

Protecting Your Child From K-12 Sexual Predators Masquerading
As Teachers/Educators: Action Steps For Parents[©]

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Recent Cases and Questions for Parents

Here are three recent cases of child sexual abuse by teachers in Kindergarten through 12th grade (K-12), along with a set of important questions that parents should ask themselves.

In a 2008 case reported by the American Bar Association (www.abajournal.com), the Seattle Public Schools agreed to pay \$3.05 million to two students molested by a former 5th-grade teacher during his 20-year education career, involving multiple victims. According to the attorney representing the two students: "It was kind of the open secret within Broadview-Thompson Elementary School. The teachers knew about it, but parents didn't know about it. The police didn't know about it."

How would you feel if teachers and administrators at your child's school knew or reasonably suspected that your daughter/son was being sexually abused, along with other students by a predatory teacher, but they never reported the suspected criminal conduct to the police or told you about it? And what if this had been going on for years?

I don't know about you, but I would be furious! I am furious, because this kind of morally bankrupt, criminal conduct on the part of teachers and administrators happens all the time. Along with the predator, they are all responsible for the sexual abuse that has occurred, and all responsible for the failure to get counseling and help for the victims.

According to a Government Accountability Office (GAO) report on educator sexual misconduct (2010), a middle school teacher in Ohio agreed to resign because of inappropriate sexual conduct with students, in exchange for a positive letter of reference from the school superintendent describing him as an "outstanding teacher". Neither the police nor parents were notified. The predatory teacher was subsequently hired by a neighboring school district, where he was convicted of sexual battery against a 6th-grade girl.

How would you feel if a predatory teacher who had been sexually abusing your child and other children was finally caught by the school, but a secret "passing the trash" deal was worked out between the sexual predator, school superintendent, and union rep in which:

- (1) no one reported the criminal behavior to the police,
- (2) the sexual predator was not disciplined in any way,
- (3) no one reported the criminal conduct to parents,
- (4) no one attempted to help current and past child victims of the predator's criminal sexual abuse,
- (5) the superintendent provided a positive letter of reference to the predator for the next school, and
- (6) the predator agreed to voluntarily resign and leave quickly and quietly.

Outrage is the emotion I feel when thinking about these “passing the trash” deals, along with compassion for the abandoned wounded child victims. Once again, everyone who participated in the deal should be held responsible for the criminal sexual abuse that occurred.

The vigilance of one mother in a recent case in California helped uncover a teacher’s sexual abuse. On a periodic basis, she visited her daughter’s elementary school to observe educational activities and how her child was performing. On one particular day while intending to observe her daughter’s outdoor gym class, she noticed that neither her daughter nor the male gym teacher were present. Her inquiry as to their whereabouts led to the discovery of the teacher and her daughter in a storage room, playing the “lollipop game”. This involved blindfolding the little girl and then having her give him oral sex while he videotaped everything. Sadly, this had happened previously on multiple occasions.

How would you feel if you caught a teacher sexually abusing your child? How would you feel if you then learned that the school does not do national criminal background checks when hiring teachers and that this predator had a prior criminal record for child sexual abuse in another state?

I would be infuriated at the predator, and at the school system that wrongly hired him and failed to effectively supervise his interaction with students.

Introduction

In January of 2012, I was doing research for a second edition of my 2002 book on sexual harassment in higher education when I came across several references that completely changed my thinking about the problem of sexual abuse/harassment of students in Kindergarten through 12th grade (K-12). I had naively assumed that incidence rates of sexual abuse/harassment in K-12 would be substantially lower than in college for two main reasons:

1. First, given that any sexual contact between teachers (or other school employees) and students constitutes a criminal offense punishable by prison time, I believed that this would deter educators from sexually abusing students.
2. Second, I assumed that the closer, more direct supervision of students in K-12 would substantially limit opportunities for educators to sexually abuse students.

How wrong I was! The problem of sexual abuse/harassment of K-12 students by educators is pandemic in size and devastating in its consequences.

Below is a brief summary of the evidence I reviewed that documents this horrendous problem. After you finish reading it, you will probably be as angry as I am!

U.S. Department of Education, Office of the Undersecretary (2004) Educator Sexual Misconduct: A Synthesis of Existing Literature.

