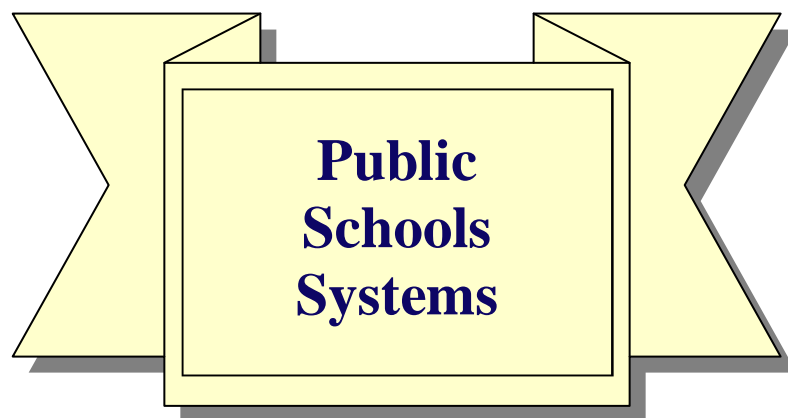


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Deseret News (Salt Lake City), Nov 4, 2007

Teacher is arrested  
Philadelphia Inquirer, June 11, 2007

Ex-teacher who had sex with student is arrested again  
Chicago Sun-Times, Dec 5, 2007

Sub teacher charged with sexual assault

Columbus Ledger 5/2/07

**TEACHER ARRESTED**  
Gazette, The (Colorado Springs), Nov 7, 2007

Teacher arrested in theft of dues  
Gazette, The (Colorado Springs), Sep 13, 2006

A Teacher on Trial  
Newsweek, July, 2004

Teacher arrested: possession of cocaine  
Oakland Tribune, June 15, 2006

Teacher faces drug charges  
Fort Worth star 6/23/07

**FOOTBALL COACH ARRESTED**  
The Biloxi Sun Herald 12/19/06

Teacher accused of sex crime  
The San Luis Obispo 8/22/06

Teacher accused in beer blast  
The Mercury News 10/31/06

High school employee arrested in sex complaint  
Contra Costa times 11/28/06

Teacher's aide charged with sex with student  
Wichita Eagle 8/1/06

Teacher pleads not guilty to murder  
Grand Forks Herald 5/6/07

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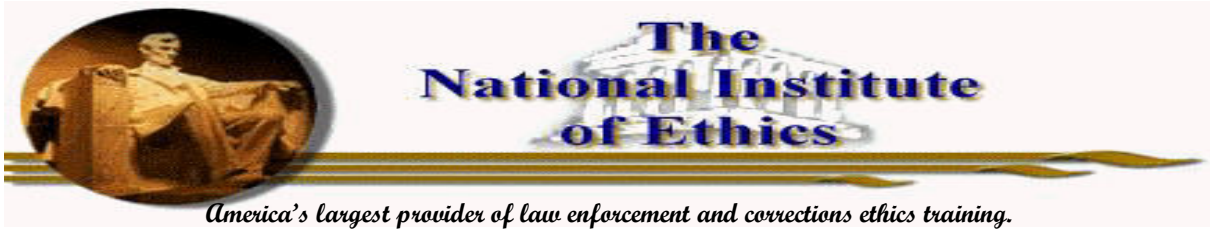
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Ignoring Ethical Problems

Hypocrisy & Fear

Employee Survival & Hopelessness

Employee Lust

Employee Greed

Employee Anger

Employee Peer Pressure

The Victims

The Offenders

## **Chapter 2 Determining Your Ethical Needs**

What is a Needs Assessment and Why Do One

Self-Assessment Checklists

## **Chapter 3 Major Solutions**

Commitment from the Top

Mission Statements

Develop Goals/Objectives from the Needs Assessment

Establish and Maintain an Effective Recruitment Process

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Attain Self-Accountability: The Ultimate Integrity Tool

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Ensure Constant Evaluation and Improvement.

