to understand the phenomenon of child abuse reporting within this context.

During the analysis phase, I sensed a shift in my approach to my work. I wanted more than a mere understanding of the phenomenon of child abuse reporting in San Ysidro. I went through a process of *conscientização*, or what Friere (1997) defined as "learning to perceive

social, political, and economic contradictions, and to take action against oppressive elements of reality" (p. 17). As I analyzed the interviews and reflected on my own experience, I rediscovered a suppressed sense of frustration and loss. I left the San Ysidro School District after providing testimony before the San Diego County Grand Jury regarding allegations of malfeasance by the district. With my research I had hoped to change the child-abuse reporting practices of the school district and fight the oppression of abused children and their advocates. It grew into a critical theory approach (Guba & Lincoln, 1994).

Teresa Sarmiento conducted the transcriptions and was instrumental in the reexamination of the data. Her point of view as a Latina school social worker who did not work in San Ysidro lent rigor to coding process. We independently created codes and coded the data. Once that phase of the process was completed, we compared coding schemes and came to a consensus regarding the final codes and the interpretation of the data.

### Data Collection Procedure

Empirical data on the social world of individuals is generated when they are asked to talk about their lives, such as in interviews (Holstein & Gubrium, 1997). We conducted intensive interviews with the San Ysidro school personnel. The interviews were semistructured and audiotaped. We interviewed participants in their natural settings, such as in classrooms, school playgrounds, restaurants, and their homes. Interviews lasted approximately 30 to 90 min, culminating in over 9 hr of audiotapes. An advantage of interviewing was our ability to collect in-depth historical and personal information. According to LeCompte and Priessle (1993), "career histories, or narrative accounts of individuals' professional lives, are useful for

determining how people in similar circumstances respond to settings, events, or innovations" (p. 167).

The disadvantage of interviewing was that the information could be filtered through the view of the researcher, consequently biasing responses (Creswell, 1994). However, given the great sensitivity of the issue, only a trusted insider could attain such a level of disclosure. Participants were able to describe with much detail some of the complexities of their experiences reporting child maltreatment and how the experiences affected their personal lives.

We collected data from a variety of sources, such as the 1991–1992 San Diego County Grand Jury report (1992), newspapers, published literature, children's drawings, and maps. We used these data to enhance and elaborate on the understanding of the community context. More important, we used these sources to enhance the rigor of the study. Triangulation by data source is one of the most commonly known types of triangulation (Padgett, 1998). The convergence of interviews, the archival materials, and field notes increased our confidence in the findings.

### Theoretical Sampling

Through the theoretical sampling used in the study, we attempted to capture the complexity of the reporting situation on the border. A total of 28 key informants provided data that were analyzed. Twenty-three of the informants either currently worked in San Ysidro or had worked in San Ysidro within the past 5 years. Five of the 28 informants were from other school districts in San Diego County. They served as a contrast and lent trustworthiness to the data (Padgett, 1998). Both general education and special education teachers were included in the sample as well as other school personnel who were involved in the reporting process. Seventeen general education and 4 special

education teachers participated in the study. Our rationale for the inclusion of both general education and special education teachers was the finding that there appears to be a higher incidence of child abuse among the special education population than among the general education population (Camblin, 1982; Lamorey & Leigh, 1996; Lowenthal, 1996; Sobsy, Randall, & Parrila, 1997). Perhaps the experiences of the special education personnel differed from those of the general education teachers when it came to reporting abuse and neglect.

The other school personnel included in the sample were an acting administrator, 3 school social workers, and 2 school psychologists, an administrative aid who later became a classroom teacher and a speech therapist. The rationale for the inclusion of these key informants was that their vantage points in the schools differed from those of the teachers. The teachers could report their experiences from inside the classroom view. The other professionals provided a larger view of the school, the district, and the social service system that responded to this crisis. These professionals were also sampled in terms of their length of tenure in the job. Some of the staff had as little as 2 years of teaching. Other staff had over 20 years of experience with the district.

In addition to sampling key informants along job-description lines, we sampled key informants along gender lines. Twenty-two of the respondents were female, and 6 were male. This proportion corresponded to the approximate representation of the genders among the frontline staff that had daily contact with the children, and it is consistent with previous studies' gender composition (Hinson & Fossey, 2000). District-level administrators were predominately male and were not a part of this sample. Their exclusion was based on the fact that they had very little contact with the children and were unlikely to be in the position to detect and report instances of suspected maltreatment.

The final two sampling strategies employed revolved around issues of ethnicity and whether the key informant worked in the English-only or bilingual program. Fifteen of the participants were Mexican American. Thirteen informants were Anglo. The division between the teachers in terms of the language program they identified with was also equally divided. Of the 21 special education and general education teachers who participated in the study, 11 taught in the bilingual program, and the remaining 10 taught in the English-only and special education programs. Given such close proximity to the U.S.–Mexico Border, it was imperative that the two dominant ethnic groups that represented the staff and the two competing language-based educational approaches be purposively included in this sample.

## Community Context

This is a tale of two cities. . . . One city is geographically small and the people live in close proximity. One city is large and sprawling. In one city, inhabitants still suffer from diseases considered exotic in the other: cholera, polio, typhus, tuberculosis, rickets. In the other city, separated from the former mostly by an imaginary line, lies some of the richest real estate in the richest state in the richest country on the face of the earth. . . .

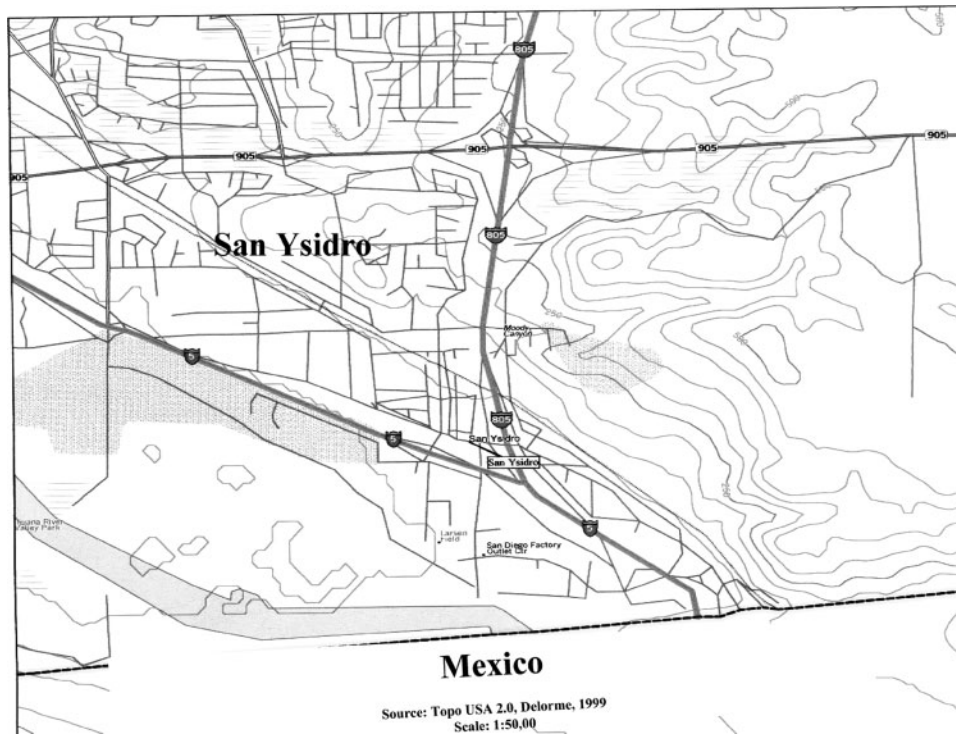
There is not a significant line between two countries. It's between two economies.