- "more than **4.5 million** [emphasis added] students are subject to sexual misconduct by an employee [most often teachers] of a school sometime between Kindergarten and 12th grade" (p.18).
- the 4.5 million victims represent 9.6% of all school-age children.
- "teachers who sexually abuse belie the stereotype of an abuser as an easily identifiable danger to children"; "many are the most celebrated in their profession"; "many are chronic [repeat] predators" (p.22); most are men.
- "many educators who abuse, work at being recognized as good professionals in order to be able to sexually abuse children. For them, being a good educator is the path to children, especially those who abuse elementary and younger middle school students." (p. 32)
- the process of "grooming" is described as, "where an abuser selects a student, gives the student attention and rewards, provides the student with support and understanding, all the while slowly increasing the amount of touch or other sexual behavior. The purpose of grooming is to test the child's ability to maintain secrecy, to desensitize the child through progressive sexual behaviors, to provide the child with experiences that are valuable and that the child won't want to lose, to learn information that will discredit the child, and to gain approval from parents." (p.32)
- students who are more likely to be sexually abused include: girls, especially girls of color (African-American, Native American, and Hispanic-American); children with disabilities; children who are estranged from their parents, unsure of themselves, and/or engage in high-risk behaviors.
- "Several studies estimate that only about **6 percent** [emphasis added] of all children report sexual abuse by an adult to someone who can do something about it. The other 94 percent do not tell anyone or talk only to a friend. (And they swear their friend to secrecy)" (p. 34)
- "When alleged misconduct [by educators] is reported, the majority of complaints are ignored or disbelieved."
- concerning false allegations against educators (p.36):
 - (1) "there is widespread belief that false accusations are common. Because this is the prevailing mental model, students are often not believed."
 - (2) findings from a review of false or mistaken accusations of sexual abuse: "the majority of false accusations occur in custody cases and that in other circumstances, the incidence of false accusations appears rare."
 - (3) in a "study of 225 allegations of educator sexual misconduct, there was not one in which the actions reported weren't proved to have happened."
- "Few students, families, or school districts report incidents to the police or other law enforcement agencies." (p. 35)

- “For most children, being the victim of sexual misconduct does damage that lasts well into adulthood, and for most it is never fully repaired.” (p.43)
- “Many school districts make confidential agreements with abusers, trading a positive recommendation for a resignation” (p. 44), a “passing the trash” deal.
- “National teacher associations [unions], to date, have not included suggestions for preventing educator sexual misconduct nor conducted studies of incidence.” (p. 41)
- Concerning education/training for school 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.” (p.49)
- Concerning education/training for 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.” (p.49)

U.S. Government Accountability Office- GAO (December 2010), K-12 Education: Selected Cases of Public and Private Schools That Hired or Retained Individuals with Histories of Sexual Misconduct.

- Key findings from Highlights:

“(1) school officials allowed teachers who had engaged in sexual misconduct toward students to resign rather than face disciplinary action, often providing subsequent employers with positive references [this common, secret process is called “passing the trash”]; (2) schools did not perform preemployment criminal history checks; (3) even if schools did perform these checks, they may have been inadequate in that they were not national, fingerprint-based, or recurring; and (4) schools failed to inquire into troubling information regarding criminal histories on employment applications.”

*“We identified hundreds of potential cases of registered sex offenders working in schools”, in 19 states and the District of Columbia from 2007 to 2009.

*“All 50 states and the District of Columbia have statutes that mandate that teachers and other school officials report suspected child abuse, including sexual abuse, to law enforcement, child protection agencies, or both. Typically, these statutes require the teacher or official to have reasonable suspicion that abuse occurred before making such a report.” (p.26)

*“We found that suspected abuse was not always reported to law enforcement or child protective services.” (p.3)

Rubin, S. & Biggs, J.S. (1999) Teachers That [Who] Sexually Abuse Students – An Administrative & Legal Guide

- *multiple examples of “passing the trash” secret deals between school superintendents, union officials, and teachers who have sexually abused students, in which
 - (1) neither the superintendent nor union officials comply with their legal responsibility to report suspected child sexual abuse to law enforcement or child protective services,
 - (2) parents are not notified that their child has been sexually abused,
 - (3) no attempt is made to provide counseling or other assistance to current and past child victims of the abuse,
 - (4) no discipline is taken or recorded in the abuser’s personnel file,
 - (5) the superintendent provides a positive letter of reference to the next school, and
 - (6) the child sexual predator agrees to voluntarily resign.
- *provides a description by a confessed pedophile (21 young male victims and over 200 pedophiliac incidents) of how he “grooms” young victims to be sexually abused (p. 51):

“After I singled out a particular boy, I would begin the process of grooming. This process involved almost the same steps in every case. I would do a lot of things to gain the boy’s confidence. I would explain things extremely carefully or take extra time with him or while explaining things, I would touch the boy in certain ways to indicate my liking for him, such as a pat or squeeze of his hand. These touching experiences would evolve with the relationship with the boy. In time, I would include hugging and even putting my face against his while leaning over his shoulder to observe his work. There were times when I would wink at him or give him special looks. All of these behaviors I would do as discreetly as possible, as not to arouse any suspicion on the part of the other students. But, looking back, I am sure the others noticed much of my behavior, at least to some degree. Eventually, I would also place special treats on his desk before school began.”