When a Crisis Occurs

**Chapter 4      New Viable Solutions**

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The Future of Leadership

Ethics Assurance Council

Self-Examination

Exercise: Traits of a Great Leader

Cultures: A Case Study in Leadership

Counteracting the Negative Culture

**Chapter 6      Ethical Decision-Making Training**

Professional Attitude

Reasons People May Act Unethically

Classic Approaches to Ethical Decision-Making

Decision-Making Model

Staying Positive in a Negative World

When an Unexpected Ethical Crisis Happens \

**Chapter 7      Making Change: Implementing Your Process**

Ethics Teams

Basic Team Operations

Team Interaction and Stages  
Dealing with Opposition  
Early Resistance to Change  
Foundations of Truths  
All Encompassing Elements  
Ethics Teams  
Code of Honor  
What Makes Ethics Perpetual

## **Chapter 8**

### **Ethics Training**

Ethics Training Topics Selection Matrix  
The Ethics of Ethics Trainers  
Sample Remarks about Professionalism  
Reasons People Act Unethically  
Ethics Training Scripts and Outlines  
Employees Continuum of Compromise  
Employee cynicism  
Workplace Discrimination and Harassment

## **Chapter 9**

### **Specific School Issues**

Accepting Gifts or Favors  
Offering Gifts or Favors  
Involvement in Political Activities  
Using or Disclosing Confidential Information  
Conflict of Interest - Improper Influence  
Nepotism  
Secondary Employment  
Solicitation or Receiving Money for Advice or Assistance  
Economic Interest  
Contract Inducements  
Penalties for Violations

## **Chapter 10**

### **Celebration and Publicity: Being Recognized as a Role-Model**

Media  
Why Celebration is Important  
How to Celebrate

## Empirical and Practice Studies of Educator Sexual Misconduct

Study	Description
<i>Abuse and Disability Project</i> (1992). Edmonton, Canada: University of Alberta. Edmonton, 1992.	Analysis of 162 cases of sexual abuse of children or adults with disabilities in Canada. Reports on abuse by transportation workers.
American Association of University Women (1993). <i>Hostile Hallways</i> , Washington, D.C.: AAUW Educational Foundation.	1,632 field surveys of U.S. public school students in grades 8 to 11 in 79 schools. The sample was representative of students in public schools in the United States. Students in this sample were asked questions about physical, verbal, and visual sexual harassment
American Association of University Women (2001). <i>Hostile Hallways</i> , Washington, D.C.: AAUW Educational Foundation.	Replication of 1993 study. Consisted of 2,063 field surveys of U.S. public school students in grades 8 to 11. The sample was representative of students in public schools in the United States. Students in this sample were asked questions about physical, verbal, and visual sexual harassment.
Sherry B. Bithell (1991). <i>Educator Sexual Abuse</i> . Boise: Tudor House Publishing.	Summary of information on child sexual abuse necessary for educators to effectively intervene. Portrayals of offenders based upon interviews, observations, and court records. Written by an educator with 26 years in the public schools who also developed a statewide program in child abuse prevention.
Paul Cameron, William Coburn Jr., Helen Larson, Kay Proctor, Nels Forde, and Kirk Cameron (1986). "Child molestation and homosexuality." <i>Psychological Reports</i> , 58, 327-337.	Cluster sample of five metropolitan areas. Door-to-door sampling and administration of a 550 question survey about sexual attitudes, activities, and experiences. 4,340 surveys were returned, a 45.5 percent response rate.
Pat Cawson, C. Wattam, S. , Brooker, and G. Kelly (2000) <i>Child Maltreatment in the United Kingdom: A Study of Prevalence of Child Abuse and Neglect</i> . London: NSPCC.	Interviews of UK national random sample of 2,869 young people ages 18-24 on incidence of sexual abuse as children.
Kelly Corbett, Cynthia Gentry, and Willie Pearson Jr. (1993). "Sexual harassment in high school." <i>Youth and Society</i> , 25(1), 93-103.	Survey of 185 college students in an introductory sociology course. Survey asked students to estimate sexual harassment of a student in high school by a teacher, both about other students and themselves.
Mike Freel (2003). "Child sexual abuse and the male monopoly: An empirical exploration of gender and a sexual interest in children." <i>The British Journal of Social Work</i> , 33 (481-498).	Paper and pencil survey of 92 female and 91 male UK public sector child care workers examining their sexual interest in children as well as incidence of sexual abuse as children.
Bernard Gallagher (2000). "The extent and nature of known cases of institutional child sexual abuse." <i>British Journal of Social Work</i> , 30 (795-817).	Search of 20,000 child protection files from eight English and Welsh regions. Descriptions of reports of child sexual abuse by a worker in the institution.
Caroline Hendrie, (Dec. 2, 9, 16, 1998) "A trust betrayed. sexual abuse by teachers." <i>Education Week</i> .	Compilation of 244 cases active in either criminal or civil courts or being handled by school district investigators between March and August of 1998. Survey of officials from the 50 states.

