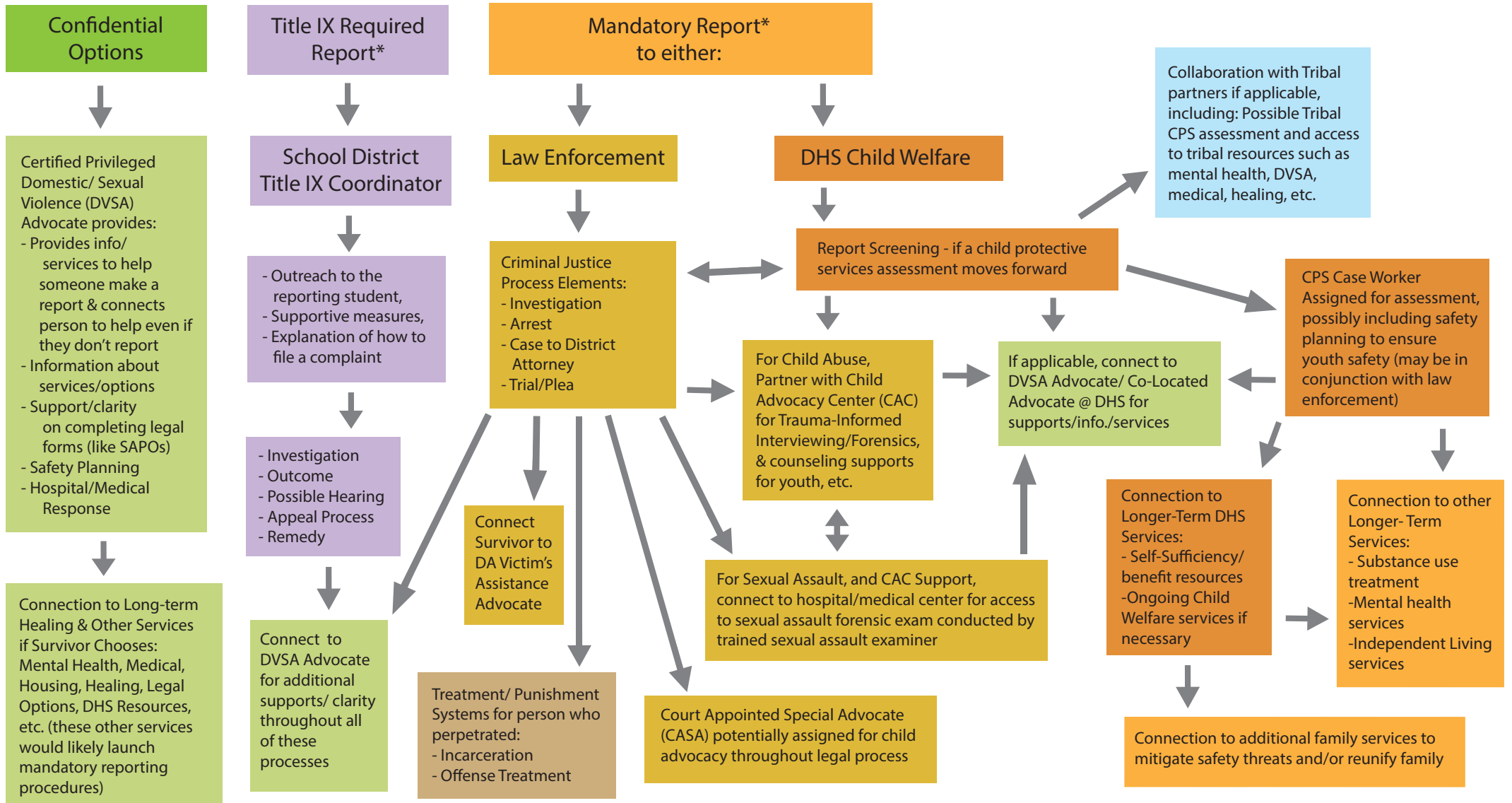




# Navigating the Systems to Respond to Disclosures of Abuse, Neglect, Assault, and Violence to a Person Under 18

When a disclosure of violence or abuse towards someone under the age of 18 occurs, there are several systems and processes that may begin as a result (Mandatory Reporting processes, Title IX Processes in Education Settings, and support from Confidential Resources). Each of these systems are focused on trying to ensure that people experiencing violence and abuse have access to services that support health and safety. In order to best support survivors, it is critical that we have a basic understanding of each of the processes and players that a survivor may need to navigate. Below is a general example of many of the players and processes that may be involved in responding to disclosures. There are differences within every community. After looking at this chart, we encourage you to consider what these processes look like in your community, what's missing, and what resources could be added for more comprehensive services for each survivor?



\*All K-12 employees are responsible employees under Title IX, and mandatory reporters of abuse under state law. Some reports of sexual assault or abuse, especially if the person who perpetrated is a school employee or student, will trigger both Title IX and Mandatory Reporting responsibilities. Additionally, if "sexual conduct" is reported between a student and a staff/ admin/parent volunteer/other contractor, additional reporting responsibilities exist, including to either the Teacher Standards and Practices Commission (TSPC) or to the Oregon Department of Education (ODE).

