

Sex abuse scandal

The predator in the classroom

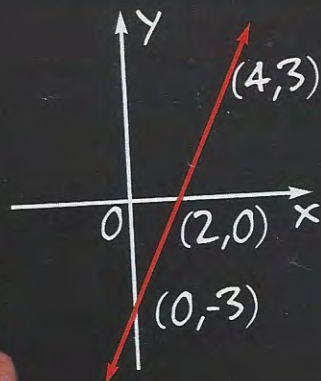
It's called "pass the trash": A staffer molests a student, then makes a deal to resign and move on—to another unsuspecting district. A shocking report on the dangerous games schools play, and why you can't rely on background checks. BY TAMARA JONES

t **RABUCO CANYON, CALIFORNIA** Teacher Jason Abhyankar came to Portola Hills Elementary School in the fall of 1999 with a glowing recommendation from his former principal. Within a few months, the new fourth-grade teacher had become a favorite of both students and faculty—until he was arrested on charges of molesting three boys, two of them at his former school, Village View Elementary. It turned out Abhyankar had received a recommendation from Village View as part of a negotiated resignation.

Before he left, his superiors had been so concerned about his behavior, they had assigned a full-time aide to ensure he was never alone with students.

SHARONVILLE, OHIO Johnathan Barber, a 29-year-old English teacher at Princeton Junior High, resigned in May 2000 when he heard that he was the target of a police investigation involving lewd Internet messages to minors. By June, he had a job at W.E.B. DuBois Academy, a new public school in nearby Cincinnati. The principal there later

$$ax^2+bx+c=0$$



**PROPERTY
OF
STATE
PRISON**

"He said he would fail me if I ever told"



In 1994, Shannon Day Knight, now 27, of Pahrump, Nevada, was raped by a teacher, Joseph Peterson. He was later convicted of sexual assault and sentenced to life in prison. In 1997, Knight settled a lawsuit out of court against the school district and officials. But nine years after her attack, she still suffers. This is Knight's story.

I had transferred to Pahrump Valley High School, in Nevada, at the end of 11th grade. When I was a senior, Joseph Peterson approached me and said I would need to go to night school if I wanted enough credits to graduate on time. And, of course, he taught one of those courses—a computer class.

I was 17, and he raped me four times over the course of a year. He said he would fail me if I ever told. He also hit me and made threats against me and my family. So I didn't tell. I held it in for a year and a half. Then I got a call from Terri Miller, a mother whose daughters attended Pahrump, and she was afraid for them because of things she had learned about Peterson. How had she found me? Her daughters had heard rumors that I had been sleeping with him for good grades.

In the end, 66 people offered to testify against Peterson. His first victim dated back to the year before I was born. Some of those who spoke up were parents. Their daughters had told them Peterson had brushed against them or touched them inappropriately, and they had complained at the time, but nothing was done. That made me very angry. It still does. I also learned that a handful of teachers, and two principals, knew about him. And his teaching license had been revoked in Michigan years before, and no one knew why.

During the trial, Peterson's wife—who was the third student he had married—was pregnant, and people would call me and scream that I was ruining his life, his wife's life, and his child's life. I felt so confused. I moved to Texas, then Florida, but I kept coming back to Pahrump. I tried counseling for a year, but it didn't really help. I also wrote a lot of letters to nobody, saying all the things I wanted to say to him, then I'd throw them away.

After a series of disastrous relationships, I met my husband. But still, I'm different because of what happened. I have to watch people all the time, analyze them. I can't be just carefree. Now I have a seven-year-old son and two daughters, ages three and one. I will homeschool my girls. They will never go to public school in the state of Nevada.

Even convicted

told reporters that a fingerprint check had shown that Barber had no criminal record and that his sterling résumé listed a citation as 1999 Teacher of the Year. In September 2000, Barber was indicted on 34 counts—including 15 felonies—of sending sexually explicit material to at least seven students. One of the documents was a photograph of his genitalia.