**Source: U.S. Department of Education, Office of the Under Secretary, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, Washington, D.C., 2004**

Study	Description
Caroline Hendrie, (April 30 and May 7, 2003) "Trust betrayed. An update of sexual misconduct in schools." <i>Education Week</i> .	Two-part series updating the 1998 three-part series. Survey of state sexual misconduct policies.
Diane Jennings and Robert Tharp (May 4, 5, 6, 2003) "Betrayal of trust." <i>The Dallas Morning News</i> .	Three-part series examined 606 cases of educator sexual abuse in Texas from records about disciplined educators maintained by the State Board of Educator Certification.
Matthew D. Olson and Gregory Lawler (2003). <i>Guilty until Proven Innocent</i> . Stillwater, Okla.: New Forums Press.	Includes descriptions of five cases in which a Colorado teacher was wrongly accused of mistreatment or abuse of a student. Written by the defense attorney and the union representative involved with the case, the descriptions were based upon their interactions with the accused, court records, and newspaper accounts.
Sydney L. Robins, (2000). <i>Protecting Our Students: A Review to Identify and Prevent Sexual Misconduct in Ontario Schools</i> .	Content analysis of 120 cases of sexual misconduct brought before the Ontario Teachers' Federation and Ontario College of Teachers between 1989 and 1997. Review of 100 criminal cases against teachers between 1986 and 1997.
Victor J. Ross and John Marlowe (1985). <i>The Forbidden Apple: Sex in the Schools</i> . Palm Springs, Calif.: ETC Publications.	Two administrators share their experiences with cases of educator sexual misconduct, provide an overview of the issues, and include advice on preventing sexual abuse of students by adults in schools.
John M. Seryak (1997). <i>Dear Teacher, If You Only Knew! Adults Recovering from Child Sexual Abuse Speak to Educators</i> . Bath, Ohio: The Dear Teacher Project.	Publication of a project in which adults wrote letters to an imaginary or surrogate teacher about the childhood sexual abuse they experienced. While the abuse described is not generally by educators, the focus is on the behaviors and cries for help that educators should hear.
SESAME, 1997, <a href="http://www.sesamenet.org">www.sesamenet.org</a>	Survey of 100 survivors of educator sexual misconduct in the United States. Data from 74 girls and 26 boys who had been victimized. Educators identified by staff positions held and survivor reports of consequences for perpetrators.
Charol Shakeshaft and Audrey Cohan, (1995, March). "Sexual abuse of students by school personnel." <i>Phi Delta Kappan</i> , 76 (7) 513-520. (1994). <i>In loco parentis: Sexual abuse of students in schools. What administrators should know</i> . Report to the U.S. Department of Education, Field Initiated Grants.	Survey of 778 superintendents in New York State on incidence of educator sexual misconduct. Telephone survey of 225 school superintendents who reported they had dealt with educator sexual misconduct. Follow-up interviews with others involved in the cases.
Charol Shakeshaft (2003) "Educator sexual abuse." <i>Hofstra Horizons</i> , Spring, 10-13	Secondary reanalysis of AAUW Hostile Hallways data to focus on educator sexual misconduct. 2,063 field surveys of public school students in grades 8 to 11. The sample was representative of the overall population of students in public schools in the United States.

Source: U.S. Department of Education, Office of the Under Secretary, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, Washington, D.C., 2004

**Prevalence in the United States.**

As a group, these studies present a wide range of estimates of the percentage of U.S. students subject to sexual misconduct by school staff and vary from 3.7 to 50.3 percent. Because of its carefully drawn sample and survey methodology, the AAUW report that nearly 9.6 percent of students are targets of educator sexual misconduct sometime during their school career presents the most accurate data available at this time.