"I kept thinking, what if I had been born a hundred yards south [of] that invisible line? As long as it's the haves and the have-nots side by side, they're gonna come."

There is a lot of anguish and misery out there in the night on the frontier.

—Wambaugh (1984, pp. 10–13)

We're in a war zone here. . . . We are consistently barraged by effects of two cultures clashing immediately here on the border . . . the inequalities



**FIGURE 1**

A map of San Ysidro. Source: Topo USA 5.0, © DeLorme 2004. Used with permission.

of poverty versus . . . more money. Just all of those factors come clashing in at this school.

—Jose, first-grade teacher,  
San Ysidro School District

Driving down to San Ysidro for the first time, I was struck by a road sign that I found odd. Growing up in the Midwest, I was use to seeing yellow warning signs with a blackened silhouette of a deer bounding across the road. This odd road sign can be found on either I-5 or I-805 and CA 905, which connected the two major highways that form a funnel to the U.S.–Mexico border. Instead of seeing the familiar deer silhouette on the yellow warning sign, I saw the silhouette of a family running hand-in-hand across the freeway. The sign warned motorists to be careful. There was a possibility of hitting pedestrians crossing the freeway. (I would later learn that many immigrants from Mexico were

killed every year along these highways.) I definitely was not in the Midwest anymore.

San Ysidro is a 29-square-mile portion (75 square km) of the city of San Diego, which lies due north of Tijuana, Mexico. Although, it is physically separated by several incorporated communities that cover roughly 15 miles (24 km), San Ysidro, politically, is a part of San Diego. The city annexed San Ysidro in 1957 (Kurtz, 1973). Police, fire department, and sanitation services are provided by the city. Yet, it is often mistaken for a separate municipality or subdivision. San Ysidro has its own school district, which is separate from the San Diego Unified School District. At the time these data were collected, the district consisted of six elementary schools and one middle school. Some of the elementary schools are less than 600 yd (549 m) from the international border between the United States and Mexico. One of the schools is directly behind



**FIGURE 2**

A view of the U.S.–Mexico border from behind one of the San Ysidro Schools. Photo by Ernst VanBergeijk.

the outlet mall on the map in Figure 1 and has a direct view of the border (Figure 2).

The school district educates over 3,700 students, who are predominantly Mexican American. Approximately 92% of the children in the district are Latino/Latina. African American students are the next-largest ethnic group in the community. Anglo children account for less than 3% of the enrollment. Transience is a major issue in the schools. One school had a 116% turnover rate among its students in a single year. Transience as well as other factors contributed to the lack of academic achievement by the children in San Ysidro. The children of San Ysidro have consistently scored at the bottom of state-administered tests in Spanish and English.

The level of poverty in San Ysidro does not approach the abject poverty faced by the residents of the *colonias* in Tijuana. You will not see children selling Chiclets gum on the streets of San Ysidro as you would in Tijuana. Entire communities are not living in municipal garbage dumps, as Urrea (1993; 1996) depicted in Tijuana. Yet, poverty is a major issue in this

community. There are many signs of economic distress. Gang graffiti is scrawled on the walls of many buildings. The unemployment rate is high. There is no industrial base for the local economy. Two outlet malls provide retail jobs to some of the local residents. There are no movie theaters or other venues for family entertainment. The school district is the largest employer in the area.

The majority of families are on public assistance. The school district's free breakfast and lunch program is a barometer of the level of poverty in the community. Approximately 95% of the students in San Ysidro qualify for the federal free-meal program. In terms of housing, San Ysidro contained approximately 80% of all of the Section 8 and Section 22 housing in the entire county of San Diego. This combination of factors has led outsiders to refer to San Ysidro pejoratively as "San Yskidrow."

What further exacerbates outsiders' image of San Ysidro is the frequent political turmoil within the community and the school district itself (Boddu, 1992; Brossy 1990; Kurtz 1973;

Munzo 1992; Portillo 1992a, 1992b, 1992c). The school board is the only political forum in this isolated community. Consequently, the school board exerts considerable influence. It has been described as a “de facto town council” and has been the subject of five separate San Diego County Grand Jury investigations (1991–1992 San Diego County Grand Jury, 1992). Allegations of malfeasance and incompetence were levied against the trustees and several administrators. These allegations included violations of state and federal law. The 1991–1992 San Diego County Grand Jury found credible evidence regarding violations of law in 17 major areas, including racial discrimination in employment, the education of special education children, improper use of funding for bilingual education, and child endangerment. According to the report, at the heart of the district’s turmoil is a philosophical battle concerning “the preservation of Mexican cultural and Spanish language proficiency or assimilation of Mexican-born and other American children into the North American communication and economic systems” (p. 2). The report goes on to assert that “administrators and teachers who do not support the majority Board position are demoted or discharged, if legally possible. Dissenters who have tenure are merely tolerated in an outcast status” (p. 3). Many of those that testified before the county grand jury were demoted, fired, or threatened, and some had their vehicles vandalized.

This is the turbulent context in which the teachers attempt to educate the children of San Ysidro. These are also the conditions under which they detect cases of child maltreatment. Then they must decide how best to help the child and whether they should file a child abuse report.

### ***Relevant Historical Event***

“It’s happening again” (per the opening passage of this article) refers to a tragedy that had befallen San Ysidro over a decade before



**FIGURE 3**  
McDonald’s Massacre photograph. Photo taken from Strong (1996). Despite extensive research, the original copyright holder is unknown.

this research began. This tragedy put San Ysidro in the national spotlight. It would be one of the nation’s largest case of mass murder until September 11, 2001.

On July 18, 1984, James Huberty, a parent of two San Ysidro School District students, walked into the McDonald’s on San Ysidro Boulevard with three semiautomatic weapons and opened fire. Huberty fired over 250 rounds of ammunition. He killed 21 people, including pupils from the local schools. Another 19 people were injured before a San Diego Police Department SWAT team member fatally shot him. Figure 3 shows SDPD personnel rescuing a survivor of the massacre (Strong, 1996).

### ***The Huberty Specter and Child Abuse Reporting***

The McDonald’s restaurant where the massacre occurred was razed a few weeks after the tragedy. In its place stands a satellite campus of Southwestern Community College. In front of the college, surrounded by a wrought iron fence, is a sculpture of 21 white marble columns, each column representing a life that was lost that day. A bronze plaque in front of the columns (Figure 4) immortalizes the names of the 21 victims. One is struck when reading



**FIGURE 4**  
A view of the memorial plaque. Photo by Ernst VanBergeijk.

the names of the dead. Each victim had a Latino surname.

The effect of the massacre was an unexpected finding during the course of the interviews. The tragedy occurred over a decade before the research project. Yet, Huberty's ghost still lingered in the minds of the school personnel. Karen, a special education teacher, revealed this in one exchange regarding why teachers are reluctant to report child abuse:

Karen: I think they're afraid that it's going to come back to them, because I know staff members who have had parents come to the school because they found out from one way or another through social services, either *told them* or through discussions. Somehow it came out, and parent, the adults, have gone to the school threatening teachers.

Interviewer: So, they're afraid it's really not confidential? And [Karen: Yes] they're going to retaliate against . . . [Karen: Yes. Definitely] In this community it's a very realistic fear.

