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School principals' knowledge and understanding of educator sexual misconduct against students

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School Principals' Knowledge and Understanding of
Educator Sexual Misconduct Against Students

by

Sylvia Sonja Cairns

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Education
Department of Educational Leadership and Policy Studies
College of Education
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Dedication

Without my husband David, my daughter Claudia, and my mother Gitta, this dissertation would not have been possible. Their support has been invaluable throughout the research and writing of this dissertation.

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Table of Contents

List of Tables	xiii
Abstract.....	ix
Chapter 1: Sexual Misconduct by School Personnel	1
Prevalence of Sexual Misconduct Against Students.....	4
Purpose and Rationale of the Research.....	9
Grand Tour Research Question.....	10
Significance of the Research.....	10
Scope and Limitations of the Study	11
Limited Resources	11
Researcher Bias.....	15
Researcher Professionalism	16
Choice of School District.....	17
Selection of Research Participants.....	17
Organization of the Study	18
Definitions of Significant Terminology	18
Educator Sexual Misconduct	19
Harassment	19
Sexual Abuse	20
Sexual Exploitation.....	20
Sexual Harassment.....	20
Sexual Misconduct.....	20

What Sexual Misconduct is Not	20
Chapter 2: Literature Review	21
Introduction.....	21
The Principal and Educator Sexual Misconduct	21
Ethics and Morality.....	21
Raising Awareness.....	22
Angry Skeptics.....	22
Misguided Loyalty	23
Romantics and Comics	24
The Schoolhouse Predator Profile	25
Job of Offenders.....	25
Offenders Groom Their Targets.....	26
Allegations of Educator Sexual Misconduct.....	27
Who are These Molesters?.....	28
Categorization of Child Predators.....	29
Women Who Sexually Harass	30
Same-Sex Sexual Misconduct	31
Targets of Educator Sexual Misconduct	33
Those Being Preyed Upon	34
Targets of Exploration Wave Red Flags	35
Effects on Other Students, Parents, School, and Potential Employees	36
The Principal and the Law	37
Title VI of the Civil Rights Act of 1964	38
Title VII of the Civil Rights Act of 1964.....	39
Title IX of the Educational Amendment of 1972 to the Civil Rights	

Act of 1964	39
The Office for Civil Rights (OCR)	40
Limiting School Liability.....	40
Obligation to Report and School Liability.....	41
Assorted Standards of Liability	42
Gebser v. Largo Vista Independent School District (1998).....	42
Davis v. Monroe County Board of Education (1999).....	43
Promising Sexual Misconduct Policies.....	45
A Clearly Written Anti-sexual Misconduct Policy	45
Title IX Coordinators.....	46
Disseminating the Anti-Misconduct Policy	47
Report and Intervene.....	47
School Administrators Policing the Education Profession	48
District Size	48
Background Checks	49
Florida’s Response: The Jessica Lunsford Act.....	50
The Children’s Safety Act	52
Meeting the Interviewee	52
Praiseworthy Recommendations.....	53
A Way of Life.....	55
National Association of State Directors of Teacher Education and Certification	56
A Life Lost.....	56
When the Accused Resigns.....	57
When an Employee is Suspected of Sexual Misconduct	57

Immediately Remove the Accused	58
Keep the Door Open	58
False Allegations.....	59
Risk Management Strategies for Teachers	60
Professional Organizations and Teacher Unions	61
Staff Development and Prevention	61
Training School Personnel.....	61
Prevention Programs for Children	64
Summary	65
Chapter 3: Qualitative Methodology and Research Design.....	67
Qualitative Research Design.....	67
Data Collection Techniques.....	68
Interviews With School Principals.....	69
Truthful Responses	69
Pilot Study	71
Pilot Study Revisions.....	72
Content Analysis.....	73
Study Participants	75
Data Collection, Management, and Analysis.....	78
Data Collection and Management.....	79
Principal Interviews	79
Data Analysis.....	80
Authentication and Trustworthiness	83
User Generalizability	84
Summary	85

Chapter 4: Results	86
Introduction.....	86
Principal Interview Questions.....	87
Question 1	88
Question 2.....	89
Question 3.....	89
Question 4.....	994
Question 5A	96
Question 5B	97
Question 6.....	101
Question 7.....	107
Question 8.....	110
Question 9A	112
Question 9B	117
Question 10.....	120
Content Analysis.....	123
Summary	125
Chapter 5: Conclusion and Recommendations	127
Introduction.....	127
Conclusion	128
Principals are Dedicated but Often Restricted by Policy or Lack of Policy	129
Administrators Preferred the Term <i>Educator Sexual Misconduct</i>	131
What Principals Know and Understand About Educator Sexual Misconduct	132
Sexual Misconduct Policies: Development, Dissemination, and	

Enforcement.....	134
A Principal’s Professional Responsibility Should an Incident Occur.....	135
Awareness and Prevention Strategies	136
Implications for Practice and Research.....	138
Harassment Versus Misconduct.....	138
Prevention Strategies	139
Implications for Elementary Student Training	140
Implications for Secondary Student Training	141
Implications for Parent Training.....	142
Implications for School Personnel Training	143
Implications for Future Research.....	144
What Principals Know and What They Do.....	144
Implications for Educational Leadership Training	145
Implications for Future Educational Leadership Research.....	146
Summary.....	148
Researcher’s Final Thoughts.....	149
References.....	152
Appendices.....	161
Appendix A Table A-1 Empirical Studies of Educator Sexual Misconduct.....	162
Appendix B Table A-2 Propositional Studies of Educator Sexual Misconduct	164
Appendix C Questions for Principal Interview.....	165
Appendix D List of Codes	167
Appendix E Display of Question 1	169
Appendix F Display of Question 2	170
Appendix G Display of Question 3.....	171