<b>Percent of U.S. Students Who Have Experienced Educator Sexual Misconduct by Method</b>						
	<b>AAUW 2000/ Shakeshaft Secondary Analysis 2003</b>	<b>Cameron et al.</b>	<b>Corbett et al. Personal Experience</b>	<b>Cor- bett et al. Others</b>	<b>Stein et al.</b>	<b>Wishniet- sky</b>
Contact	6.7	4.1	Not re- ported	21.1	Not reported	17.5
Noncontact	8.7	Not Stud- ied	Not re- ported	19.5	Not reported	43
All Mis- conduct	9.6	Not Stud- ied	6.5	50.3	3.7	Not Reported

**Job of offenders.**

Reflecting the reanalysis of the 2000 Hostile Hallways data (published in 2001), Table 7 documents the percent of students who have been targets of educator sexual misconduct by role of educator. Teachers are reported most often, followed by coaches. Gallagher (2000) reported that teachers accounted for 90 percent of the school institutional sexual abuse cases in his analysis.

Teachers whose job description includes time with individual students, such as music teachers or coaches, are more likely to sexually abuse than other teachers. Jennings and Tharp found that 25 percent of the educators in Texas who were disciplined for sexual infractions involving students between 1995 and 2003 were coaches or music teachers. Willmsen and O’Hagan found Washington state teachers who coach were “three times more likely to be investigated by the state for sexual misconduct than non-coaching teachers.” The AAUW data do not identify the abuser by job position in a way that can be connected to type of misconduct.

<b>Percent of Student Targets by Job Title of Offender</b>	
<b>Job Title</b>	<b>Percent</b>
Teacher	18
Coach	15
Substitute Teachers	13
Bus Driver	12
Teacher’s Aide	11
Other School Employee	10
Security Guard	10
Principal	6
Counselor	5
Total	100

**Same-sex Offenders.**

Same-sex misconduct ranges from 18 to 28 percent of the reported cases, depending upon the study. Same-sex sex is not the same as sexual identity. For instance, in Shakeshaft and Cohan (1994), of the 24 percent of males who targeted other males, all of the offenders described themselves as heterosexual, with most living in married or heterosexual relationships.

<b>Sex of Offenders</b>							
	<b>AAUW and Shakeshaft secondary analysis</b>	<b>Cameron et al.</b>	<b>Corbett et al.</b>	<b>Gallagher</b>	<b>Hendrie</b>	<b>Jennings and Tharp</b>	<b>Shakeshaft and Cohan</b>
Percent Males	57.2	57	85	96	80	87.3	96
Percent Females	42.8	43	15	4	20	12.7	4

Researchers have failed to find a consistent connection between sexual identification or sexual orientation label and child sexual abuse. For instance, Jenny et al. (1994) reviewed 350 cases of child sexual abuse and found no patterns. In another study (Freund et al., 1984), researchers found that homosexual males responded no differently to pictures of male children than did heterosexual males to pictures of female children.

<b>Same-Sex Misconduct</b>				
	<b>AAUW 2000 and Shakeshaft Re-analysis</b>	<b>Cameron et al.</b>	<b>Corbett et al.</b>	<b>Shakeshaft and Cohan</b>
Percent Male Educator and Male Student	15.2	8.9	7.5	24
Percent Female Educator and Female Student	13.1	8.9	0	3
Percent Same-Sex Misconduct as Percent of All Misconduct Reported	28.3	17.8	7.5	27

**Source: U.S. Department of Education, Office of the Under Secretary, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, Washington, D.C., 2004**

**Sex of targets.**

While the majority of students who are sexually targeted by educators are females, the proportions vary by type of study. As is illustrated in Table 11, the three studies that examine formal reports (Gallagher, 2000; Hendrie, 1998; Shakeshaft and Cohan, 1994) find a higher percent of female students as targets than do the studies that ask students directly. These findings suggest that abuse of females is more likely to be reported than abuse of males, but that the differences between the percentages of males and females who are abused may be much smaller than has been previously reported.

The differences in reports of educator sexual misconduct by sex of target depending upon the data source need further examination, particularly in understanding reporting patterns by sex.

<b>Targets by Sex</b>						
	<b>AAUW 2000 and Shakeshaft Reanalysis</b>	<b>Cameron et al.</b>	<b>Corbett et al</b>	<b>Gallagher</b>	<b>Hendrie</b>	<b>Shakeshaft and Cohen</b>
Percent Female Students	56	57	77	54	76	66
Percent Male Students	44	43	23	46	24	33

**Race/ethnicity of targets.**

Using the Shakeshaft reanalysis of the 2000 AAUW data as a guide, students of color (African descent, American Indian, and Latina/o) are overrepresented as targets of educator sexual misconduct in comparison with their representation in the sample, while Caucasian and Asian students are underrepresented. Students of color account for 44 percent of the targets but 33.2 percent of the sample.