Karen: Yes, because there have been, there is quite a lot of crime and illegal activity. Including the major shooting in 1984, at McDonald's. (*Stress in voice*) So, in many of them [the teachers] who are, who have been there the past 15 to 20 years were there then.

Interviewer: Right. And that's kind of like a cloud hanging over that school.

Karen: The whole town.

The impact of the tragedy even affected the language the staff used. When the school personnel were confronted with a parent that was particularly strange, aggressive, and scary, they would say, "I'm afraid he's going to pull a Huberty," meaning that they were afraid the parent would kill them and others at the school. This was a phrase that was uttered to me in my role as a school social worker on occasion. The message was to take note of the seriousness of the situation and do something about it before another tragedy happened. The threat of violence looms in the background for many of



the school personnel who are expected to report suspicions of child maltreatment. When asked about the effect that culture has on reporting, one support staff member with over a dozen years of experience working in the district alluded to the massacre:

Mario: In these schools I've worked in . . . [it] is unlikely to report for the reasons I mentioned earlier, reprisal, and stuff like that.

Interviewer: Which is a real concern.

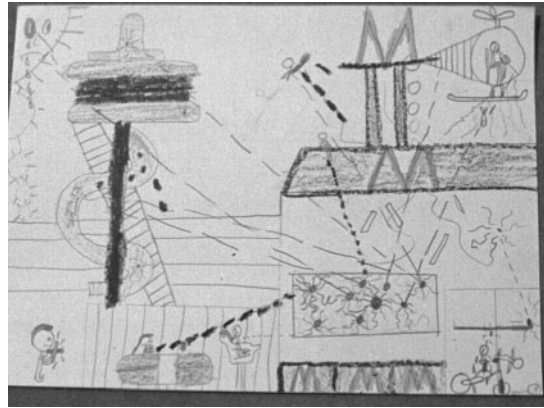
Mario: It is. . . I've always said, I could see someone coming to the school and start shooting. Somebody reported them to [Child Protective Services], and they took the kids, and they lose it. I seriously believe this could happen.

The significance of the massacre had its most profound impact on me when Teresa and I returned to San Ysidro to conduct member checking before a presentation at a conference in 2002. One of the key informants who reviewed our slide presentation bolted upright when she saw the slides concerning the specter of Huberty. She had something for us, she declared. The teacher located, instantly, a file folder. The folder contained pictures that her students drew of the massacre. Both Teresa and I were stunned that she could locate this folder almost twenty years after the event. Note the detail in the child's drawing (Figure 5) as compared to the previous photograph taken at the scene of the McDonald's Massacre.

## Findings

### *Decision Making in Child Abuse Reporting*

The decision to report child abuse and neglect was not done lightly. The staff often tried other means of addressing the issue rather than



**FIGURE 5**  
A child's drawing of the massacre.

contact Child Protective Services (CPS). Playing a role in their decision-making processes were knowledge of other services or intervention strategies; their experiences reporting suspected cases, including interactions with the school social worker; worst-case scenarios and situations that worked out well; unintended consequences of the reporting situation; and training. In general, the decision-making process itself created a crisis not only in the family where the abuse occurred but also for the reporter. Some of the unintended consequences for the reporter included psychological and physical symptoms of stress.

### *Interventions Prior to Reporting*

The house was so filthy, it was like waves of odor floating out the house. . . . I taught Synthia how to wash out her clothes in the sink so she would have clean socks and things to wear to school.

—Diane, special education teacher

Other interventions were often tried before a staff member placed a call to the child abuse hotline. The interventions included home visits; parent conferences; and providing food, clothing, household items, and shelter.

The staff taught the children self-help skills such as how to wash their own laundry or how to take care of their personal hygiene. The staff also provided referrals to outside services at local agencies when they were available. The provision of these services was done above and beyond what is expected of most teachers. They invested their own time, energy, and money to help the struggling families of their students. This was all done before making a referral to CPS. According to Selma, an elementary school teacher in the bilingual program,

I tried to help her out personally, because I had one of her children in my classroom. I gave up a lot of my own home furniture. I would buy her groceries. And I would do all this, but it was, sort of like . . . even the mother just didn't know what to do.

One brand new teacher—Luz, an elementary school teacher in bilingual program—even took considerable personal risk in attempting to help one of her students. She walked to a student's house in the middle of the night. She went alone and did not tell anyone she was going.

I went to his home. He lived in this far little shack at the back of [a] house. Graffiti everywhere. [I] knocked on the door. It was a clean house. Jam-packed. You walk in, you step right on top of the sofa—that type of home. [A] bunch of kids. Just dark, and gloomy, in the corner [of the lot]. I walked in. . . . Here's the opportunity to do this and that. I'm running around not thinking. . . . I sat and looked at the home. "God, are they going to eat?" "Is he getting lunch everyday?" "Does that mean he's getting lunch everyday of the vacation?" (Pause) "Is he going to get breakfast everyday?" (Low voice) I cried all the way home. I got upset with myself. I'm here complaining I can't buy a brand new pair of pants or something. This kid's family

is struggling to put food on the table for their children. I went home, I cried, I felt guilty.

### ***Role of the School Social Worker***

The role of the school social worker was a prominent theme in the interviews. The school social workers played a critical role in the promotion of appropriate child abuse reporting. They were seen as the on-site expert in child maltreatment. Staff went to the school social workers for guidance on suspected cases of abuse and neglect. The teachers sought clarification of their thinking, instrumental and emotional support, and validation for their concerns. Selma summarized the role of the social worker in the child-abuse reporting process:

Selma: We have a really good social worker at our school. She makes it very clear what the law is and, ah, probably to ease our anxiety about, you know, the process. If we have a situation where we're not sure if we should report or not, we know that, at least at this school, we can go to our social worker and say, "This is the situation . . ." and the social worker would say, "Definitely report it." Because sometimes there are still, you know, questions as to, is this something that needs to be reported or not?

Interviewer: So, they kind of validate—

Selma: They validate, right . . .

Karla, an elementary school teacher in the English-only program described other forms of instrumental support that allowed her to teach:

When we have the full-time social worker, that is a great deal of help. They help with parent meetings. They do home visits. They work with the kids individually and with groups. They refer to different agencies so

that the families understand that there is help that they can have and particular kinds of help. And so it takes a serious burden off me because if they didn't do that job, then I would be doing it.

The school social worker helped the teachers determine whether the signs they were noticing were in fact potential signs of abuse or neglect. They also helped the teachers understand the mandatory child-abuse reporting law and how it applied to the specific student situations. In terms of instrumental support, the school social workers gave the mandated reporters the hotline number, as well as tips on when the best times were to call, what kind of information they needed to have on hand, and what the vocabulary or "buzzwords" were that would prompt the screener at the child abuse hotline to accept a case. The social workers also provided copies of the reporting forms and instructed the reporters in how to fill out the required paperwork not only appropriately but optimally. Lucila, a 17-year veteran teacher in San Ysidro, described a situation where Sonia, the school social worker, assisted two teachers in reporting a pair of brothers for possible maltreatment:

Lucila: I was talking to the teacher for the brother, and we started comparing notes. I was like, well, I'm going to file, and you should too, that way it'll really get their attention. So we did. And, Sonia said, "Oh a team." So that got her attention, so she sat with us, and in the afternoon we both filled out the papers. Now the other teacher had never filled out one. She was very anxious. I, on the other hand, was, uhm, pleased to have the assistance.

Interviewer: What was it about that experience of having somebody there? What did that do for you exactly?