American Association of University Women (2001), Hostile Hallways: Bullying Teasing, and Sexual Harassment in School

- *81% of a national sample of students in grades 8-11 reported experiencing sexual harassment during their school lives.
- *44% of the girls in the study were afraid of being sexually harassed at school.
- *38% of all respondents reported that teachers and other school employees sexually harass students.

American Association of University Women (2011) Crossing the Line: Sexual Harassment at School

- *48% of a national sample of students in grades 7-12 experienced sexual harassment during the 2010-2011 school year.

*37% of girls did not want to go to school because of the harassment they had experienced.

*“In several studies, students noted that even when sexual harassment happens right in front of teachers, few teachers do anything about it.” (p.32).

After reflecting on the documentation described above, I decided to postpone efforts to revise my book on sexual harassment in higher education. Instead, given the enormity and seriousness of the sexual abuse/harassment problem in K-12, I began researching and writing a book for parents.

My original goal was to have a low-cost parents’ guidebook available through Amazon.com before school started in the fall of 2012. Unfortunately, I underestimated the size, scope, and complexity of the problem. I won’t be able to finish the book before school starts—more likely later this fall.

In order to get essential protective information to parents before school starts, I decided to make this free download available from my university website. It contains a set of specific actions that parents can take to protect their children from sexual abuse/harassment at school.

While nothing is foolproof, taking the actions described in this guide should substantially reduce the likelihood that your daughter or son will be sexually abused/harassed at school. Please share this information with other parents, so their children can be protected as well. The guide is also available in Spanish at www.iun.edu/business/guiaparapadres.

Action Steps

Preventive/Protective Strategies

1. Educate Your Child

It is critically important that your child be taught about essential personal safety topics. While this information should be addressed in schools, too often it is not. Thus, you need to take the responsibility for insuring that your child is properly educated in this area.

Specific topics that should be covered in an age-appropriate manner include:

- (1) the names of body parts and clear identification of those that are private,
- (2) clear rules for appropriate and inappropriate interaction between children and adults (or older children) that exclude touching private body parts,
- (3) the importance of being assertive and standing-up for yourself when someone attempts inappropriate touching or tries to harm you,

- (4) the understanding that some adults in positions of trust, including teachers/educators, may behave inappropriately,
- (5) the importance of not keeping secrets about:
 - a. someone taking pictures of you or making videos
 - b. someone asking you to take your clothes off
 - c. someone touching your private areas
 - d. someone asking you to touch their private areas
 - e. anything that makes you feel scared, uncomfortable, or upset, and
- (6) the need to tell your parent or guardian if someone is treating you in an inappropriate way.

Most parents are ill-equipped to address these topics in a comprehensive and effective manner. Thus, professional assistance is typically needed. While there are many organizations that provide safety advice for children, the best that I have found is a nonprofit Canadian agency.

The Canadian Centre for Child Protection has developed a comprehensive, research-based program to educate children and keep them safe. It is called “Kids in the Know”, and information for children, parents, and educators is available online at www.kidsintheknow.ca. I am extremely impressed with the materials developed by this organization and strongly encourage you to personally use the information with your child and recommend it for education/training purposes in your school system.

2. Never Let Your Child Be Alone with School Employees

Virtually all sexual abuse of K-12 students takes place behind closed doors, in private settings. Thus, to insure that this does not happen to your daughter or son, inform (verbally and in writing) your child’s principal and teachers that she/he is not to be alone with any school employee, ever. You can offer to make yourself, your spouse, or another adult family member/friend available to come to school to be present with your child if 1-on-1 interaction with a school employee is needed. Schools should have official policies that prohibit employees from being alone with students, but most don’t.

It is important to make sure that your child also understands that he/she is not to be alone with school employees, and reminds them if such a situation begins to develop. If you find out that your child has been alone with a school employee, file a complaint and demand disciplinary action.

3. Understand and Beware of the Grooming Process

Sexual predators typically use a process known as “grooming” to prepare their targets to be abused. Grooming in this context is defined as “deliberate actions undertaken to befriend someone (typically a young person or child) with the intent of preparing them for sexual exploitation.”