Appendix H Display of Question 4.....	173
Appendix I Display of Question 5A	176
Appendix J Display of Question 5B	178
Appendix K Display of Question 6.....	182
Appendix L Display of Question 7	187
Appendix M Display of Question 8	188
Appendix N Display of Question 9a.....	190
Appendix O Display of Question 9b.....	194
Appendix P Display of Question 10	196
Appendix Q Table A-15 Meta-Matrix of Themes Concerning Educator Sexual Misconduct.....	197
About the Author	End Page

List of Tables

Table 1 Descriptive Studies of Educator Sexual Misconduct.....	13
Table 2 Sample Document Summary Form.....	72
Table 3 Example of Display of Question 7.....	82
Table 4 Example of Meta-Matrix	82
Table A-1 Empirical Studies of Educator Sexual Misconduct	162
Table A-2 Propositional Studies of Educator Sexual Misconduct.....	164
Table A-3 Display of Question 1	169
Table A-4 Display of Question 2	170
Table A-5 Display of Question 3	171
Table A-6 Display of Question 4	173
Table A-7 Display of Question 5A	176
Table A-8 Display of Question 5B	178
Table A-9 Display of Question 6	182
Table A-10 Display of Question 7	187
Table A-11 Display of Question 8	188
Table A-12 Display of Question 9a	190
Table A-13 Display of Question 9b	194
Table A-14 Display of Question 10	196
Table A-15 Meta-Matrix of Themes Concerning Educator Sexual Misconduct	197

School Principals' Knowledge and Understanding of
Educator Sexual Misconduct Against Students

Sylvia Sonja Cairns

ABSTRACT

The purpose of this research study was to explore what public school principals know and understand about educator sexual misconduct. This project attempted to provide a clearer picture of how administrators perceived and performed their leadership role as moral keeper of the school. In examining the literature, the researcher determined that there is a paucity of information concerning educator sexual misconduct.

To accomplish the goals of this research project, the investigator paid particular attention to the study, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, prepared by Shakeshaft in 2004 for the U.S. Department of Education. Insights afforded by Shakeshaft's study guided the construction of a field-based investigation focusing on four elementary school principals, three middle school principals, and three high school principals within a large county district located in the western region of Central Florida.

The researcher sought to investigate the language the school district and its principals use to define educator sexual misconduct and what administrators understand and know about the issue and their district policy, what they see as their legal responsibility, and what they would do should such an incidence occur at their site. In addition, the researcher explored state-level legislation that may affect district policy, while also investigating school-based programs for administrators, teachers, parents, and children regarding educator sexual misconduct.

Throughout the interviews, principals indicated that it was their responsibility to create a safe and caring learning environment for all of their students as well as for the adults employed on their campus. School leaders reported that it was their job to be able to recognize inappropriate behavior and to understand that perceptions among students and educators may differ. All of the study's respondents followed their school district's anti-misconduct policy and although school leaders are not involved in the development of such guidelines, they are responsible for enforcing and disseminating said policies. Administrators have been trained to contact their district office immediately if an incidence of sexual misconduct occurs and feel they are obligated to investigate an allegation while protecting the student in addition to the accused perpetrator.

There is no training for parents on how to keep their children safe from offenders, and education for students is lacking as well. However, administrators, faculty, and staff are required to complete a Code of Ethics inservice offered through the county and sponsored by the state of Florida. Administrators suggested that it would be beneficial for the K-12 guidance arena to incorporate awareness, teaching students skills so that they do not become potential victims.

Chapter 1: Sexual Misconduct by School Personnel

Today's school principal leads through a multiplicity of demands, now more than at any time in America's history (Drake & Roe, 2003; Mullen & Cairns, 2001). The fundamentals that ruled when this nation's learning institutions were first shaped are now essentially outmoded in our cyberspace world, forcing school administrators to search for new visions of leadership as they face the daily task of providing guidance and direction for our schools and educational systems (Beckner, 2004; Drake & Roe, 2003). Many of the decisions necessary of school principals surround rules, district policies, and accepted practices (Drake & Roe, 2003). However, various other decisions require a level of ethical commitment and expertise, all of which must be taken into consideration in order to elevate the best interests of the students, parents, school, and community (Beckner, 2004). These countless challenges compel school leaders to work harder; however, simply trying harder may not help principals who face problem situations without ideal solutions or crises for which they may not have been properly prepared (Lashway, 2003; Mullen & Cairns, 2001).

One such major problem confronting school principals today is the issue of sexual misconduct against students by school personnel (Shakeshaft, 2003; U.S. Department of Education, 2004). This topic will herein also be described as *educator sexual misconduct*, which Charol Shakeshaft, an authority on sexual misconduct against students by school personnel, defines as any behavior of a sexual nature which may constitute professional misconduct (U.S. Department of Education, 2004). As the individual who is the keeper of the moral purpose of a school, it is not only the principal's responsibility to raise school employee awareness, but school administrators are expected under law to prevent educator sexual misconduct where possible and

to bring resolution should such an incidence occur.