Lucila: It's support! It gave me support. I could talk to [the school social worker] and say, "Well, should I write this or should I write that" because when you're doing it, you're not exactly sure what to write that's really going to pull the red flag. ... The support was very, very good, because then she was saying, "If you write this, [it] will cause more attention than if you write it this way. You write this way, they'll look at it and go 'Okay.' But if you use these words, these are better words. And they're going to pay closer attention." I was like, "Oh great! Now, I have better words." Because a lot times it is the verbiage.

The instrumental support went beyond assisting teachers in filling out the forms and giving them the telephone number of the hotline. The school social workers acted as a liaison between CPS and the school. The school social workers had the knowledge of the CPS service system to help them navigate through the bureaucracy. They also had the time to track down the names of caseworkers and follow up on the statuses of the cases. Attaining and providing feedback on a referral was critical of the outcome of a case. According to Sonia,

I know this for a fact that many of the cases that have been reported need the ongoing feedback and that constant monitoring from the school social worker in order for that case to be successful. Because, if we did not provide that feedback, that case would possibly be closed or, ah, because there's not that, that, close monitoring. It just can't be because of the many cases that county social workers have. And if the child is being seen in ongoing counseling here at the school, there's a lot of things that are disclosed, ah, because of that bond that the child has with the school social worker, that otherwise

would not be disclosed and county social worker would not be aware of.

The emotional support that the school social worker provided during the reporting crisis appeared to be more important to the staff than instrumental support.

### ***Unintended Consequences***

Well, because . . . it's sort of a situation where it's . . . you know, that you're going to have parents that are upset with you or teachers that are going to be upset with you, possibly a child upset with you . . . and so, even though, you need to get it done. You're just going to have a lot of negative repercussions. There's a lot of stress. Very rarely are people happy that you did this.

—Jill, school psychologist, on reporting

The category of unintended consequences was the most prominent theme in the interviews. The category arose from participants' descriptions of unexpected results from their reporting of child maltreatment. School personnel were often surprised by the results that occurred from a report, such a child's being removed from the school by a parent, parents' retaliating against a teacher, or the sense of relief from filing a report. Often these unintended consequences had repercussions for future reporting of child maltreatment cases.

**Sense of Relief.** If the unintended consequence was perceived by the teacher as being a positive outcome, then the reporter would be encouraged to report future cases of child maltreatment. For example, teachers reported an overwhelming sense of relief after making a report. Once the teachers reported that they had abided by the legal mandate and started the process to address the child maltreatment, they

felt a sense of relief. Jill, a school psychologist, described the sense of relief she felt when a CPS worker responded to her hotline call:

I don't why [I got] this particular woman, and why I got her ear, but it was a relief that she was actually listening and that she cared about this one child. And she did something about it, because she has, she had the power to do it, and she did it.

Unfortunately, there were situations when the sense of relief was only momentary. Other unintended consequences resulted from filing a CPS report. If these unintended consequences had a perceived negative outcome, then the reporter was deterred from reporting future cases of child maltreatment. In the words of Carmen, an elementary school teacher,

Well, once you've made it, let's say your hunch is right, and whatever, there's a great sense of relief. But, it's only an initial relief because you want to make sure that they [CPS] follow up and that something is being done. You don't want to have to be doing a habitual thing on the same family and have nothing be done. The child is removed for a little while, and then the child is returned, and then the child is removed, a yo-yo affect. That is what is frustrating! If you're going to [call CPS], you want something constructive to happen!

**Children Leaving the District.** Another negatively perceived outcome was the child's disappearance from the district. This unintended consequence was especially problematic for reporters because they felt powerless to address the situation once the child left. If the child remained in the school district, then the opportunity existed for the teacher to provide assistance to the family and child (as presented

in Interventions Prior to Reporting). However, once the child was gone, there was no recourse for the teacher to help. It was not uncommon for families to leave the school district after a CPS report was investigated. Selma recounted that

they ended up running away, going into Mexico. So they didn't have to deal with it, but that doesn't mean that the problem at home is going to get better. It just is going to continue, just in another place where nobody can get them. Our families get up and leave.

The perception was ubiquitous among the school personnel we interviewed that once the families fled to Mexico, there was no recourse. This finding is contrary to Daigle's description (1994) of the San Diego County Children Services Bureau's protocol for handling cases that fall within international jurisdiction. A transborder liaison at the bureau worked with Mexican social workers in Tijuana's child protective services agency known as *Desarrollo Integral de la Familia*. The existence of the working relationship between the two countries was unbeknownst even to the school social workers, who were responsible for overseeing child abuse reporting in the district. Furthermore, the school social workers were unaware that the Mexican consulate in San Diego had five trained social workers on staff to handle "all public welfare issues pertaining to undocumented children in the region" (p. 18).

### **Fear of Retaliation.**

Sonia: I think one major barrier is fear of being retaliated against by parent or an alleged perpetrator. And that's, you know . . .

Interviewer: That's realistic in this community.

Sonia: . . . a realistic fear. Right. In this community, there have been threats, you know, against teachers and social workers. If

someone reports, although reports are confidential, a lot of times, there may be a situation in where they say, "It's, ah-ha!" They [the parents] go and make a threat against you. So, I think one of them is fear of being threatened against.

Fear of retaliation by parent was a significant fear in the community, especially after the massacre by Huberty. Reporters detailed incidents in which parents vandalized their vehicles or accosted them on school property. Reporting a case of child maltreatment carried consequences that reporters never expected to occur. During member checking, Elizabeth, a seasoned teacher, reiterated the fear of retaliation. She not only feared for her safety but also for that of her own children—and Elizabeth's children are in college! The fear of retaliation was the most prominent barrier to reporting child maltreatment. Amy, an elementary school teacher who taught both in Mexico and in San Ysidro, summarized teachers' perceptions of reporting as such: "It's dangerous now to report."

Retaliation also occurred in other forms, such as a lawsuit against the reporter by parents. Reporters understood confidentially to be part of the reporting procedure; however, if confidentially was broken, repercussions that occurred for the reporter were often inevitable.

Amy had a child in her classroom with a history of excessive absences and tardies as well as incidents of being withdrawn. Amy attempted to intervene by discussing the excessive absences and tardies with the mother. She filed a report to CPS after she witnessed the child punching a doll in the face during a class activity. This was the "bell" in Amy's mind that the child was in crisis.

Amy: Some how the stepfather found out I reported. And he went to the district. He filed a suit against me and against you [the

interviewer]. Yes, yes, I guess you. Didn't he file even one against Monja [the school principal]? He went to the school harassing. He found out that I had reported. And I don't know how he found out. Whether it was the worker who went to the house or whether it was Monja that . . .

Interviewer: . . . that opened her fat trap.

Amy: That's right. And so we had a confrontation. The suit went on. It finally worked out where the district's lawyer, who was once an abused child, got on the case and said [the stepfather] was not going to get away with this.

Amy admitted that this experience made her hesitant to report future suspected cases of child maltreatment. Additionally, she regarded this situation as the worst case of child maltreatment she experienced. She questioned if reporting a case resulted in a positive outcome for the child or school personnel. The affects of the situation rippled to other school personnel, who became aware that Amy had been confronted by a parent as well as sued because she filed a child maltreatment report. Amy's experience illustrates Hinson and Fossey's notion (2000) that although teachers are protected from liability for filing child abuse reports, they may be subjected to frivolous lawsuits and harassment.

**Destruction of Relationships.** Reporters' fear losing the relationship they have with the parent as well as that with the children. The teachers take ownership over the children. They refer to them as "their kids" as though the children are an extension of the teachers' own families. The loss of the relationship with the parent meant a loss of the relationship with the child. Teachers valued the rapport they established with families and children. Reporting a suspected case threatened the relationship.

