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Educator Sexual Misconduct: A synthesis of existing literature

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Preface:

- focus upon “sexual misconduct” vs. “sexual abuse” in schools
- definition: “Sexual Abuse”
 - defined for over 17 years
 - 18 U.S.C 2242
 - It involves an act where one knowingly “causes another person to engage in a sexual act by threatening or placing that other person in fear...” or “engages in sexual act with another person is that other person is – (A) incapable of appraising the nature of the conduct; or (B) physically incapable of declining participation in, or communicating willingness to engage in, that sexual act...”
Id. “Sexual abuse” carries a penalty of a fine or imprisonment for not more than 20 years, or both. Id.”

Purpose and methods of synthesis:

- P. 1
 - Definitions: ...include behavior by an educator that is directed at a student and intended to sexually arouse or titillate the educator or child...”educator” includes any person older than 18 who works with or for a school or other educational or learning organization.
 - Behaviors included in the review are physical, verbal or visual
- P. 2
 - Focused upon sexual misconduct vs. sexual abuse due to the legal vs. professional definition of sexual abuse
 - Sexual misconduct in this review is defined as any “behavior of a sexual nature which may constitute professional misconduct.”
[followed by an outline of what such misconduct could include]
- P. 3
 - Looked at over 900 citations
 - + info from over 1,000 researchers, educators and policymakers via listservs and Web sites
 - Noted that “...there are few empirical studies on educator sexual misconduct.”
 - Report does not deal with intervention
- P. 4
 - Out of 900 citations, only 14 U.S. and 5 Canadian were empirical investigations on educator sexual misconduct
- P.6-7
 - Table 1: Empirical Studies on Educator Misconduct

- Provides a list + brief description
- P 9
 - Table 2: Summary of practice-based, first person reports, and third person reports
- P. 11
 - General child sexual abuse data sets and **instruments**. Appendix II lists the most cited surveys, instruments, data sets, or reports that include data on child abuse or that are developed to collect data on child abuse
- P. 12
 - “Availability of research. There are 24 sources which meet the criteria for [this] review. These studies include systematic focus on issues related to educator sexual misconduct and/or cases and practice accounts.”
- P. 13-15
 - Table 3: Empirical and Practice Studies of Educator Sexual Misconduct ...these are the studies upon which this review was ultimately based

Prevalence of Educator Sexual Misconduct:

- P. 16
 - “only 5- 6 percent of child sexual abuse cases become known to social services or the police (Kelly et al., 1991)”
 - “results of prevalence studies differ based upon definitions of sexual abuse, and data collection methods but range from 13 to 34 percent of females and 7 to 16 percent of males (Freel, 2003). Gorey and Lewslie (1997), in a review of prevalence studies where they controlled for response rates and operational definitions concluded that 15 percent of women and 7 percent of men were sexually abused as children.”
- P. 17-18
 - Shakeshaft, 2003 study...asked 8th – 11th grade students...experiences with sexual harassment...findings:
 - 9.6% of all students in grades 8 to 11 report contact ad/or non-contact educator misconduct that was *unwanted*.
 - 8.7% report only non-contact sexual misconduct
 - 6.7% experienced only contact misconduct
 - Of those students who experienced any kind of sexual misconduct in schools, 21% were targets of educators, while the remaining 79% were targets of other students.
 - “Based in the assumption that the AAUW [Shakeshaft] survey accurately represents the experiences of all K-12 students more than 4.5 million students are subject to sexual misconduct by an employee of a school sometime between kindergarten and 12th grade.”

- “Possible limitations of the study would all suggest that the findings reported here under-estimate educator sexual misconduct in schools.”
- P. 19
 - Wishnietsky 1991
 - Focused upon high school graduates...self reported data
 - Provided a def of sexual harassment and abuse
 - 43% reported insulting comments, looks, or gestures by a teacher
 - 17.5% reported sexual touching [by a teacher]
 - 13.5% reported sexual intercourse with a teacher
 - ...response rate to survey was 49.3%
 - ...no questions re. sexual abuse by other than teachers
 - ...no questions re. abuse prior to high school
- P. 20
 - Prevalence in the United States
 - “Because of its carefully drawn sample and survey methodology, the AAUW [Shakeshaft] report that nearly 9.6% of students are targets if sexual misconduct sometime during their school career presents the most accurate data available at this time.”