<b>Targets by Race/Ethnicity vs. Sample</b>		
	<b>Percent of Students Who Are Targets of Educator Sexual Misconduct</b>	<b>Percent of All Students in Sample</b>
Caucasian	51.5	58.6
African Descent	25.3	19.8
Latina/o	15.7	12.4
American Indian	3.0	1.0
Asian	0.5	2.7
No response	4.0	5.5
Total	100.0	100.0

## **PREVENTION OF EDUCATOR SEXUAL MISCONDUCT**

Educator sexual misconduct has not been systematically addressed in schools. While the advent of money damages to targets of sexual harassment, a result of Title IX legislation, and newspaper and other media coverage have prodded some school district officials to acknowledge educator sexual misconduct, educator sexual misconduct is still occurring. Some believe that the rights of adults are favored over the safety of children (Sesame, 2003; Shoop, 2003).

Because so little has been done to prevent educator sexual misconduct, it is not surprising that there are no studies of the effectiveness of prevention programs or legislation. However, although not empirically documented, there are practices that many believe are likely to reduce educator sexual misconduct. In New York City, under the leadership of the late Edward F. Stancik who was special commissioner for investigations, a commission assembled a list of 35 recommendations for reducing educator sexual misconduct (Final Report of the Joint Commission of the Chancellor and Special Commissioner, October 1994). Follow-up investigations indicate that these recommendations have not been implemented.

The following recommendations are based upon all of the literature reviewed for this report. These suggestions are ones most often included in the professional literature. While there are no studies that examine the effectiveness of these strategies, best practice advice identifies these practices as possibly creating a climate in which educator sexual misconduct is reduced or eliminated.

**Develop district and school level policies.** All school districts need written policies prohibiting educator sexual misconduct and inappropriate educator-student relationships to include consensual relationships between staff and students. The behaviors prohibited should be described in the policy so that there is no ambiguity about what types of actions are unacceptable. In addition to making clear the prohibitions against adult-to-student sex, the group United Educators (2004) has suggested that policies should include reference to:

- Descriptions of educationally appropriate touching.
- Limitations on closed-door and after-hours activities with only one student.
- Investigatory rights without formal complaint.
- Required reporting by other teachers and employees.
- Required reports of any criminal investigation or conviction during period of employment.
- Required chaperones, at least one male and one female, for off-site trips.
- Deadlines for reporting allegations with the option for waiving the time limit.

**Hiring practices.** A common form should be used for all applications which includes questions on work history, identification that will facilitate background checks, and all information on criminal history. The form should include a statement that incomplete or false information can result in termination. Interviewers should be trained to identify red flags in applicant backgrounds.

**Screen employees.** Screening applicants requires multiple methods that include references, background checks, license information, and application information. Prior to making an employment offer, personnel information from the current employer should be reviewed.

Background checks with fingerprint screens should be completed for all current and new employees. Where collective bargaining agreements prohibit screening of current employees, steps should be taken to change these restrictions. While screening will not identify the majority of educators who have or will sexually abuse, it signals seriousness on the part of the district. To make background screens more effective, those who hire should check for gaps in employment, inquire into reasons for movement between schools or districts, contact school personnel in previous sites reaching beyond those listed as references, ask direct

questions, and search DWI offenses. The social security numbers of new hires need to be verified. Finally, all offers of employment should include a probationary period.

**Assign a case coordinator and centralize information.** Appoint a case coordinator who handles all incidents of educator sexual misconduct. In the most effective structure, the case coordinator is outside of district control but with regulatory authority within the district.

One reason that educator sexual misconduct continues is that in most schools and school districts there is no one person to whom all rumors, allegations, or complaints are channeled. As a result, patterns of behavior are often not detected. Selecting one person to whom all school personnel must report any rumor, allegation, complaint, or suspicion is helpful in insuring that no student falls through the crack and patterns of misconduct are quickly and effectively identified. However, because the designated employee may engage in misconduct, a school district or school may want to assign more than one employee to handle allegations of educator sexual misconduct and have these employees coordinate their efforts to identify any patterns of behavior. Also, each school receiving Federal financial assistance must designate at least one employee to coordinate its Title IX obligations. Schools also are required by the Title IX regulations to publish a policy that prohibits sex discrimination and grievance procedures providing for prompt and equitable resolution of sex discrimination complaints. .