PHOENIX, ARIZONA In July 2000, former Longview Elementary School principal Joanne Talazus was sentenced to two years' probation and 300 hours of community service for failing to report allegations that the school counselor, Ronald Ruelas, was molesting students. (Ruelas had been convicted the previous month on 20 counts and sentenced to 175 years in prison.)

Every morning, parents send their children to school, confident that they will be safe, surrounded by caring and conscientious adults. And usually those parents are right. The vast majority of America's three and a half million elementary and secondary school teachers serve with admirable professionalism and dedication.

But not always. Fresh reports of children being victimized by school employees surface almost daily—in big cities and small towns, in districts good and bad, rich and poor. It happens because the system that most of us trust is far from foolproof. Parents naturally assume that every educator has been screened; they rarely think to ask the school what kind of background check, if any, it conducts. Most would probably be surprised to learn how superficial—and ultimately useless—those reviews can be. So gaping are the loopholes that convicted felons, even wanted criminals, have slipped through and are teaching in the classroom.

What *do* schools check before hiring a new principal, teacher, coach, or lunchroom worker? There are almost as many answers to that question as there are school districts. At the rigorous end, California, for example, won't let new hires begin work until background reviews are completed. The state also disqualifies anyone convicted of a violent crime or a felony, and it makes sure that applicants are certified. At the other end of the spectrum, North Carolina doesn't mandate any criminal check of new school employees.

Many districts require applicants to be fingerprinted—but they don't necessarily send those prints to the FBI to be matched against a national database. The local police,

felons are teaching in classrooms

who handle this part of the process, may check the prints only against state records, or even just against the county's. This means that a teacher could be convicted of anything from shoplifting to child molestation in one state, but have no trouble getting certified in another, because his record in the new location would come up clean. And while consulting a national database sounds ideal, if local or state authorities haven't reported a crime to the FBI in the first place, the offender won't be in their computer and may still escape detection.

Careful checking is only a start, though. Right now there are so many ways that applicants can hide a criminal past, parents never have a guarantee that their child's teachers are OK. Here's how the bad ones slip under the faulty radar.

They're not newcomers.

If school staffers were hired before their district adopted a policy of doing background checks, their past is a well-kept secret. Nor is the present an open book. A teacher could be arrested while away on vacation, for example, and unless there were news reports, his school might never know he was in trouble, since criminal reviews of long-standing employees are extremely rare.

They get lost in the backlog. While some states, like Florida, have invested in technology that can spit out fingerprint results in 20 minutes, the process takes several months in many districts. But administrators are usually too short on qualified instructors to wait that long, so they allow teachers to begin work on a

CAUGHT!

Six teachers who have been convicted of sexual offenses



NAME: Kyle Barniak
Kent Place School,
Summit, NJ
CRIME: Pleaded guilty to sexual assault involving three girls; sentenced to seven years.



NAME: Milton McFarlane
P.S. 78 (elementary school), Bronx, NY
CRIME: Pleaded guilty to 28 counts, including rape and sodomy, involving six boys; awaiting sentencing.



NAME: Jason Abhyankar
Village View Elementary School, Huntington Beach, CA
CRIME: Convicted on nine counts of molestation involving three boys; sentenced to 24 years.



NAME: Kenneth Keith Long
Substitute teacher
Arlington, VA
CRIME: Convicted of interstate transportation of a minor with intent to engage in criminal sexual activity; sentenced to 30 years.



NAME: Joseph Peterson
Pahrump Valley High School, Pahrump, NV
CRIME: Convicted of sexual assault of a student; sentenced to life in prison.



NAME: Gary Serlo
Watkins Glen Middle School, Watkins Glen, NY
CRIME: Pleaded guilty to 14 counts of molestation; sentenced to seven to 17 years.

provisional basis. That's how Kenneth Keith Long (also known as Atlantis Long) escaped detection. In 1998, the high school teacher managed to get on the substitute rolls in Washington, D.C., pending clearance. During that time, Long was arrested on felony charges of interstate transportation of a minor with intent to engage in criminal sexual activity. The case involved a student from a school in Virginia, where Long had previously been a sub. Had the investigation been completed before he was allowed in a classroom, it would have revealed that Long had lost his certification in Florida following a sex-related conviction. In

"You feel so guilty, so ashamed"



Glover, second from right, with lawyers and another abuse victim, second from left.