## Some Considerations to Explore While Reviewing this Flow Chart

Throughout Oregon, there are several different systems in operation to intervene when child abuse or domestic/sexual violence occurs. These systems are each made up of multiple different players, have a lot of nuance, are complex, and are rarely linear. Ideally these systems would work together collaboratively in order to best provide services that are trauma-informed, human-centered, and effective. This chart tries to map out many (not all) of the potential systems a child and their family might have to navigate when a disclosure occurs. Additionally, there are factors not represented on this chart, including additional players and systems when youth are in custody, foster care, or homeless/houseless, etc. As you explore this chart, we ask that you consider the following:

### **This chart can be overwhelming for those of us doing this work, which means it is definitely overwhelming for those navigating it when they've experienced violence, abuse, assault or neglect.**

All of the players on this chart have a particular role, and it can be challenging to remember that each individual person and family we work with, are likely interacting with many, if not all, of the other players listed here and some that aren't. When we work more effectively together and have more information about how all of these systems can be beneficial, we get closer to our goals of supporting young people and interrupting abuse and violence. Additionally, it is the role of Certified Domestic and Sexual Violence Advocates to talk about all of the systems, players, and processes that an individual and/or family may encounter. Having access to this type of advocate can be very helpful for individuals to understand what is going on, have access to someone with answers about all of the different players and processes, and to have a touchpoint throughout the entire process and beyond.

### **Young people, and their families, have varying rights within different systems.**

Young people and their families have rights to confidentiality, information, and choice which vary with each system, and each partner. Some of the laws that guide this include HIPAA, FERPA, VAWA, VRRRA, CVRA, and Oregon Law. It can be confusing to know which laws apply in certain scenarios, which rights each law affords the individual young person, and which rights are afforded to the parents, which aren't always the same.

### **Not shown on this chart are ways in which oppression, including racism, ageism, classism, sexism, xenophobia, etc., may impact the trauma an individual and/or family experiences, and the ways the systems, partners, and processes actually help or reinforce harm.**

We know that implicit and explicit biases are a part of all of our systems, and inform how and if an individual may want to interact with a certain partner. When we are working towards interrupting abuse and violence, and supporting young people who have experienced it, we have to be conscientious of the ways the systems may cause harm. This may include family separation decisions, if providers believe a child, whether there are language barriers, whether there is mistrust, and whether a lack of knowledge and/or of cultural responsiveness on the provider's part is likely to cause more harm. When you add in layers of historical, intergenerational, and ongoing trauma caused by interactions with systems, this chart becomes ever more overwhelming and the systems can become more traumatizing to the individuals and families we engage with. When we partner with culturally specific and Tribal service providers when appropriate, we will more effectively serve those we're working with and lessen re-traumatization we may cause. Too often these partners are left out of these processes; referrals aren't made; and people aren't connected to culturally relevant resources which would reinforce protective factors and support healing. When this occurs, we are moving further from our goals of supporting young people, rather than moving closer.

### **Laws change, and new laws are added, regularly.**

Every year, new laws, or fixes to existing laws, may go into effect. Interpretations of and guidance around laws may change as well, depending on leadership, federal/state/local compliance, other laws, and many other factors. It often takes time to ensure all applicable players have modified processes to meet requirements tied to these changes. This means that this flow chart can continue to change, which is challenging for the partners doing this work and the people trying to navigate it.

### **Different partners often use the same, or similar, language – but may mean different things, which can add to the confusion and overwhelm an individual and/or family feels.**

Although the players in this flow chart may have shared goals, they also serve separate purposes in order to move towards those shared goals. Consider the following: A school employee is required to make a mandatory report to child welfare or law enforcement, who will then do an initial and maybe a more in-depth investigation into the disclosure. That same school employee is also required to report to the school district's Title IX Coordinator who is then required to conduct an internal investigation, separate from the criminal investigation being conducted by law enforcement or the assessment being conducted by child welfare. In the criminal investigation there is a perpetrator, victim, investigation and trial – resulting in a guilty/not guilty verdict and maybe a conviction. In the Title IX process, there is a respondent and a claimant, and an investigation – resulting in a responsible/not responsible finding. In the child welfare assessment there is an alleged victim, alleged perpetrator, allegations, an assessment, and a disposition (ex. founded or not founded for abuse/neglect). If a young person is working with all these systems they may be referred to as victim, complainant, survivor, kiddo, etc. all by different partners in the same day. If an individual is navigating one of these systems, they are likely also navigating other systems, as well as interacting with many, if not ALL, of the other partners on this chart. This speaks to the need for all of these partners to more intentionally collaborate and understand each other's work to better support folks who are navigating these complex systems on top of trauma and oppression, and to utilize resources like Certified Domestic/ Sexual Violence Advocates who help people navigate all of the systems, and their rights within each.