Multiple unintended consequences often occurred when reporting child maltreatment, hence dramatically affecting future reporting by school personnel. Maria, an elementary school teacher, described three unintended consequences: the destruction of the relationship with the parent, parental retaliation, and the removal of the child from the district.

I told them how bad it was when I called. She [the parent] came to school about midmorning. She said, "I'm sorry I'm late . . . but I had some problems last night." So, I turned around, looked at her because that was [her] child that I reported. And . . . I guess I made a face. [The parent said] "I know who it was . . . and that person is going to pay!" And it, it was me. And [the parent went on to say] "I had, uhm, some problems, relative problems, but I know, I know who told on me." So, it really wasn't making any sense. At first she said it was some relative, and then she said had some problems and that person was going to pay. Well, later on that week my car got vandalized. Then the parent was very mean to me after that. She was good to me before. You know, she was one of my favorite parents. Then after that she was really mean to me. She pulled that child out of the school later that year. And I know that my car was unlocked. They didn't take anything. They just smashed my windows. And, and I know, it was her.

**Making the Situation Worse.** There is an expectation that when a child maltreatment report is filed, the situation will be ameliorated. However, reporters in San Ysidro have learned that filing a report may actually make the situation worse for the child as well as themselves. Teachers feared that filing a report would place the child at further risk for maltreatment. Retaliation against the child as the result of the report has been found to be

a significant barrier to reporting child abuse (Hinson & Fossey, 2000; Lowenthal, 2001). According to Luz, who teaches the fifth and sixth grade,

I think of the outcome long-term wise. You're thinking about the good of the child at that moment. But then what is happening afterwards, once that report is filed. It's beyond your hands. You've done what you can do. And what happened to [the] child? If taken out of his home, how's [it] going to affect that child? Is it going to be positive? Is it going to be more negative or positive? It's just a combination of things that you feel. Long-term wise, I think you wonder do you really do the right thing? Did you jump the gun? Did you not do all the steps you were suppose to be doing? It's terrifying. You want so much, you're thinking of doing the best thing for the kid. I've heard horror stories about times it was a mistake. The teacher jumping gun, and it was a mistake, and filed a report. And the child went to through all the heartache, and it really wasn't necessary.

**Psychological Symptoms.** Teachers have been exposed to children's stories of incest, rape, domestic violence, and alcoholic or drug-abusing families and may have witnessed students' victimization. Lowenthal (2001) argued that child abuse reporting is traumatic for the teachers and discussed psychological symptoms such as anger and hostility toward the perpetrators. Astor, Pitner, and Duncan (1998) contended that teachers working in violent communities experience problems similar to those of their students, leading to feelings of hopelessness, frustration, isolation, and anger. Teachers in the present study expressed feelings of frustration, anger, hopelessness, and depression. Diane represented a typical response to repeated exposure to child maltreatment:

Well, it's very hard for me to see a child in pain or hear the stories they tell me. Like, I've dealt with [molestation], I've dealt with assault, I've dealt with neglect. You know, they are not clothed, or they are not eating enough. It makes me want to cry. In fact there are many times when I have cried because of the problems. . . . So, yeah it's very stressful for me because my children are being hurt.

Karla, on the other hand, represented a more severe reaction to her exposure to child abuse. Of all the interviewees, she recalled with great detail the cases of child maltreatment that she encountered, as well the majority of severe cases that were known throughout the school. Karla is a veteran of the school system, having over 20 years of experience. She revealed that she was diagnosed with depression. The psychiatrist who diagnosed her attributed much of her depression to her stressful working conditions. Her interview depicted the toll the reporting of child maltreatment had on her emotional well-being.

**Physical Symptoms.** During member checking, Karla stated that she could recall her "Marvin headache," which was so attributed because the first time she experienced this type of headache was with Marvin. Marvin had been a student in her third-grade classroom during her initial years as a teacher.

As stated, reporting child maltreatment is not a decision made lightly. The literature has discussed the possible psychological symptoms associated with reporting child maltreatment. However, no information was found the physical symptoms. The physical symptoms that arise from reporting child maltreatment are unexpected. The physical danger of reporting went beyond physical retaliation by a parent. Amy, a 30-year veteran, suffered an ulcer as a result of her experiences of working with maltreated children.

Amy: I can't see why people . . . children are made to suffer. . . . Childhood is not for suffering and abuse. And it really hurts me when I had to report a child.

Interviewer: How did you cope with it?

Amy (softly): I had an ulcer.

### Death.

At our school, and in our district, we, we lose children in very tragic ways. And they have very tragic things happen to them. . . . They have to deal with things as a child that I never heard of . . . until I was old enough to handle it. And, it's just . . . sometimes is way too much.

—Karla

Death was an unexpected theme that appeared as an unintended consequence of not recognizing and reporting families in crisis. In each of these situations, there were only soft signs of abuse or neglect. The cases were unclear, and the teachers were new to the job and the district. In one case, the children witnessed the mother's murder at the hands of a paramour. The mother was trying to protect her 4-year-old from sexual abuse. In another case, the children witnessed their mother murder their infant brother (a first-grader disclosed this to his teacher, who was concerned about his aggressive behavior in school).

One child who was not reported for child neglect was Antoine "Marvin" Pittman, who would later be the ringleader in the murder of 20-year-old college student delivering pizzas, Tariq Khamisa. Marvin ordered 14-year-old Tony Hicks to kill Tariq on January 21, 1995 (Cromwell, 1996; Family Violence and Sexual Assault Institute, 2002; Gorman, 1995). The case garnered national media attention. It was the first case where a juvenile was tried in the adult criminal court for murder in California. On June 11, 1995, superior court judge Joan Webber sentenced Tony Hicks to 25 years

to life imprisonment in an adult prison. Marvin was sentenced to life in prison without the possibility of parole (Gorman, 1995).

The lack of recognition of potential maltreatment was exemplified by Karla's description of a physically mature girl in her class:

Twana, was an "early bloomer." She used to pass sexually suggestive notes when she was in my class. At age 13, she moved in with her 24-year-old boyfriend. They found her body in a dumpster.

Twana was in Karla's second-grade class. Karla remarked that she thought of these children often. She regretted not recognizing the signs sooner in these children. The memories of these children added to a sense of weariness that one felt when talking to Karla about her students.

Another teacher did not recognize a child's depression and distress. The child used to come and talk to her after school. He talked about wanting to die. She could not entertain the possibility that the child was serious. She listened to him and attempted to cheer him up.

Luis, was 8 years old when he died. On a dare, he put his head under a truck tire at the border crossing. The semi rolled over his head. He didn't care if he lived or died. Looking back we knew something was wrong. He would talk to one teacher and even mentioned wanting to die.

These deaths did not include the foreshadowing of the McDonald's massacre. Karla recalled,

I remember sitting in the teacher's lounge when a new teacher came into the lounge. She looked pale and was shaky. I asked her what was wrong. She said she just had the scariest parent-teacher conference. "All the parent



kept talking about was the number of guns he had. I couldn't get him to talk about his daughter. All he wanted to talk about was guns." That was April 1984. The parent was James Huberty.

Three months later, Huberty killed 21 people before a San Diego Police sharpshooter fatally shot him. The data pertaining to all these deaths were collected at one elementary school.