Guerry Glover, 37, a historical preservationist in Charleston, South Carolina, is one of at least 39 boys abused by teacher Eddie Fischer over the instructor's 37-year career. In 1999, Fischer was sentenced to 20 years in prison; in related civil actions, plaintiffs have received

settlements of millions of dollars from the Porter-Gaud School, a prestigious private institution in Charleston. Two former principals at the school were sued for allegedly covering up Fischer's history. They are both deceased now; one committed suicide four days before his deposition in the case. This is Glover's story.

I was nine when it started. The abuse was frequent and long-term—till I went to college. I knew there were others, too, but until it all came out, I never knew how many. You feel so guilty, so ashamed. It's frightening now to look back and see how calculating Fischer was. He came from an old Charleston family and stressed to us how connected he was. If a kid got a speeding ticket, Fischer would get it fixed. He would give us drugs—prescription Quaaludes. If you were one of Fischer's boys, you were cool.

I did everything I could to get kicked out of school. I was in the guidance counselor's office all the time. My parents thought, *If we just love him enough, he'll be OK.* They had no idea what was really happening. Fischer had befriended the family, and everyone trusted him. Finally, in tenth grade, I got myself kicked out for cheating. It was near the end of the term, and the school let me take my finals, though I couldn't go to classes. Meanwhile, another student had reported what was going on, and one night during that time, Fischer called me and said, "I'm getting kicked out, too, and I'm going to the same school you are." I couldn't believe it.

By the time I went to college, I was drinking all the time. I was terrified to quit because then I'd have to feel. But I couldn't drink and do school, so I entered rehab. I was 18. It took a year and a half, and I've been sober since. My life is good now, for the first time. You can survive it, but you have to deal with it.

I always felt that what the school did was far worse than what Fischer did. Fischer was sick, an evil monster. But Porter-Gaud just calculated the damage to its public relations. We kids were disposable, which is a whole other category of evil.

fact, he had been dropped from the Washington, D.C., system once before, when his record was revealed.

Schools often make it the applicant's responsibility to submit fingerprints to the police. If a district is less than diligent in its follow-up, prints can disappear for months—even forever—on an overburdened clerk's desk.

That's if the employee even starts the process in the first place. When school janitor Clarence Williams was hired in the affluent suburb of Harrison, New York, officials told him to have himself fingerprinted. Williams simply ignored the order—and with good reason: In 1974, he had been convicted of attempted rape. His past came to light only after he plowed his vehicle onto a middle school athletic field and was charged with driving while intoxicated, driving without a license, and reckless endangerment. (Those charges are still pending.)

Their records have been expunged. An unblemished report doesn't necessarily mean a teacher hasn't been in trouble. Gerald Huddleston came up clean when he was hired as a grade school art teacher by the Prairie Central School District in Illinois. However, when he was arrested last May for molesting three students, authorities discovered he had been charged with indecent exposure six years earlier. He pleaded guilty. As a misdemeanor, it was wiped from his record once he completed a period of court supervision.

Even if a charge isn't expunged, it may not show up on a routine background check, which typically reports just felony convictions. A teacher could be arrested for a felony but make a deal to plead guilty to a lesser charge—and end up with only a misdemeanor.

They falsify their fingerprints. In 2000, when Marcus Bickham landed a job as a school security guard in Maryland, authorities in Indiana had an open warrant against him for sexually abusing a teenage girl. Indeed, he was named, pictured, and described on the county sheriff's Web site of wanted fugitives. So how had Bickham cleared Maryland's check? The prints he submitted were not his own, and he lied about his prior record—facts that came out only after the guard was charged with sexually abusing a student in his new position at Eleanor Roosevelt High in Greenbelt. (He was found guilty of child abuse and sentenced last July to ten years in prison, with nine years suspended.)