Offender Characteristics:

- p. 22
 - “Pedophilia is an adult psychosexual disorder “characterized by a preference for prepubescent children as sexual partners” (Herek, 2003).
 - “Hebephilia is the sexual preference of adults for adolescents.”
 - “Child sexual abuse is sexual contact between adults and children and is an action.”
 - “The limited available data...indicate that teachers who sexually abuse belie the stereotype of an abuser as an easily identifiable danger to children. Many are those most celebrated in their profession (Shakeshaft and Cohan 1994).”
- P. 23
 - Table 6: Sources for Description of Offenders
- P. 24
 - Table 7: Percent of Students Targets by Job Title of Offender
 - Teacher 18%
 - Coach 15%
 - Substitute Teacher 13%
 - Bus Driver 12%
 - Teacher’s Aide 11%
 - Other School Employee 10%
 - Security Guard 10%
 - Principal 6%
 - Counselor 5%

- TOTAL 100%
- P. 25
 - Table 8: Sex of offenders
 - ...% indicate that males, more than females are abusers, but the range of cited studies + other factors noted would indicate that the numbers may be incorrect...use with caution
 - Age of offenders...Henerie (1998)...21 to 75 yrs old...average of 28
- P. 26
 - “Researchers have failed to find a consistent connection between sexual identification or sexual orientation label and child sexual abuse.”
- P. 27
 - Targets of Educator sexual misconduct
 - Table 10: U.S. Sources for Description of Targets
- P. 28
 - “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.”
 - Table 12: Race/ethnicity of targets
 - “Females, and particularly females of color, are overrepresented as targets of educator sexual misconduct in relation to their proportion in the population.”
- P. 29
 - **Disabilities and targets:**
 - “There is scant U.S. data on sexual abuse of students with disabilities, and non on educator sexual abuse of students. Studies do indicate that students with disabilities are more likely to be maltreated than students without disabilities (Sobsey, 1994; Sobsey, Randall, and Parila, 1997; Sullivan and Knutson, 2000).”
 - “Using data tables in their report [Sullivan and Knutson, 2000], I calculated that 8.8 percent of students with disabilities vs. 2.8 percent of student’s without disabilities were sexually abused. Students with behavior disorders are more than five times as likely as non-disabled students to be sexually abused, with mentally retarded students more than three times as likely.”
 - “...there is no way to determine how many of these reported cases are examples of educator sexual misconduct.”
- P. 31
 - Table 15: Sources for Descriptions of Patterns [of sexual misconduct]
 - “Sexual abuse of students occurs within the context of schools, where students are taught to trust teachers.”
 - “...like sexual predators anywhere – sexual abusers in schools use various strategies to trap students. They lie to them, isolate them, make them feel complicit, and manipulate them into sexual contact.

Often teachers target vulnerable or marginal students who are grateful for the attention. And, students that adults regard as marginal are also unlikely to be accepted as credible complainants against a celebrated teacher (Shakerhaft and Cohan, 1994).”

- “In elementary schools, the abuser is often one of the people that students most like and that parents most trust. The abusers of children younger than seventh grade have different patterns than those who abuse older children (Shakeshaft, 2003). The educators who target elementary school children are often professionally accomplished and even celebrated. Particularly compared to their non-abusing counterparts, they hold a disproportionate number of awards. It is common to find that educators who have been sexually abusing children are also the same educators who display on their walls a community “Excellence in Teaching” award or a “Teacher of the Year” certificate. This popularity confounds district officials and community members and prompts them to ignore allegations on the belief that “outstanding teachers” cannot be abusers (Shakeshaft and Cohan, 1994).”
- P. 32
 - **“Selection.** Whether premeditated or opportunistic, selection is influenced by the compliance of the student and the likelihood of secrecy.”
 - “While almost all children respond to positive attention from an educator, students who are estranged from their parents, who are unsure of themselves, who are engaged in risky behavior or whose parents are engaged in such behavior are often targeted, not only because they might be responsive, but also because they are more likely to maintain silence (Robins, 2000; Shakerhaft and Cohan, 1994).”
 - ...how an abuser “grooms” a child for abuse
 - “Maintaining secrecy and silence. Some of the children who are sexually abused by educators do not characterize what is happening as abuse. That is not to say they don’t identify what is happening as shameful, unwanted, wrong, or frightening. In many cases, they are told what is happening is love. Many abusers of children at all ages couch what they are doing to the children as love, both romantic and parental.”
- P. 33
 - “Offenders work hard to keep children from telling. Almost always they persuade students to keep silent either by intimidation and threats (if you tell, I’ll fail you), by exploiting the power structure (if you tell, no one will believe you), or by manipulating the child’s affections (if you tell, I’ll get in trouble; if you tell, I won’t be able to be your friend anymore).”
 - “Thus, childish or adolescent naivete is taken advantage of to keep children silent. Because many children who are targeted have been

previously abused by others, the legacy of abuse increases the likelihood of silence. Fear of discovery and punishment or shame of doing something forbidden also keep children from speaking. Boys abused by men often don't tell because of homophobia.”