Court cases, research reports, and media accounts indicate numerous cases in which school personnel such as custodians, bus drivers, secretaries, classroom or special education aides, substitute teachers, tutors, food service workers, parent volunteers for student activities, and professional staff members (teachers, media specialists, coaches, counselors, school administrators, or any other adult in contact in a school related relationship with a child) have all engaged in sexual misconduct against students (e.g., Chaika, 1999; Lashway, 2003; Shakeshaft, 2003; Shakeshaft & Cohan, 1995; Shoop, 2000). The U.S. Department of Education (2004) claimed that public knowledge about educator sexual misconduct mainly comes from media reports where journalists increase awareness by reporting allegations. During 2005, media reports have informed the public of numerous instances of educator sexual misconduct in the state of Florida alone. The following are a few of those reported:

1. A 35-year-old high school female aide who consistently received the highest performance evaluations possible was arrested and later sentenced to 3 years in prison and 12 years of sex offender probation for one count of lewd-and-lascivious battery and one count of unlawful sexual activity with a minor. The former teacher's aid admitted to having sex with a 15-year-old and a 16-year-old boy. (BayNews9.com, 2005d; News4Jax.com, 2005; Sanchez & Behrendt, 2005; Shannon, 2005).

2. An exceptional education high school female aide that had passed all of the pre-employment screening processes from the local, state, and federal background checks was arrested after playing the children's card game *Uno* with students and granting sexual favors to the winners while in the school's administrative offices (Alachua County Sheriff's Office, 2005; Amdorfer, 2005; Meenan, 2005).

3. A middle school assistant principal was placed on paid administrative leave while a private investigator looked into allegations that he was one of many defendants named in sexual

misconduct lawsuits filed against the Archdiocese of Boston, which led to a 2003 multimillion dollar settlement (Barber & Juarez, 2005; Schouten & Lankes, 2005).

4. A 20-year-old dance instructor was arrested on charges of lewd and lascivious battery and molestation charges at the school where his father was the principal (Bay News9.com, 2005a; Lankes, 2005).

5. A male middle school custodian that received good performance reviews for the past 12 years faced a charge of possession of child pornography (Catalanello, 2005; Thompson, 2005).

6. A female cook at a juvenile residential facility was accused of having sex on school premises with two underage boys. The cook was fired after an investigation, but then ended up working at an elementary school in the area (BayNews9.com, 2005b; Blair, 2005).

7. A 17-year-old male high school student was accused of repeatedly fondling a second-grade boy while working as a student volunteer in an elementary school (Blair & Burr, 2005; Koch, Catalanello, & Leary, 2005).

8. A 62-year-old retired high school coach and athletic director faced two felony charges (one of sexual battery and another of sexually fondling a child younger than 16), prompting several of his victims to come forward. Because of the allegations, the educator retired early; hence, the school board discontinued its investigation, leaving the examination to local police (DeNardo, 2005; Glenn, 2005a; Glenn, 2005e).

9. A 50-year-old elementary school music teacher faced one count of capital sex assault after reporting to have had a 2-year sexual relationship with her 11-year-old male student. Because some of the alleged encounters happened at the defendant's home, the victim's family sued the defendant's husband, claiming he should have known about the incidents. The civil case was settled for \$1.5 million (Cooper, 2005).

10. Under the supervision of general contractors, a convicted sex offender worked as a mason's assistant at a middle school and then an elementary school, having direct contact with

students and teachers. The 46-year-old male abducted, raped, and murdered a 9-year-old girl that attended the elementary school (Behrendt, 2005a; Conner & Behrendt, 2005; George & Sanchez, 2005).

Regardless of the educational system or the circumstances surrounding an accusation, a school leadership position necessitates awareness and knowledge of educator sexual misconduct. The principal is expected to be familiar with the definitions of and types of sexual misconduct in addition to having an understanding of the policies and procedures used by the school district for formal and informal complaints, the documentation of and specified routing of grievances, investigation measures, victim assistance, educator support, and prevention strategies (Drake & Roe, 2003). School principals can act as informants, ensuring that faculty and staff know what the problems are should an employee become involved with a student. Educators can be trained to be on the alert for any among them who sexually abuse children and to also help deter fellow faculty members from educator sexual misconduct.

In addition, school leadership is able to enforce the sexual misconduct policy of the school district (Bithell, 1991). Difficulties may arise if principals do not understand their role in handling educator sexual misconduct or if they are unaware of how to cope with such an issue. Principals will be able to proactively address educator sexual misconduct if provided with the fundamental knowledge and skills required to facilitate the school staff's awareness of sexual misconduct against students by school personnel and their responsibilities should such an occurrence take place internally.

Prevalence of Sexual Misconduct Against Students

According to the U.S. Department of Education (2004), the issue of educator sexual misconduct is of critical importance. The topic is understudied and instances are underreported. While most of the educators in our nation's schools are professionals, efforts can be made to ensure that all students have safe and secure learning communities.

According to research, it appears that educator sexual misconduct and the underreporting of such instances have changed little within the last 60 years. Bithell (1991) cited a 1986 study conducted by Cameron, Coburn, Larson, Proctor, Forde, and Cameron where 4,340 adult respondents in five metropolitan areas in different geographic locations were surveyed to determine their childhood sexual experiences. The study indicated that 1% of the respondents were victims of educator sexual misconduct in elementary school, and approximately 3% of the interviewees claimed that they had experienced sexual advances by a secondary teacher with physical sexual contact resulting roughly one-third of the time. Consequently, Bithell estimated that about 98,000 teachers, or approximately 1 in 20 schoolteachers, have engaged in sexual misconduct against students that ranged from obscene remarks to sexual intercourse. The 1986 study found no differences in the rate of educator sexual misconduct over the previous 40 years (Bithell, 1991; Graves, 1994; McGrath, 1994). Limitations that suggest occurrences of sexual misconduct were underreported include the following: (a) only teachers were listed as possible offenders, (b) only physical sexual misconduct was reported, and (c) only 45.5% of respondents sampled completed the surveys. In addition, white respondents were over-represented and sample sites included only metropolitan areas (U.S. Department of Education, 2004).