They cut a "leave quietly" deal. Probably the main reason teachers with shady records continue to get jobs is that school administrators are not always doing *their*

(continued from page 156) jobs. A teacher who's under suspicion but has never been charged or tried, like Jason Abhyankar, may agree to resign quietly in exchange for a good or neutral reference. Or, the staff member may threaten to sue for defamation if his boss tells potential new employers about allegations that never went to court. Worried about such possible litigation or their school's public image, administrators play this secret negotiation game often enough that they've given it a name: Pass the trash.

Closing the loopholes

Databases are only as good as the information entered into them, points out Christopher Ballas, general manager of Backgrounds Online, a private California-based company whose clients include school districts. To uncover whether an applicant has a criminal or suspicious past, his investigators take a lower-tech but more thorough approach: fanning out to courthouses and searching records by hand as far back as seven years. They report not just prosecutions, arrests, and convictions, as police checks do, but dismissed charges and civil actions as well.

Looking closely at a teacher's application and résumé is also important. But this stage of the hiring process is often perfunctory, experts say. That may be how Gary Serlo was able to become a middle school teacher in the Watkins Glen school district in New York despite a long gap in his employment history. He spent six months of that time in prison for sex crimes against students in Pennsylvania. Serlo was popular in Watkins Glen—he

was named Teacher of the Year in 1996—but there were also several complaints against him, and, in 1997, he pleaded guilty to 14 counts of molesting three boys, the youngest of whom was 11.

Beyond mysterious holes on a résumé, what else should administrators look for? Frequent moves (unless there's an obvious explanation, like having a spouse in the military) and references who are noncommittal. Nearly a decade ago, Leslie Kent, principal of Robert Frost Middle School in Fairfax, Virginia, discovered a predatory teacher on her staff after a 12-year-old boy reported having been molested. The instructor ended up pleading guilty to three counts of misdemeanor sexual battery, and his state license was revoked. Although this wasn't a case of pass the trash, it inspired Kent to toughen her screening process. Now she presses harder when she calls the applicant's previous principals. Two questions are key: "Would you rehire this person?" and "If you had a child in middle school, would you want him or her in this person's class?" Very few principals will lie outright about a teacher, Kent has found. "They'll either say nothing or be so guarded that you pick up the unspoken message," she notes.

Many principals, like Kent, are working now to close the loopholes in the review process. So are some districts and states. California not only requires that a background check be completed before a teacher can enter the classroom but also has enacted legislation to make sure the "trash stops here." If a school employee's license

is revoked, notice is sent to all districts within the state, to county offices of education, university credentialing programs, private schools, and to the National Association of State Directors of Teacher Education and Certification, a Web site that shares such information with state agencies responsible for teacher certification. In California, too, anyone (including parents) can go online to check the status of a teacher's license.

Districts that have tightened up their reviews may not be motivated solely by concern for students. In recent years, parents and their victimized children have become more willing to press charges against abusers and the schools that hired them. New laws also hold districts and even individual administrators criminally (continued on page 161)

THE BEST BACKGROUND CHECK

With only a fraction of sex abuse cases ever prosecuted, checking new hires for a criminal record is just the beginning. To find out what an ideal investigation would include, GH talked to authorities in the area of educator abuse and to security professionals who run background screens for corporations as well as for school districts. These steps, they say, are key:

- **Make sure the applicant's name and Social Security number match up. Also verify education: dates of college attendance and graduation.**
- **Note whether the applicant has moved frequently or has gaps in employment. If so, find out why.**
- **Send fingerprints to state police and to the FBI to check for any criminal record in the past ten years.**
- **Check the state's sex-offender files.**
- **Speak to several past employers, not just those listed by the applicant as references. Ask about personality and character, and ask if there have ever been any rumors or allegations about the person. Even if the employer answers carefully or not at all, you can listen for hesitations or changes in tone.**
- **If applicant will be chauffeuring children, check for DWI offenses, speeding, failure to confine his own kids in safety seats, and other risky behavior.**

(continued from page 158) liable for knowingly passing the trash. And in civil court, juries have granted staggering awards to some former students (or their parents) who sued schools and districts that harbored their molesters.