### ***Worst-Case Situations***

Teachers were asked about the worst case of child maltreatment they encountered. Most reporters recalled at least one worst-case situation. Worst-case scenarios ranged from "soft signs" of maltreatment or a lack of evidence to sexual abuse. Often the worst-case scenarios involved reported cases that, in the eyes of the reporters, were either ignored or mishandled by CPS. What made the situation worse were not only the conditions the child endured but also the outcome. For example, several interviewees discussed Colleen, an 8-year-old student. Colleen was reported to CPS on multiple occasions, yet no investigation ensued until the little girl was caught performing oral sex on boys in a remote bathroom on the school grounds. When a CPS investigation did occur, the child was not removed from the home. Instead, the child was only removed from the school. Her mother and stepfather were to supervise her and educate her at home. Eventually, Colleen set fire to a curtain in her bedroom to escape the abuse. She was placed in a mental health institution. The stepfather had been sexually abusing her.

In another situation, the teacher did not immediately file a report, because she did not observe any signs of abuse. The situation was frustrating for the teacher since the report the child made was not initially supported by

physical evidence. The child had no observable bruises, but she complained of pain. The premeditation of the abuse and the sadistic nature of the abuse deeply disturbed Lucila.

Lucila: I was teaching fourth or fifth grade. And I can't remember her name, but the father was beating her with a bar of soap in a nylon.

Interviewer: Deep bruises.

Lucila: It doesn't leave any actual bruises. They're internal. And that's what I found out that I didn't know. And I went to put my arm around her, and she jumped. And I said, "What's a matter?" Immediately a flag goes up, like, what? That's no big deal. She says, "My arm hurts." I said, "Your arm hurts? Where?" And she showed me, and there was nothing there. And then she says, "My legs hurt," and she's showing me. And where she's showing me, I would expect, from her description to have seen bruises.

Worst-case scenarios were either ambiguous, as in cases of neglect, or clearly extreme (e.g., the sadistic nature of the physical abuse or the sexually graphic acting-out behavior). Often, the reporters expressed uncertainty as what to do with the situations that they faced, or they were uncertain about what happened to the children after the reports were made. Multi-problem families were the most troubling to the reporters. When asked about their worst cases, reporters described families living in extreme poverty with issues such as neglect, domestic violence, substance abuse, prostitution, and sexually inappropriate behavior in front of the children. These situations also lacked clearcut evidence, effective communication between the schools and CPS, confidentiality, administrative support, emotional and instrumental support for the reporter, and time and resources to help the family. These were the cases that the

reporters thought about years later and often regretted not reporting sooner. They worried about safety as well as the long-term consequences for the children. Both in Colleen's case and in the case that Lucila discussed, the families were perceived as being multiproblem families. The reporters never knew the final outcomes in both cases.

### ***Situations That Worked Out Well***

Few reporters could recall reporting situations they perceived to have worked out well for the children or themselves. There was a feeling among teachers that filing child maltreatment reports did not result in desirable outcomes for the children or the teachers. The shadows of unintended consequences lingered in the minds of reporters. When situations improved for the children and no unintended consequences occurred, reporters felt encouraged to report future cases of child maltreatment. There was sense of accomplishment and validation when the situation worked out well.

Mario described a situation in which filing a report benefited the entire family. The father became active in the family's life and in the community. Though there were concerns of retaliation, no retaliation occurred, and the relationship with family was not destroyed. Additionally, the legal mandate to report and the concept of confidentiality encouraged the reporter to call CPS.

There's one case right away comes to mind. A family that I knew personally. The boy at the time was 5 to 6 years of age. Came to school with his father's or someone's, an adult's handprint right on his face. And the teacher approached me about it, back then that was my 2nd year working here for the district. And the teacher was really concerned for her own safety. And I said, "Well, it's the law. We're protected by the law. I'll report it, but

let's see what's going to happen." Of course, the social workers came in. The parents knew I had reported it. They figured it out, I imagine. The relationship didn't change. In fact it helped it to a certain extent. The father and the mother both got into some good parenting classes. The father became really active with his children and coaching sports, baseball, soccer, you name it. I saw a great turn around and realization that there's other ways to discipline. And there's an example where there was legitimate fear at beginning, but look at the result. It really turned that family around. It brought them closer together at that point.

In the situations that worked out well, the reporters saw concrete results. The parents changed their behavior. They disciplined their children more appropriately in the eyes of the reporter. The parents enrolled in programs for substance abuse, parenting, family counseling, and the like. The children came to school with improved hygiene.

CPS responded not only promptly but also in accordance with the reporter's expectations. The CPS worker appeared to take the time to listen to the reporter and the child. CPS gave the reporter feedback about the case. The reporter believed that CPS validated his or her concerns in the situations that worked out well. Unlike the worst-case scenarios, these situations had little uncertainty. The evidence was clearcut. There were limited unintended negative consequences as a result of the report. However, even during the discussion of situations that worked out well, there was still a lingering sense of dissatisfaction with outcomes for the children.

### ***The Role of Training***

Training was a central theme in the interviews. The staff decried the apparent lack of training

they received both while at university and while they were employed. The sentiment is that the teachers felt grossly underprepared to deal with child maltreatment and its consequences. A lack of training for teachers has been a consistent complaint throughout the child abuse literature (Crenshaw, Crenshaw, & Lichtenberg, 1995; Kenny, 2001; Kesner & Robinson, 2002; Lowenthal, 2001).

Interviewer: That's one interesting comment I've heard from, I can't tell you how many teachers, that "I never had any child abuse training."

Selma (interrupting): Never! Never ever! You have all these computer requirements, I mean, even now they're mandating CPR, you know, to get your credential. I think CPR is just as important as child protective awareness. . . . That's why you come into this little beautiful world of teaching, and you think it's all fine and dandy, and then you open your eyes to reality and it's scary. *(Voice lowered)* Oh my God, no wonder he can't learn how to read . . .

In fact, each of the personnel interviewed as a part of the study had received training from the primary author (VanBergeijk). The training consisted of warning signs of various types of maltreatment, the legal requirements of reporting, and the procedures the staff needed to follow if, in fact, they suspected a case of child maltreatment. Interestingly, support staff—special education teachers, social workers, psychologists, and so on—remembered receiving the training. The general education classroom teachers, on the other hand, had an "ability amnesia"; that is, they did not recall that they had received the training from the author. This finding may be due in part to two factors. First, there appeared to be an attitude among some teachers that the reporting of child