A survey of 148 high school graduates from North Carolina conducted by Wishnietsky (1991) found that 82.2% of women and 17.7% of men reported being a victim of educator sexual misconduct. Forty-three percent reported sexual looks, gestures, or remarks by an instructor, 17.5% reported they were touched in a sexual manner, and 13.5% reported that they had engaged in sexual intercourse with a teacher. Shakeshaft (1994) criticized Wishnietsky's study and stated that students were asked solely about high school sexual misconduct involving only teachers, thereby omitting other school personnel. Another limitation cited was that the response rate was only 49.3%, which may have resulted in an underestimate (Shakeshaft & Cohan, 1995; U.S. Department of Education, 2004).

In a joint project for the Center for Research on Women at Wellesley College, Stein, Marshall, and Troop analyzed information from an educator sexual misconduct survey published in *Seventeen Magazine*. There were 4,200 girls in Grades 2 through 12 who responded; 3.7% of them stated that they had been a victim of sexual misconduct by a teacher, counselor, administrator, or other school employee. Shakeshaft's criticisms of the study related to it being an all-female sample who read *Seventeen Magazine* with incidents focusing on only the prior (1992-1993) school year (U.S. Department of Education, 2004).

A Harris/Scholastic research study surveyed more than 1,600 students from 79 schools in Grades 8 through 11 in 1993 focusing on educator sexual misconduct ranging from sexual comments to coerced sex (Chaika, 1999; Goorian, 1999; Hendrie, 1998a; McGrath, 1994; Shakeshaft, 1994; Shakeshaft & Cohan, 1995); 10% of male respondents and 25% of female respondents reported sexual misconduct by a school faculty or staff member. Of those interviewees who revealed they had been a victim of educator sexual misconduct, only 7% had reported the occurrence to a teacher, and only 23% affirmed they reported the incident to a parent, suggesting these incidences are underreported (Goorian, 1999; Shakeshaft & Cohan, 1995). The sample included representative subpopulations of Hispanic, white, and African-American students (U.S. Department of Education, 2004).

The aforementioned study, repeated in 2000 (published in 2001), consisted of 2,063 field surveys of public school students in Grades 8 to 11 that were asked questions about physical, verbal, and visual sexual misconduct. Data results indicated that 57.2% of all students reported sexual misconduct by a male offender and 42.4% by a female offender. In addition, the percent of student targets by job title of offender are broken down as follows: (a) teachers, 18%; (b) coaches, 15%; (c) substitute teachers, 13%; (d) bus drivers, 12%; (e) teacher's aides, 11%; (f) other school employees, 10%; (g) security guards, 10%; (h) principals, 6%; and (i) counselors, 5% (U.S. Department of Education, 2004).

Shakeshaft (1994) estimated that 15% of America's students will have experienced educator sexual misconduct before they graduate high school. After conducting a longitudinal study surveying 778 superintendents in the state of New York on the incidence of educator sexual misconduct and a telephone survey of 225 school superintendents who reported they had dealt with sexual misconduct against students by school personnel, Shakeshaft and Cohan (1995) concluded that the approximate number of educators implicated ranges from 0.04% to 5.0% of the teaching force.

Hendrie (1998a) found that 244 active investigations of educator sexual misconduct had occurred nationwide in one 6-month period. Hendrie (2003) presented an update of the 1998 study, including the survey she circulated of state sexual misconduct policies from each of the 50 states. What she found was that more than half the states now have laws that punish educators who abuse their positions of trust, and though school personnel in several states may legally have sex with students as young as 16, many more states are revising criminal codes to elucidate that such conduct is inappropriate. At the time of her investigation, applicants seeking state certification in 42 states were required to undergo criminal background checks involving fingerprinting through the Federal Bureau of Investigation (FBI) and the state police versus the handful of states that were requiring background screenings decades ago. Hendrie also discovered that many more states were requiring local school officials to inform the state if an educator left his or her teaching position due to suspicions of educator sexual misconduct.

Because recognition has grown that educator sexual misconduct takes an awful toll on the children directly affected, departments of education and state legislatures have tightened their laws and regulations. Partly because the issue is not perceived as a national problem, many states have characteristically taken an independent approach resulting in differences among them in a range of policy areas as to whether consensual sex between instructors and older teenagers is a crime and under what instances. Eleven states set the age of consent at 18; 6 states, at 17; 32

states, at 16, while in Colorado the age for consensual sex is only 15. In addition, some statutes specifically mention administrators and teachers, whereas other states' laws define authority figures more generally. Differences among the states only further confirm the need for future studies to explore the underreported crime of educator sexual misconduct (e.g., Hendrie, 2003).

Shakeshaft (2003) completed a secondary reanalysis of public school student responses acquired in the 1993 Harris/Scholastic study using descriptive statistics and frequencies. Drawn from a list of 80,000 schools, 2,065 students in Grades 8 through 11 completed a survey administered by trained interviewers during English classes and 505 students in Grades 8 through 11 responded to online surveys that asked about their experiences of various forms of educator sexual misconduct. Shakeshaft's analysis found that 9.6% of all students in Grades 8 to 11 reported educator sexual misconduct that was unwanted. Shakeshaft then applied the percent of students who reported experiencing educator sexual misconduct to the population of all public school students. Based on the assumption that the surveys accurately represent the experiences of all public school students, more than 4.5 million children were subjected to educator sexual misconduct sometime between Kindergarten and Grade 12.