Not surprisingly, teachers and their unions don't always embrace the new, tighter laws. They worry about eroding privacy, not to mention the possibility that errors may damage innocent people. As some districts move toward demanding fingerprints not just from new hires but also from current employees, including tenured teachers, the issue is becoming explosive: "What new, more draconian measures will be proposed and perhaps adopted, should—despite fingerprinting—another child be someday abused by a school employee?" reads a statement from the Maine Educators Against Fingerprinting. "Will the cry go up for surveillance cameras in every school room? Will employees be subjected to lie-detector tests?"

Pointing out that most perpetrators don't, in fact, have a criminal

record, teachers' organizations suggest that instead of mass fingerprinting, administrators should simply review potential hires more thoroughly. In addition to contacting past employers, officials should try to find out if applicants are using an assumed name or have changed their Social Security number.

Parents: Create pressure

Once they are aware that the current system is far from perfect, parents can address the problem directly with school officials. Here are some questions to ask:

- How do you screen school employees? How far back do checks go and which jurisdictions do they cover?
- Do you investigate only new hires, or current staff as well?
- Are employees permitted to begin work pending results of a background check?
- Have there been any cases in the district of misconduct or criminal behavior by school staff members? What happened? How were they handled? What improvements have been made since?

(continued)

Keep Predators Out of Our Schools! *Join the GH Campaign*

No more sweeping sex abuse scandals under the rug. We must protect our children. Closing all loopholes will take a local, state, and federal commitment. To reach that goal, we call for national leadership to enact legislation requiring that (1) all applicants for a school position undergo a state and national criminal background check; (2) school officials screen applicants by talking directly to past employers; (3) school administrators investigate all reports of staff misconduct and alert authorities when appropriate.

Your voice counts! Sign the coupon below. GH will forward all signed coupons to leaders in Washington, D.C., for action now.

Name _____

Address _____

SEND COUPON TO: Good Housekeeping Campaign to Stop Sex Abuse in Schools, Dept. GHC, 250 West 55th Street, New York, NY 10019. You can also fill in this coupon online at www.goodhousekeeping.com.

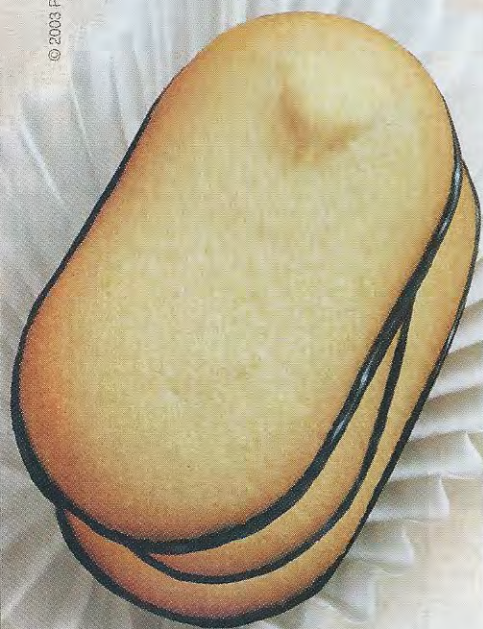
{ Reason No. 3 }

Your garbage-can speaks.
It's saying "P" and "U"



The small space air freshener.

©2003 S.C. Johnson & Son, Inc. All rights reserved.



If you're
going to have
a cookie,
have a cookie.