Steps in the grooming process usually include:

- (1) Special attention toward the target victim,
- (2) Special recognition and rewards (verbal praise or small gifts) for the target victim,
- (3) Special privileges and opportunities (for example, invitations for lunch or outings) for the target victim,
- (4) Slowly increasing amounts of touching and sexual comments to assess the target victim’s response and likelihood of resisting or filing a complaint,
- (5) Progressive sexual behavior to desensitize the target victim to what is happening, and further test his/her resistance and complaint filing propensity,
- (6) Acts of sexual exploitation/gratification which can recur for months, and in extreme cases, years, and
- (7) Emphasis on the victim’s mutual responsibility for the sexual activity and continued need for secrecy.

It is critical that both you and your child understand what grooming is and the typical steps involved. This will enable you to determine if your child has been targeted by a sexual predator. If you sense that grooming is taking place, based upon your own personal observations (see below) or your child’s conversations about interaction at school, you should immediately bring your concerns to the attention of the principal and teacher.

Perhaps the grooming-like behavior on the part of the teacher was unintentional or innocent. However, you should clearly state that you don’t want your child or any child singled out for special attention. Furthermore, your demands that your child not be alone with the teacher (#1 above) and not be touched by the teacher (#4 below) are non-negotiable. If these demands are not respected, formal written complaints should also be filed against the offender.

The key to protecting your child from being groomed by a sexual predator is to stop it before it gets started. This requires monitoring on the part of you and your child, followed by quick corrective action if grooming begins.

4. Never Let your Child Be Touched By School Employees

As you saw in #3 above, grooming involves progressive touching of a child, ultimately leading to sexual abuse. For this reason, I strongly recommend that you inform (both verbally

and in writing) school officials and teachers that your child is not to be touched by any school employee. Of course, this does not apply to someone providing first aid or medical treatment.

Schools should have strict policies about touching students, but most do not. Thus, it is up to you as a concerned parent to insist that your child is not touched. Don't allow sexual predators to use touching as a gateway to abuse your child!

It is important to insure that your child knows he/she is not to be touched by school employees. Violations should be brought to your attention, so that an appropriate complaint can be filed and corrective action initiated.

5. Chaperones on Field Trips

Field trips away from school, especially those that involve overnight stays, represent a particularly dangerous time for children accompanied by a sexual predator posing as a teacher. Consequently, it is imperative that multiple parent chaperones (of both sexes) participate in all field trips to monitor the behavior of both students and teachers.

Schools should have policies about required parent chaperones, but most don't. Thus, you will need to notify (verbally and in writing) school officials that your child is not authorized to participate in a field trip, unless there are multiple parent chaperones. It can also be very helpful if you are able to occasionally volunteer as a chaperone.

Note: Just as all school employees should be subject to criminal background checks, so should all volunteers who interact with students.

6. Effectively Communicate with Your Child on a Daily Basis

There are countless great reasons why it is important to effectively communicate with your child every day about his/her experiences at school. One of the most important is to discuss his/her interaction with the teachers and other school employees. Specifically, it is critical to determine if your requests have been honored (never alone with a school employee and no touching) and if there are any indications that grooming is taking place.

These kinds of conversations are best held with your children while you are interacting with them in an activity that they like. This could be while baking a cake together, playing a favorite sport/game, or going shopping. The key is to avoid an interrogation-like set of direct questions, but instead interact in a normal and natural manner.

If potential problems surface, you should follow-up with school officials and file formal complaints if warranted.

7. Make Frequent Visits to Your Child's School and Classroom

As frequently as your schedule and workload permit, you should personally visit your child's school and classroom. Such visits clearly communicate your genuine interest in your child's education and welfare to all school employees.

Personal visits allow you to directly observe and evaluate your child's behavior and that of her/his teachers. They enable you to determine if your child is unusually anxious or fearful around the teacher, or unusually affectionate—both potential warning signs.

Your direct observation of the teacher allows you to assess the extent to which grooming is taking place, directed at your child or someone else's. You can also evaluate whether your requests (never alone with a school employee and no touching) are being honored.

Potentially troubling observations should be shared with the principal and teacher. If problems are documented, a formal complaint can be filed requesting disciplinary and corrective action.

There is no substitute for direct personal observation of your child's experiences at school. By "trading off" with other parents, you can insure a steady stream of visitors to her/his classroom, thus also serving as a powerful deterrent to grooming or sexual abuse.

8. Department of Education Advice

Advice offered in the Department of Education report discussed in the Introduction concerning Educator Sexual Misconduct, includes:

"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.” (p. 49)

9. Get Other Parents Involved

Pass this information on to other parents that you know, because most are unaware of how serious the sexual abuse problem in schools really is, or how to protect our children.