- “Because children often get something positive in the transaction – attention, gifts, physical pleasure, and feelings of belonging or attractiveness – they can be made to feel responsible. Offenders use this to their advantage.”
- “Finally, abuse is allowed to continue because even when children report abuse, they are not believed. Because of the power differential, the reputation difference between the educator and the child, or the mindset that children are untruthful, many reports by children are ignored or given minimal attention.”
- “**Geography of abuse.** An analysis of documentation from legal proceedings and from interviews with school officials and student targets indicates that sexual misconduct by educators occurs in the school, in classrooms (empty or not), in hallways, in offices, on buses, in cars, in the educator’s home, and in outdoor secluded areas.”
- P. 34
 - ”**Allegations.** According to Shoop (2000), notice of educator sexual misconduct comes to the attention of school officials in five ways: (1) formal complaints; (2) informal complaints; (3) observed abuse; (4) observed suspicious behavior; and (5) rumors and/or anonymous reports.”
 - “Formal and informal complaints are most likely to originate from targets or parents of targets...Seldom is the abuse reported by a teacher, even if the child has told the teacher.”
 - “Several studies estimate that only 6% of all children report sexual abuse by an adult to someone who can do something about it. The other 64% do not tell anyone or talk only to a friend.”
 - “AAUW data set found that 71.2% of students who had been targets of peer and/or educator sexual misconduct told someone, with 56.6% telling more than one person. Most students told a friend (69.7%), followed by someone else (44.9%), then a parent (31.8%), a teacher (14.6%), or another school employee (14.1%).”
- P. 35
 - “When students do report, they almost always report incidents of contact sexual abuse – touching, kissing, hugging, or forced intercourse. Verbal and visual abuse are rarely reported to school officials.”
 - “When alleged misconduct is reported, the majority of complaints are ignored or disbelieved (Shakeshaft and Cohan, 1994).”
 - “Few students, families, or school districts report incidents to the police or other law enforcement agencies.”

- **“Response to allegations.** Robins (2000) found that the most common reason that students don’t report educator sexual misconduct is fear that they won’ be believed.”
- P. 36
 - “There are no systematic studies of false accusations of educators, but studies of child sexual abuse in general indicate that false allegations are not common.”
 - “In the Shakeshaft and Cohan (1995) study of 225 allegations of educator sexual misconduct, there was not one in which the actions reported weren’t proved to have happened.”

I did not review pp 37-41...”Extent and impact of legal initiatives

- P. 42
 - **“Effects on targeted students: Academic, emotional and developmental.**
 - AAUW data set
 - “At lease a third of students report behaviors that would negatively affect academic achievement:
 - Avoid the teacher or other educator (43%)
 - Do not want to go to school (36%)
 - Do not talk much in class (34%)
 - Have trouble paying attention (31%)
 - Stayed home from school or cut a class (29%)
 - Found it hard to study (29%)
 - ”About a quarter of students who were targets of educator sexual misconduct report academic or discipline repercussions that they attribute to the incident.”
 - “Health effects such as sleep disorders and appetite loss were reported by 28% of students. A substantial number of students report negative feelings of self worth because of the abuse.”
- P. 43
 - “Child sexual abuse targets lose trust in adults and authority figures, suffer physical ailments and lowered immune systems and do less well in school (Finkelhor & Brown, 1985).”
 - “They often drop out of or avoid school.”
 - “Sexually abused children are more likely than children who are not sexually abused to be substance users as adults and to have difficulty forming intimate relationships (Finkelhor, 2001).”
- P. 44
 - **“Consequences for abusers.** In an early study of 225 cases of educator sexual abuse in New York, all of the accused had admitted to sexual abuse of a student but none of the abusers was reported to authorities and only 1 percent lost their license to teach (Shakeshaft and Cohan, 1994). All of the accused had admitted to physical sexual abuse of a student but only 35 percent received a negative

consequence for their actions: 15 percent were terminated or, if not tenured, they were not rehired; and 20 percent received a formal reprimand or suspension. Another 25 percent received no consequence or were reprimanded informally and off-the-record. Nearly 39 percent chose to leave the district, most with positive recommendations or even retirement packages intact.”

- “Of those who left, superintendents reported that 16 percent were teaching in other schools and that they had no idea what the other 84 percent were doing. A recent report on sexual abuse in New York City indicates that 60 percent of employees who were accused of sexual abuse were transferred to desk jobs at offices inside schools and 40 percent of these teachers were repeat offenders (Campanile and Montero, 2001). In many instances, agreements are made to avoid legal battles with the alleged abuser (Shakeshaft and Cohan, 1994).”
- P. 45
 - **Consequences for targets.** The school or district rarely prescribes a therapeutic and healing intervention for targets of educator sexual misconduct or for others in the school. I have found no descriptions of policies and procedures that debrief other students or their parents. Neither have I been able to locate any suggestions for types of support a targeted student should receive from the school. Most school officials report that if action is taken against the abuser, they have done all that is necessary (Shakeshaft and Cohan, 1993).
 - Limited data from interviews, newspaper reports, and court documents indicate that there is often a negative public response to the student who is seeking protection from educator sexual misconduct. Student targets report that other teachers single them out for threats. Additionally, it is not uncommon for educators and the public to come to the assistance of the accused educator (Shakeshaft and Cohan, 1993).
- P. 47
 - **Prevention of educator sexual misconduct...** 14 recommendations are provided...all based on logic and law, vs. empirical evidence
- P. 51
 - Table 19. Educator Sexual Misconduct: Data Available And Needs for Future Research