Never Have An Ordinary Day.®

■ SCHOOL SCANDAL ■

(continued from page 161)

• What are your policies about reporting allegations of sexual abuse by staff members? How do you define abuse? Not all states prohibit sex between school staff and teenagers, as long as the student is old enough to legally give consent. In Maryland, for example, a 60-year-old teacher who has consensual sex with a 16-year-old has violated no law, while in Ohio, a 22-year-old teacher would face prison for having sex with a willing 19-year-old pupil.

Parents should also pay attention to teachers who seem unusually involved in kids' lives, says Charol Shakeshaft, Ph.D., a professor of education administration at Hofstra University, in Hempstead, New York, who has studied educator abuse for 25 years. Usually, such instructors are the "wonderful ones," she stresses, the ones who genuinely love working with students. "But it's something you need to look into," Shakeshaft advises.

And you need to listen to school gossip as well. That's how Terri Miller, a mother of four who now works for the Nevada Coalition Against Sexual Violence, found out about Joseph Peterson, a longtime abuser in her children's school. Miller's aerobics teacher, who was married to Peterson, confided that she was seeking a divorce because she had found him in bed with a high school student. Outraged, Miller called the then-principal of Pahrump Valley High School—and became even angrier when he told her there was nothing he could do unless a victim came forward.

Over the next 14 years, Miller heard more stories about sexual misconduct by the popular yearbook adviser and girls' volleyball coach. She learned Peterson had twice married students. Baby-sitters told her about their own uncomfortable experiences with the teacher, and again, Miller complained to school officials. "But

HOW MANY BAD APPLES?

No one knows how many dangerous individuals are working in American schools. No government or private agency tracks cases of misconduct on the part of school employees, whether it's the teacher who molests seventh graders, the bookkeeper who embezzles money, or the bus driver who shows up to work drunk. And while experts have studied school violence committed by students, violence against students won't be examined in depth until a study mandated by the No Child Left Behind Act of 2001 is completed. For now, the best available statistics come from a widely cited survey by researcher Charol Shakeshaft, Ph.D., a professor of education administration at Hofstra University, in Hempstead, New York. According to her study:

- An estimated 15 percent of students will be sexually abused by a member of the staff during their school career. That means that out of a class of 25 kids, three or four will be victimized by the time they graduate.
- Very few cases of abuse—perhaps 6 percent—are ever reported. And only a fraction of those are prosecuted.
- Of the incidents that were reported in Shakeshaft's study, 54 percent of the perpetrators resigned, retired, or were fired or not rehired. The remaining 46 percent were merely suspended or reprimanded.
- Of the staff members who were forced to leave, superintendents reported that 16 percent were teaching elsewhere and that they "didn't know" what happened to the others.

(continued from page 162) they just hung up on me," she reports, "telling me that it was all hearsay."

By the time her own daughters were approaching high school, Miller found herself paying even closer attention. When Peterson decided to run for the school board, the outraged mother thought, *Enough*. Her concern became a crusade. With the help of several friends, she began combing through old yearbooks and contacting former students. Eventually, more than 60 witnesses, including victims, came forward, all willing to testify

against the teacher. While the statute of limitations had expired in many of the cases, prosecutors were able to charge Peterson with three counts of sexual assault against a student. He pleaded guilty to one count in 1996 and was sentenced to life in prison.

Rumors about what's happening at school should never be dismissed out of hand, especially when they come from kids. "They're the first to know," says Shakeshaft. If you hear something that's not right, "you need to investigate," she stresses.

Terri Miller knows what Shakeshaft

means. Recently, Miller was driving her 14-year-old daughter and friends to the movies when she overheard the girls' backseat conversation. "Remember that choir coach who was feeling a girl up?" one of the teenagers remarked. Miller was alarmed, even when the girls assured her that the teacher hadn't come back this year.

"Where did he go?" Miller wonders. "What school is he in? Whose daughter is he feeling up now?"

It's likely that the parents at that new school won't find out—until it's too late. ★

What's her beauty secret?

MACK'S[®]
Earplugs

A Good Night's Sleep



Available at all pharmacies

www.macksearplugs.com