I firmly believe that knowledge is power. The more parents and children who know about this problem and how to prevent it, the less likely our daughters and sons are to be sexually abused at school.

The more sets of eyes and ears we have monitoring our schools, the less likely educators are to prey on our children.

The more people exercise their rights as parents, citizens, taxpayers, and voters with the elected School Board, the more likely the Board is to implement needed reforms to stop the sexual abuse of our children.

10. Lobby Your School Board

Until we are able to pass and enforce more effective laws to protect students from sexual abuse at school, one promising alternative is for you and other concerned parents to approach your elected School Board about implementing protective measures.

A partial list of what you might demand or ask for includes:

- (1) mandatory, annual, age-appropriate training for all students on sexual abuse and how to respond, including school employees as examples of potential abusers,
- (2) mandatory annual training for all school employees on child sexual abuse, to include their legal responsibility to personally report it,
- (3) training for parents on child sexual abuse in the schools,
- (4) school-wide policies prohibiting employees from: (a) being alone with students, (b) physically touching students, and (c) going on field trips without multiple parent chaperones,
- (5) a school policy prohibiting the practice of “passing the trash”,

- (6) substantial discipline for any employee who knew about or reasonably suspected child sexual abuse, but failed to report it to law enforcement authorities,
- (7) mandatory national fingerprint-based criminal background checks for all new and current employees, as well as all volunteers,
- (8) mandatory psychological evaluations for all new and current employees,
- (9) mandatory inclusion of the following question on all employment applications to prevent “passing the trash”: Have you ever been disciplined for misconduct involving students by a previous employer, chosen to resign rather than face discipline for misconduct involving students, resigned while under investigation for misconduct involving students, or resigned after complaints were filed against you for misconduct involving students? If yes, please explain fully, and
- (10) mandatory written responses of all current employees to the above question to determine if “passing the trash” has already occurred.

11. Call Police and Child Protective Services

If you have reasonable suspicion that your child, or any child, is being sexually abused, this is a potentially criminal offense and you should immediately contact law enforcement authorities to formally file your complaint.

Given the poor record of most schools in responding to complaints of sexual misconduct and the common practice of “passing the trash” deals documented above, I would strongly advise going first to the police and child protective services. They will then take the necessary steps to inform the school and the accused sexual predator.

12. Get Needed Treatment For Your Child

If you suspect that your daughter or son has been sexually abused, it is imperative that you quickly identify a qualified mental health professional and schedule an appointment. Even though signs of trauma might not be apparent, considerable psychological damage may have already occurred. Qualified mental health professionals include psychiatrists (MD’s with additional psychological training), psychologists (Ph.D. or Psy.D.), or clinical social workers with master’s degrees (MSW). The person you choose to work with should be licensed by your state and have a track record of successfully treating child victims of sexual abuse. Of course, there should be no disciplinary record for abusing patients (contact state licensing officials for this information).

I have been particularly impressed with the research-documented treatment approach developed by the National Child Traumatic Stress Network (www.NCTSN.org) called Trauma-

Focused Cognitive Behavioral Therapy. I recommend that you consider contacting this organization for professional referrals in your area.

The most important objective is to get your daughter or son appropriate treatment, if needed. The only way to determine if treatment is called for is to have a thorough psychological assessment done by a trained, experienced mental health provider.

13. Secure Legal Counsel

If you have filed a complaint alleging criminal child sexual abuse against a school employee, I strongly recommend that you consider securing legal counsel. Given the legal complexities associated with filing a criminal complaint on behalf of your child and potentially filing civil complaints against the alleged sexual predator and school officials, you really need advice and guidance from a competent attorney, with experience in these matters to effectively protect your child, yourself, and your legal rights. In order to find an appropriate attorney in your area, I recommend contacting your state bar association and/or child advocacy organizations for referrals. Many city, county, and state bar associations have a referral service through which you can receive the names of attorneys who specialize in these types of lawsuits. You should be prepared to inquire about multiple specialties including child sexual abuse and civil rights. You may need to go to a larger city to find more specialized attorneys. You may also want to consider consulting with your local prosecutor who may be able to refer you to attorneys who specialize in these types of cases. Make sure the attorney you eventually hire has a record of success in cases like yours.

While hiring an attorney can be expensive, your goal should be to recover these costs from the predator and school system responsible for causing this horrible problem in the first place! Perhaps your attorney will take the case on a contingency basis, and only be paid if you win in court.

Let's work together to protect all of our children from sexual abuse and sexual harassment in the upcoming school year!

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