Limitations suggest instances of educator sexual misconduct were underreported. The sample only included students in Grades 8 through 11, which may have missed earlier instances of educator sexual misconduct not remembered, the questioning was limited and excluded many details of educator sexual misconduct, and the surveys only questioned incidents that were unwanted, thereby excluding reports of sexual misconduct that were welcomed (U.S. Department of Education, 2004).

In 2004 Shakeshaft was contracted by the U.S. Department of Education to complete a national study of sexual misconduct in America's schools in response to the mandate in Section 5414 of the Elementary and Secondary Education Act of 1965, as amended by the *No Child Left Behind Act of 2001* (U.S. Senate and House of Representatives, 2002). Shakeshaft found that

sexual misconduct against students by school personnel is under-studied due to scant data in numerous areas, which include incidence; targets; sexual predators; school, district, and professional organization responses to allegations; and prevention strategies. Shakeshaft recommended further studies to deepen the understanding of educator sexual misconduct and to develop strategies to help thwart sexual misconduct against students by school personnel (U.S. Department of Education, 2004).

Purpose and Rationale of the Research

In contemplating why educator sexual misconduct still plagues our schools and learning systems as it did 60 years ago, the researcher explored, in the context of school leadership, the concern of sexual misconduct against students by school personnel. The researcher sought to investigate what language a particular school district and its elementary, middle, and high school principals are using to define educator sexual misconduct and what it is school principals perceive, understand, and know about the issue and their policy, what they see as their legal and moral responsibility, and what they would do or what they have done when such an incidence occurs. The researcher explored state level legislation and regulations, which may affect district policy and also sought to discover whether a sexual misconduct policy exists solely at the district level or whether schools also have their own individual policies. If the district policy is what drives the entire system, the researcher needed to discover what that district system is and how that system conceptualizes educator sexual misconduct. In addition, the investigator explored school-based programs for administrators, teachers, parents, and children regarding educator sexual misconduct that do or do not exist in other Florida counties in the hope to come forward with some ideas for training and practical implications. Based on the literature review and what was discovered throughout the study, strategies are suggested that may help guide principals in their role in the prevention of sexual misconduct against students and with resolution should such an incidence occur in their school community.

Grand Tour Research Question

The researcher purposed a grand tour question with which to frame the proposed research project, thereby allowing the data to drive thinking and analysis as opposed to anticipating beforehand what the investigator may find. The following question was addressed: What knowledge and understanding do public school principals have of the issue of sexual misconduct against students by school personnel?

A researcher may believe she has the research question, but especially in qualitative studies, questions get refined after the methods are chosen or even after the researcher begins collecting data (Glesne & Pheshkin, 1992). Merriam (1998), an expert case study methodologist, stated that a “qualitative researcher is the primary instrument of data collection and analysis and this permits an investigator to adapt techniques to the circumstances. Glesne and Peshkin also noted that qualitative research is emergent and flexible allowing the researcher to work with developing themes that are inside the frame an individual has set for him or herself. Instead of hoping to find data that will confirm a theory, the qualitative researcher builds toward theory by focusing on meaning and understanding and by being responsive to a world in which reality is ever-changing and may result in shifting queries.

Significance of the Research

This study is significant in that the literature regarding the educator sexual misconduct is sparse (e.g., Goorian, 1999; Shakeshaft & Cohan, 1995). According to the U.S. Department of Education (2004), there are limited national data on the prevalence of educator sexual misconduct occurrences, patterns, outcomes, descriptions of predators and effects on victims, and promising prevention strategies. Hence, the researcher explored what public school principals understand about educator sexual misconduct.

In most districts, principals are responsible for providing ongoing training for school faculty and staff that promotes educator sexual misconduct prevention and that also supports

student and parent complaints, thereby keeping the school and community together. School administrators are expected to be proactive rather than reactive and may help prevent educator sexual misconduct by establishing clear expectations and providing constant, adequate supervision. However, there exists scant information on promising prevention strategies that school districts and their schools employ, and there are limited data on professional organization educational support. Therefore, in addition to exploring what public school principals understand about educator sexual misconduct, the researcher also examined one Florida school district's anti-misconduct policy and the school or district prevention training that is in place for administrators, and faculty, and staff.

The stigma of shame attached to educator sexual misconduct has prolonged the masking of such occurrences and suggests that such incidences still remain grossly underreported. Shakeshaft (2003) and the U.S. Department of Education (2004) informed us that future studies are needed to further our understanding of the issue. This study aimed to add to the limited information concerning sexual misconduct against students and to describe what school principals understand about educator sexual misconduct, thereby not only extending current knowledge but also possibly laying a foundation for such issues which need initial or further study.

Scope and Limitations of the Study

The following writing discusses the boundaries and parameters of the research project.

Limited Resources

A limitation of this study was the scant information available regarding sexual misconduct against students in our nation's schools (e.g., Shakeshaft, 2003; U.S. Department of Education, 2004). Another consideration was that, not only have those studies been hard to pursue, many cases of educator sexual misconduct are left unreported or are not made public (e.g., Hendrie, 1998a). As Shakeshaft and Cohan (1995) have revealed, even when cases are reported, many school districts are reluctant to make information accessible to researchers to

evade additional distress for victims or legal liability and negative media hype for their schools. When the *Seattle Times* requested information about educators accused of sexual misconduct in one school district, school officials and the state's most powerful teacher's union banded together to prevent disclosure of any files by allowing teachers and coaches to purge their own records at union organized *file parties* (U.S. Department of Education, 2004).