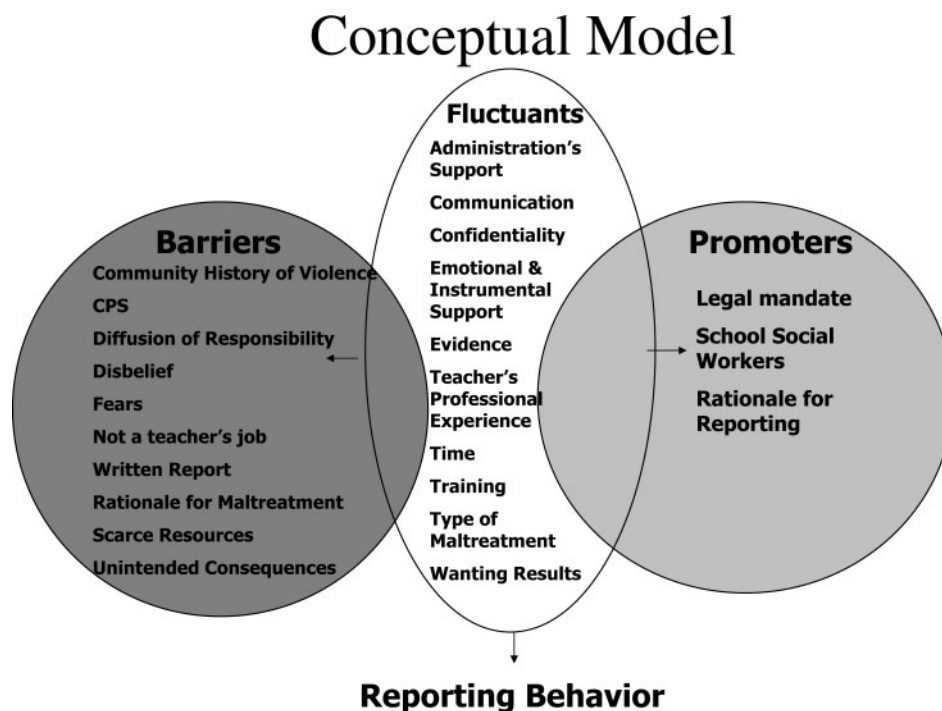
abuse was "not a part of their job." The reporting of child abuse was in the purview of the school social worker. The reporting of abuse was an additional burden that detracted from their main job, which was teaching. Second, training appeared to have a different meaning for teachers than it did for the author and other support staff. It was more than simply reviewing the child abuse reporting law and the signs of maltreatment. This was incomplete according to the informants. The training needed to be intensive, especially for new teachers, who were viewed as being particularly vulnerable to the pressures associated with reporting child abuse. The teachers wanted practical advice and strategies on how to best respond to children and families in this situation. They also wanted real-life case examples where the indicators of maltreatment were not crystal clear. Some teachers also wanted training on how to conduct home visits, as a part of an overall training on child maltreatment. One special education teacher, Elizabeth, remarked,

I think probably lack of training, and that makes it scary because you don't understand what the process is. Ah, just the fact that you are dealing . . . with an agency related to law, you can get prosecuted if you don't report it. So, you get these feelings of "Oh, my gosh, if I don't report it correctly, what will happen to me?" You know, it's kind of . . . It's a threat!

Informants viewed better training as a solution to the problem of underreporting of suspected cases of abuse and neglect.

### **Conceptual Model for Reporting Behavior**

Whether a teacher or another member of school personnel decides to report a suspected case of



**FIGURE 6**  
Conceptual model for reporting behavior.

child maltreatment is a complex decision that is the result of an interaction among three categories of factors inherent in the reporting situation: barriers, fluctuants, and promoters of reporting. See the conceptual model in Figure 6.

Barriers were factors that provided the reporter with an obstacle that he or she must surmount in order to file a report with CPS. Respondents consistently mentioned these factors as inhibiting their willingness to report. The factors included CPS as an organization, a diffusion of responsibility between potential reporters of a case, disbelief that the maltreatment had in fact occurred, a constellation of fears (including a fear of being wrong, making the situation worse, getting involved, and invading family privacy), a belief that reporting was not a part of a teacher's job, the written report, having a rationale for the maltreatment (e.g., "If he were my kid, I'd hit him too. He is so bad."), a perception of scarce resources (i.e.,

CPS would not be able to help the family anyway), and the unintended consequences of the reporting situation.

In general, fluctuants were factors that, in their presence, acted as a promoter of reporting a case to CPS and, in their absence, acted as a barrier. Depending on the respondent's description of the case, the factor fluctuated between being a barrier or a promoter of reporting to CPS. The fluctuants included the administration's support, communication between the reporter and CPS as well as communication among the school personnel, culture, confidentiality, emotional support, instrumental support (e.g., help writing the written report), evidence, teacher's professional experience, time, training, type of maltreatment, and wanting results. The two most critical fluctuants were evidence and the type of maltreatment. Sexual abuse was clearly viewed as being unambiguous and wrong.

When the respondents became aware of sexual abuse, they reported it. Physical abuse, when accompanied by evidence of the maltreatment (i.e., visible marks), was also reported promptly. Neglect, on the other hand, provided little physical evidence. The signs were “soft,” or vague. Consequently, respondents were less likely to initially report neglect.

Culture played a more complex role as a fluctuant. It was not simply the presence or absence of culture that affected the reporter’s behavior. The cultural heritage of the reporter interacted with the culture of the suspected victim of maltreatment. We coded culturally dystonic reporting situations as those situations where the reporter and the child were from different cultural backgrounds. The dystonia could act as either a promoter of reporting (e.g., “I’m not familiar with this culture and this child-rearing approach. I’d better report this.”) or a barrier (e.g., “This is a cultural thing. This is acceptable child-rearing in that culture.”).

Conversely, culturally syntonic reporting situations were those situations in which both the suspected victim and the reporter were from the same cultural background. The syntonia could also act as a promoter to reporting (e.g., “I’m from the same cultural background. I wasn’t raised like that. That’s not normal. I need to report this.”) or as a barrier (e.g., “In our culture, physical discipline is okay. We were all raised that way. This is normal. I don’t need to report this.”). Daigle’s citation of Mexican civil code pertaining to physical abuse captures the culture’s acceptance of physical punishment:

Parents have the right to correct and punish their children measuredly. According to the [Mexican] Penal Code a parent or guardian who has inflicted an injury to a child, the effects of which heal within 15 days may be sentenced to prison for three days to four months. If the injuries sustained last longer

than 15 days, the parent or guardian may be sentenced to prison for 4 months to two years. (1994, p. 32)

In other words, physical punishment is acceptable as long as no lasting injuries are sustained.

The promoters of reporting were few. Informants only mentioned three promoters of reporting: the legal mandate, the school social workers, and having a rationale for reporting. The school social workers were by far the most important promoter at the school site level. They were even more important than the legal mandate. The school social workers interpreted the legal mandate for the school personnel and provided the reporters with the necessary emotional and instrumental support to make the call to the child abuse hotline. Without the school social worker’s encouragement to make the phone call, informants often felt isolated, alone, and unsure as what to do.

The final promoter of reporting was whether the reporter had a rationale for reporting. If they had a reason for filing a report, they were more likely to actually make the call to the hotline. The rationales ranged from the school personnel’s offering the family help or warning the family about their concerns (and the child’s plight did not change) to calling CPS because they believed it was the only recourse left to help the child.

### **Conceptual Model for Future Failure to Report**

The previous conceptual model described reporting behavior in a specific scenario where maltreatment was suspected. The conceptual model in Figure 7 describes how future cases of child abuse are affected. More specifically, the model describes factors that may predict reporters’ future failure to report suspected cases of child maltreatment.



**FIGURE 7**  
Conceptual model for future failure to report.

Two categories of barriers are at the foreground of reporting future cases of child maltreatment: fears and unintended consequences. The fears are beliefs of negative outcomes for either the child or the reporter that may have never occurred in previous reports to CPS. However, the reporter still believes that they could occur. These fears include a fear of retaliation by either the parents or the administration for filing the report. A second fear is that the mandated reporter is wrong about his or her suspicion: the child's condition has another explanation other than maltreatment; the report causes needless harm to the family. A third fear articulated by informants is a fear of getting involved in a potentially explosive, drawn-out situation that might result in the reporter's having to testify in court. A final fear that can contribute to school personnel's future failure to report is a fear of invading a family's privacy.