Record all allegations and outcomes in employee personnel file. Do not agree to expunge molestation findings.

**Report all allegations to both child protection and law enforcement agencies.** The majority of allegations of educator sexual misconduct are not reported to the police by the school districts. District policy should require that the allegation be reported to both the police and child protection agencies. Consult police immediately and build relationships for shared investigation.

**Develop thorough investigative practices.** Train regional investigators who can respond quickly to allegations. Ensure that investigations are completed within 48 hours and reports are presented to school authorities, students, and parents. Define the roles of all parties in the investigation including their notification responsibilities. Do not terminate investigation if employee resigns. Complete investigation and file report internally, with criminal justice authorities, and with state licensing entities.

**Educate employees.** With rare exceptions, sexual abuse prevention training for educators and school staff—whether preprofessional or while on the job— does not include educator sexual misconduct. These programs focus on what to do when sexual or any other kind of abuse or maltreatment is suspected from a source outside the school. Therefore, additional training for educators and other staff about educator sexual misconduct is important. Training outlines the behaviors that are not acceptable so that everyone—both those who abuse and those who do not abuse—are working from the same set of expectations. By making expectations explicit and public, school decision makers are also helping educators understand their own responsibility in reporting behavior that does not conform to those expectations. Thus, the training will educate employees about unacceptable behavior and to remind them of their responsibility to report abuse.

**Educate students.** Like staff, students need to understand the boundaries that educators should not cross. This is important both for students who might be targeted and for students who observe such behaviors. Both sets of students need to know that such behavior is prohibited and that there is a person to whom they can and should report such incidents. Materials and programs that have been developed to protect students from sexual abuse rarely include examples of predators who are educators. Students need to know that educators might cross boundaries and what to do if this happens.

**Be aware of signs of educator sexual misconduct.** To increase the possibilities for identification of educator sexual misconduct, educators, parents, and students need to know:

- Any employee, including volunteers, might molest.
- Educator sexual predators are often well liked and considered excellent teachers.
- Special education students or other vulnerable students are often targets of sexual predators.
- Adults who have access to students before or after school or in private situations are more likely to sexually abuse students than those who don't (coaches, music teachers, etc.).
- Physical signs of sexual abuse include difficulty walking or sitting, torn clothing, stained or bloodied underwear, pain or itching in the genital area, venereal disease, pregnancy, and changes in weight.
- Behavior indicators in students might include age inappropriate sexual behavior, late arrivals to class, changes in personality, and increased time at school with one adult.
- Rumors are an important source of information on educator sexual misconduct.
- Behaviors of adults who molest include close personal relationships with students, time alone with students, time before or after school with students, time in private spaces with students, flirtatious behavior with students, and off-color remarks in class.

**Change state educator certification regulations.** State certification requirements for educators need to include required training on educator sexual abuse. New entrants to the field need to understand the professional expectations and ethics in regard to student relationships.

**Provide adequate state registry.** In most cases where educators cross boundaries, the educator does not lose her or his license. Therefore, a national list of educators by state who sexually abuse, which is maintained by the state certification office, would be a place where future employers or parents can turn to check backgrounds.

**Provide adequate federal registry.** Currently there is no electronic federal registry that can be accessed to search for educators who have had certification and licenses suspended. Nor is there central place that lists those who engage in sexual misconduct.

**Enact and standardize state policies and statutes.** State laws which prohibit educators who abuse their positions of trust should be implemented to include any student, no matter what age, in an educational institution. Criminal background checks using FBI and state records along with fingerprinting should be required by all states and the information stored in a federal repository that can be accessed easily. State laws should require school officials to report any alleged sexual misconduct or the resignation or suspension of educators accused of sexual misconduct to state education officials. Laws protecting school officials from lawsuits for job references given should be in place in every state. The age of consent should be standardized across states as should the definition of what constitutes child sexual abuse.

**Enact laws giving immunity to public employees who provide references.** State laws that protect employers who give good-faith references on former employees will help increase the information exchange across districts. Although state personnel laws already protect former employers in this process, additional laws will increase feelings of security.

**Expand Title IX.** Make the damage intent of Title IX clear, using Title VII parameters in deciding liability.

**Source: U.S. Department of Education, Office of the Under Secretary, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, Washington, D.C., 2004**

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