A mixture of significant primary and secondary resources was used throughout the study. Importance was determined by the relevance, reputation, impact, and frequency with which an author is cited by other authors. Databases (such as ERIC), pertinent books, journals, media reports, and other sources were used. Sources are in English and covered the timeframe of 1990 through 2006, with the exception of applicable sources published earlier.

In May 2006, the investigator once again researched databases such as ERIC using USF's virtual library's databases and, after consulting these resources, has determined that there is a paucity of information concerning educator sexual misconduct. Few empirical studies on educator sexual misconduct exist. Appendix A shows a list of 19 empirical studies. The citations can be categorized as government reports and journal articles that describe systematic studies that can be duplicated.

Table 1 offers five descriptive or practice-based accounts. Incidences are described from a practice perspective. Seryak (1997) asked adults who had experienced childhood sexual misconduct to tell their stories, while the other authors listed in the table reported on occurrences encountered during their professional lives.

Sexual misconduct against students by school personnel is understudied and underreported. Little data exist relating to incidence, descriptions of offenders, and their victims, or effects on students, parents, teachers, and administrators. Appendix B provides a summary of the lack of research and a suggestion for studies to further the understanding of educator sexual misconduct.

Table 1

Descriptive Studies of Educator Sexual Misconduct

Study	Description
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.
Olson & Lawler. (2003). <i>Guilty Until Proven Innocent</i> . Stillwater, OK: New Forums Press.	Descriptions of five cases in which a Colorado teacher was wrongly accused. Descriptions based upon interactions with the accused, court records, and newspaper accounts.
Ross & Marlowe. (1985). <i>The Forbidden Apple: Sex in the Schools</i> . Palm Springs, CA: ETC Publications.	Two school leaders share their experiences, provide an overview of the issues, and include advice on preventing educator sexual misconduct.
Seryak. (1997). <i>Dear Teacher, If You Only Knew! Adults Recovering from Child Sexual Abuse Speak to Educators</i> . Bath, OH: The Dear Teacher Project.	Adults write letters to an imaginary teacher about the misconduct they experienced. Most of the misconduct described is not by educators.
Shoop. (2004). <i>Sexual Exploitation in Schools: How to Spot It and Stop It</i> . Thousand Oaks, CA: Corwin Press.	Interviews, newspapers articles, journal articles, court documents, and personal experience describe educator sexual misconduct.

Source: U.S. Department of Education (2004), *Educator Sexual Misconduct: A Synthesis of Existing Literature*.

Most public knowledge about educator sexual misconduct comes from news media reports. Newspaper journalists report allegations as well as false accusations, thereby increasing awareness of educator sexual misconduct. The following articles appeared in Florida during 2005 and are but a small sample of the incidents that come to the attention of law enforcement and school officials throughout the United States:

1. Alachua County: Female teacher's aide was charged with one count of lewd and lascivious battery on a 15-year-old student (e.g., Meenan, 2005).
2. Broward County: Male high school history teacher accused of touching 16-year-old student in her private areas with his fingers. Other students commented, "He used to do

everything he could to get us out of trouble” (e.g., NBC10.com, 2005).

3. Citrus County: Teacher’s aide received 3 years in prison for one count of lewd and lascivious battery and one count of unlawful sexual activity with a minor. As part of her sentence, she will serve 12 years of sex offender probation once she is released from prison (e.g., BayNews9.com, 2005d).

4. Citrus County: A schoolhouse predator was accused of first-degree murder, kidnapping, and sexual battery. He buried the 9-year-old girl alive (e.g., BayNews9.com, 2005f).

5. Collier County: School board attorney and member was charged with molesting a 12-year-old on several occasions and not convicted. The lawyer committed suicide before he could be prosecuted (e.g., Brown, 2005).

6. Dade County: Male elementary music teacher was charged with four counts of lewd and lascivious conduct after offering a 12-year-old and a 14-year-old \$50.00 for some sexual acts (e.g., NBC10.com, 2005).

7. Hernando County: Cafeteria cook at Department of Juvenile Justice facility was accused of having sex with two teenagers. Worked as a cook at an elementary school until suspended (e.g., Blair, 2005).

8. Hillsborough County: Female middle school teacher was charged with two counts of lewd and lascivious battery (e.g., Jones, 2005).

9. Manatee County: Principal’s son was charged with two counts of lewd and lascivious battery and molestation (e.g., BayNews9.com, 2005a).

10. Manatee County: Male assistant middle school principal was accused of sexually abusing several men during the 1960s while he was a Catholic seminarian (e.g., Schouten & Lankes, 2005).

11. Palm Beach County: Female elementary music teacher was accused of 2-year affair with seventh grader (e.g., Cooper, 2005).

12. Pasco County: 17-year-old high school boy was charged with computer pornography possession (e.g., Pasco Times, 2005).

13. Pasco County: Male custodian was accused of possessing child porn (e.g., Thompson, 2005).

14. Pasco County: Celebrated 17-year-old male student was accused of molesting second-grade boy he helped in computer lab (e.g., Blair & Burr, 2005).

15. Pinellas County: Music teacher was acquitted on charges he sexually molested two elementary school girls (e.g., BayNews9.com, 2005k).

16. Polk County: Former substitute science teacher was sentenced to 3 years in prison and to 14 years of sex offender probation once released from prison for having sex with a sixth-grade student a minimum of 30 times in her home or his house (e.g., Geary, 2005).

17. Sarasota County: Male school coach and athletic director retired after being accused of sexually molesting several students (e.g., Glenn, 2005).