The unintended consequences of past reports present a substantial deterrent to future reporting. These unintended consequences include the family leaving the country, the situation becoming worse, retaliation by the family or the

school district, damage to the relationship with the child and family, and the reporter experiencing psychological and physical symptoms of stress. When combined with the fears a reporter may have, these consequences create a significant barrier to future reporting. The unintended consequences were often experienced firsthand by the mandated reporter. However, they did not necessarily have to be experienced firsthand by the potential reporter to be an effective barrier to future reporting. The unintended consequences could be experienced on a secondary or tertiary level. A colleague may have told a potential reporter about a case where a report was made and it had some sort of unintended consequence. This disclosure of an unintended consequence acts as a barrier even though the potential reporter did not experience this directly. The potential reporter may have heard of a case in the district that had an unintended consequence. The tertiary level in which a potential reporter is affected by an unintended consequence often involved hearing a case where retaliation against the reporter became known. This has a chilling effect on future potential reports.

An ever-present backdrop intensifies the effects of the two categories of barriers. Whenever family violence or some other form of family dysfunction is discovered, there is a potential threat of violence lurking in the background. The generic threat of violence is fortified if there is an actual precedent of violence in the community. The precedence for violence need not be on the scale of the McDonald's massacre to deter future reports. Knowledge of a community's repeated history of gang violence, domestic violence, assaults, armed robberies, and so forth, can have the same effect as a single historical event of violence (Astor et al., 1998). The combination of the generic threat of violence, specific historical precedents of violence, fears and unintended consequences of previous reports attenuate an individual's ability and desire to file a report with CPS.

## **Implications**

### ***Legal Mandate***

In 1963, California became the first state to pass a mandatory child-abuse reporting law (Hinson & Fossey, 2000). For the school personnel, the legal mandate to report suspected child abuse was clear. They were aware of the penalties for failing to report child abuse. However, the mandate to report suspicions was at odds with CPS's requirements for accepting a case for possible investigation. The intake workers on the hotline often wanted evidence or proof of abuse or neglect before accepting a case. The legal mandate to report suspicions was also at odds with the reporters' need for certainty. They, too, wanted proof or evidence of abuse before making a report. Our findings were consistent with Pence and Wilson's findings (1994, as cited in Hinson & Fossey, 2000) that insufficient evidence was the most common

reason professionals did not report sexual abuse.

### ***Training***

Better training may address the conflict between the need to report suspicions versus the need for evidence. The training of teachers should begin before they work at a school district. The mandate to report as well as the intricacies of reporting should be a part of the undergraduate curricula of future teachers. This step would help to avoid the notion that child abuse reporting is "not a part of my job." It would help solidify child abuse reporting as a part of the profession's ethical responsibility. The training, however, needs to go beyond the statutory requirements and signs of maltreatment or even to a more comprehensive model of training, as proposed by Besharov (1994). Training should include work with multi-problem families. According to our data, the teachers needed affective components to dealing with child-abuse reporting situations. They were caught off guard by the emotional reactions of families and their own emotional reactions. According to our informants, part of that portion of the training should include coping and stress management.

### ***School Policy***

Schools should implement a number of policies to improve reporting. First, mentors should be assigned to new teachers, not only for guidance on curricular issues, but for discussions regarding child abuse reporting. Second, new teachers should be introduced to the school social worker immediately—that is, before an actual crisis. During this introduction, the school social worker should describe their crisis intervention services, particularly the role they play in the child-abuse reporting process. Third, schools should create their own child

maltreatment advisory team, for nonemergency cases. This team should comprise professionals who have training and expertise in child development as well as child maltreatment issues. This team's purpose would be to consult with teachers who have cases of possible child maltreatment, where the signs are unclear. The team would also serve to foster communication between CPS and the teachers and professional support staff.

### ***CPS Policy***

School personnel expressed a critical need to be able to communicate effectively with CPS. Clear agency policies need to be developed on how to appropriately share information. This is especially crucial in the area of confidentiality. School personnel feared that a breach of confidentiality could result in some form of retaliation.

The confidentiality issue needs to be distinguished by providing the reporters with appropriate feedback. Caseworkers often use confidentiality as a reason for not providing reporters with any feedback on the results of a report. This undermines the reporter's confidence in the system and inhibits future reporting.

### ***Practice***

Schools with potentially a high incidence of child abuse should have an on-site support person available to the teachers and staff for consultation. The support person should be a professional trained in the area of child maltreatment. The presence of such a professional would have a twofold benefit. First, it would provide teachers with both instrumental and emotional support. By providing such support, this would mitigate potential barriers to reporting. Second, the professionals would

help to screen out potentially inappropriate referrals to CPS. Consequently, this would decrease the demand on an already-overtaxed system, and it would potentially increase the likelihood of substantiated reports, the low rate of which Kesner and Robinson (2002) have identified as a problem for teachers.

Professionals who are in the position of acting as an on-site expert in the area of child maltreatment should conduct a complete community assessment identifying sources of stress and support for the children and their families. The assessment would not be complete without an exploration of present and past levels of community violence. The fact that the McDonald's massacre lingered in the memory of the respondents for almost two decades reinforces the necessity of such an assessment.

### ***Research***

This study generated more questions and avenues for future research than it answered. Avenues for future research include the following questions:

1. Do reporters of child maltreatment experience secondary trauma?
2. How do mandated reporters make ethical decisions when faced with possible child maltreatment?
3. How does culture affect reporting behavior?
4. What sort of efficacy does a child-advisory-team model have for intervening in child maltreatment situations?
5. What would empirical testing reveal regarding the conceptual models proposed in this article?
6. What would an in-depth study reveal about the long-term effects of the McDonald's massacre on the community of San Ysidro?



Answering these questions may yield a better understanding of the child-abuse reporting process. Consequently, this may improve the school personnel's experiences reporting child abuse, thereby increasing the likelihood they will report suspected cases in the future.

### **Limitations of the Study**

The study had several limitations. The first limitation was the amount of time that transpired between the initial collection to the data, the transcription and analysis of the interviews, and the subsequent member checking. The considerable amount of time that passed between these stages of the study allowed for bias in terms of faulty recall and reconstruction of past events.

The second limitation was our changing epistemology. The shift in our stance called into question the veracity of our findings. With a consistent sense of our worldview as researchers, we could more reasonably assert that our conclusions were truly a reflection of our data rather than a change in epistemology.

A final limitation was due to a change in our epistemology as well. Since the shift to critical theory included a view that there was structurally inherent oppression in the district that prevented staff from reporting abuse and neglect, then the theoretical sampling should have also reflected that shift. The sampling should have included district-level administrators and their views and experiences with the school system in recognizing and reporting abuse.

### **Postscript**

Before the presentation of our findings at the Seventh International Conference on Family Violence, in September 2002, we visited the San Ysidro School District to conduct member

checking and receive feedback on our presentation. We were informed that the San Ysidro School District eliminated all school social worker positions. Not only did the children, families, and teachers lose one of two promoters of reporting child abuse with this move, but they also lost advocates who championed the rights of the oppressed in the district.

One final twist occurred during our trip to San Diego. Ironically, Tariq Khamisa's father, Azim, was a keynote speaker at the conference. Azim created an anti-youth violence foundation in collaboration with the grandfather of Tony Hicks (Tariq's murderer; (Cromwell, 1996; Family Violence and Sexual Assault Institute, 2002; Nelson, 2002). We were struck by the far-reaching consequences of not recognizing and reporting child maltreatment and by the interconnection of people's lives. If someone had recognized Marvin as a severely neglected child and intervened, perhaps Azim would not have been the keynote speaker. His son would be alive, and Tony Hicks would not be sentenced to life in prison. All three families would not have suffered from this tragedy.

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