

CWS2141W

USING THE APPLICABILITY FLOW CHART

Scenario 4:

Brenda Stout is a security guard at Elm Tree Middle School. Her desk is positioned next to the front door where she can monitor who is going in and out. She is very popular with students as she likes to joke around with them and tease them. Brenda has had this job for 2 years. Yesterday, 13 year old Chelsea May reported to her teacher that Ms. Stout had touched her breasts and vaginal area last Saturday at Ms. Stout's house. Ms. Stout had invited Chelsea to come over as the two had formed a friendship over the year. Ms. Stout had taken Chelsea out to eat and to the mall in the past with Chelsea's parents' permission, but this was the first time Chelsea had gone to her house. Chelsea said she ran out of the house as soon as it happened because she was so shocked and upset. She doesn't want her parents to know because they really like Ms. Stout.

Ms. Stout denies that anything inappropriate happened.

As a group and using the Applicability flow chart answer the following questions:

1. School employee?
2. Scope of Employment?
3. Were the actions reasonable and necessary?
4. Actions in Good Faith?
5. Is there evidence of Willful Misconduct or Gross Negligence?