Researcher Bias

Another limitation of this research project was researcher bias. According to Merriam (1998), the researcher must be sensitive to the context, including the physical setting, the people, and the nonverbal behavior, while also being aware of personal biases and how they may influence the study; “Qualitative evaluators do not measure...they emphasize, describe, judge, compare, portray, evoke images, and create for the reader the sense of having been there” (p. 22). This creates the need to understand how personal biases or subjectivity shape the research and its outcomes (Glesne & Peshkin, 1992).

By acknowledging that the researcher has personal biases, the evaluator made a conscious effort not to let such biases affect the results of the investigation. To increase authenticity and trustworthiness, the topic of researcher subjectivity is made clear through the use of Glesne and Peshkin’s (1992) subjective I’s mapping. The initial I’s being monitored were the

female, Anglo-Saxon, Christian I, the schoolteacher I, the parent I, and the advocate I. Strict Viennese-immigrant parents that stressed status and a strong work ethic raised the researcher who is a veteran elementary school teacher of 13 years. She has knowledge of the chosen school district's policies, and, at the outset of this study, believed that administration, teachers and staff generally lack training in the area of educator sexual misconduct. The researcher is also the mother of a young child and considered her position as a parent, taking into account the strong feelings of protection that could have clouded her analysis if a participant did not respond or displayed an inability to discuss or deliver the anti-misconduct policy of their school and/or district. The researcher carefully monitored the advocate I, which champions the cause against educator sexual misconduct, and as additional I's emerge, they too (to the extent relevant and possible) are identified and monitored.

In addition to the subjective I's mapping, the investigator kept a research journal for additional subjectivity monitoring. One of the more significant uses of a research journal is the recording of one's reactions and having discussion that occurs with oneself. It allows the individual to bring in her own perspective and to be upfront about it in discussing the analysis and interpretation of the data. When a researcher attempts data analysis, she seeks honesty and can ask herself whether or not the results derived from the data are really what the data are revealing or whether or not she is superimposing what she would like to know about the data (Denzin & Lincoln, 2000); therefore, the entries emerging from the journal will appear as data and analysis in the writing if warranted.

Researcher Professionalism

As aforementioned, the investigator did not champion a cause, but merely sought to explore the topic of sexual misconduct against students by school personnel with school principals. The topic of educator sexual misconduct is emotionally ridden, yet the researcher was assured she could enter a professional interview context and monitor herself to achieve the goals

of the study regardless of any emotions that may have arisen when interviewing.

Choice of School District

The investigator opted to limit the study to a single school district in one state (Florida). One of the reasons the particular district was chosen is because of its large student population, with more than 150,000 children in over 200 K-12 schools and additional centers (e.g., charter and magnet). Students, administrators, and faculty members are ethnically diversified, and the district is also accessible and familiar allowing for practical limitations of time. Glesne and Peshkin (1992) suggested researchers not conduct studies in their own backyard but in nearby locations. Although the researcher was previously an educator and lived in the chosen district, it is not the district in which the investigator presently resides.

Selection of Research Participants

The researcher sought to find a better understanding of educator sexual misconduct within America's K-12 public schools, and did not attempt to explore negligence, physical abuse, or sexual abuse that stems from the home. Peer to peer bullying or sexual misconduct within the schools was also not addressed as the investigator wished to limit the study to school personnel sexual misconduct.

The investigator reviewed Shakeshaft's study, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, in which she summarized existing research and made recommendations for additional analyses to further our understanding and develop strategies to help prevent sexual misconduct against students. According to Shakeshaft, little data exist regarding school responses and prevention strategies (U.S. Department of Education, 2004). A principal is the school's leader, informant, and enforcer of sexual misconduct policies (Bithell, 1991; Drake & Roe, 2003). Therefore, the study was limited to 10 K-12 public school principals in one school district.

In addition, the researcher explored K-12 learning institutions and completed an exploratory qualitative study focused on participant interviews. For the sake of practicality, the

number of participants was limited. Four elementary, three middle, and three high school principals were sought. Particular principals were selected using Glesne and Peshkin's (1992) networking strategy, whereby an investigator makes one contact and then uses an individual's recommendations for names of other possible participants. The researcher did not include other administrative faculty or those individuals that work closely with administration such as assistant principals and guidance counselors. Following the pilot study that included such leaders, committee members suggested the research would be stronger and cleaner if the study focused on the principal alone.

Organization of the Study

The initial proposal for the study consists of three chapters. Chapter 1 presents the introduction, the purpose of the study, the research question to be explored, and the scope and limitations. Definitions of important terminology are provided in the final section of the chapter. Chapter 2 reviews the existing data surrounding educator sexual misconduct and examines the school principal's role in the prevention or resolution of such occurrences. Chapter 3 presents a detailed description of the research methods and procedures used for conducting the study: (a) the research design, (b) the participants' selection, (c) the instruments, (d) the collection of data, and (e) the data exploration procedures.

Definitions of Significant Terminology

To clarify terms used in this proposal, definitions are necessary. Understanding the relevant terminology is key to the clarification of educator sexual misconduct. Researchers Shakeshaft and Cohan (1995) and the U.S. Department of Education (2004) explained that investigators, journalists, attorneys, authors, and others use *sexual abuse*, *sexual harassment*, *sexual exploitation*, and *sexual misconduct* interchangeably (partly because some definitions include others, and legal meanings differ from state to state) to describe adult-to-student sexual misconduct in schools.

Shakeshaft (cited in U.S. Department of Education, 2004) preferred *educator sexual misconduct* because the phrase includes a larger set of unacceptable and unprofessional behaviors, which (as previously mentioned) Shakeshaft defined as any behavior of a sexual nature that may constitute professional misconduct. Shakeshaft believed her definition is vital to the progress of future research on educator sexual misconduct because it includes criminal, civil, and professional codes of conduct and investigates elements lacking in much of the literature on child sexual abuse (cited in U.S. Department of Education, 2004). To avoid confusion, *educator sexual misconduct* is used as the overriding term throughout this text except when necessary to choose more precise words for particular situations.

Educator sexual misconduct. Behavior of a sexual nature which may constitute professional misconduct including:

1. Any conduct that would amount to sexual harassment under Title IX of the U.S. Education Amendments of 1972.
2. Any conduct that would amount to sexual abuse of a minor person under state criminal codes.
3. Any sexual relationship by an educator with a student (regardless of the student's age) with a former student under 18 or with a former student (regardless of age) who suffers from a disability that would prevent consent in a relationship. All students enrolled in the school and in any organization in which the educator holds a position of trust and responsibility are included.
4. Any activity directed toward establishing a sexual relationship such as sending intimate letters; engaging in sexual dialogue in person, via the Internet, in writing or by phone; making suggestive comments; or dating a student (U.S. Department of Education, 2004).

Harassment. Words, conduct, or action (usually repeated or persistent) that, being directed at a specific person, annoys, alarms, or causes substantial emotional distress in that person and serves no legitimate purpose (Garner, 2004).

Sexual abuse. An illegal sex act, especially one performed against a minor by an adult (Garner, 2004).

Sexual exploitation. The use of a person, especially a child, in prostitution, pornography, or other sexually manipulative activity that has caused or could cause serious emotional injury (Garner, 2004).

Sexual harassment. A type of employment discrimination consisting in verbal or physical abuse of a sexual nature (Garner, 2004). The school district used in this study states that sexual harassment occurs during the following:

When a person subjects another person to any unwelcome conduct of a sexual nature on school property or at a school-sponsored event. Sexual harassment includes: verbal harassment or abuse of a sexual nature, subtle pressure for sexual activity, repeated remarks to a person with sexual or demeaning implication, and discrimination against students or employees because of real or perceived sexual orientation/gender identity or expression thereof. (Anonymous county, Student Handbook, 2004-2005; 2005-2006)

Sexual misconduct. Sexual misconduct includes sexual advances; touching of a sexual nature; touching oneself sexually or talking about one's sexuality; sexual graffiti; sexual gestures or jokes; showing or attempting to share sexually explicit illustrations, photographs, or printed materials; pressure for sexual favors; spreading gossip about or rating other students as to sexual doings or performance; oral sex; intercourse; and serial rape. Such abuse may entail years-long sexual relationships, with schoolhouse predators also trafficking in child pornography (Chaika, 1999; Graves, 1994; Hardy, 2002; Office for Civil Rights, 1997; 2001).

What Sexual Misconduct is Not

The Office for Civil Rights of the U.S. Department of Education offered the following examples of legitimate nonsexual touching: (a) a school coach hugs a student who scored a goal, and (b) a kindergarten teacher uses a hug to console an injured child (Goorian, 1999). Similarly, a kiss on a teacher's cheek by a first grader does not constitute sexual misconduct (Imber & van Geel, 2000).

Chapter 2: Literature Review

Introduction

This literature review examined the issue of sexual misconduct against students by school personnel. This synthesis focused on information collected from experts who have studied sexual misconduct against students in compulsory Kindergarten through Grade 12 and includes citations from books, original studies, secondary analyses of existing data, reports from professional and governmental organizations, journal articles, newspaper or popular magazine reports, and other media sources. Databases researched included education, law, juvenile and criminal justice, social sciences, and public policy.

The Principal and Educator Sexual Misconduct

Social changes, increasing accountability, and new expectations have made the position of school principal more complex and challenging than ever before with school leaders not only responsible for managerial duties and the responsibility of instructional leadership but also for providing the moral center of the school and maintaining an awareness of current and emerging issues (Drake & Roe, 2003; Lashway, 2003). Professional and social changes continually confront the principal and present new problems involving questions of ethics and morality.

Ethics and Morality

The topic of ethics in educational leadership has been deemed important enough that professional associations such as the American Association of School Administrators, the Association of School Business Officials, and principals' associations have developed codes of conduct (Drake & Roe, 2003). Nowhere else is the administrator's sensitivity and sense of morals more important than in the issue of sexual misconduct against students. Making ethical decisions

involves more than following rules, district policies, and accepted practices and depends on a level of ethical commitment and expertise that may be abandoned in the every day decisions of school leadership (Beckner, 2004).

Raising Awareness

Only recently has concern surrounding sexual misconduct against students by school personnel received national attention (Alexander & Alexander, 2001; Goorian, 1999; Shakeshaft, 2003; U.S. Department of Education, 2004). Thus, many educators adhere to the idea that sex between teachers and students is an uncommon and uncharacteristic occurrence warranting little attention, unable to conceive that a colleague could harm a student. Parents, students, and the community similarly trust in America's educational systems (McGrath, 1994; Shakeshaft & Cohan, 1995; U.S. Department of Education, 2004). In addition, many parents wishing to protect their children from media attention and the public may ask authorities not to pursue criminal charges against their child's harasser or abuser because of the emotional upset (Hendrie, 1998b).

Angry Skeptics

Educator sexual misconduct can bring many internal schoolhouse conflicts. An administrator can expect certain reactions from shocked faculty, staff, parents, students, and the community, especially if allegations against a school employee are made public. Individuals may rally around the accused, subjecting the accuser to harassment and ridicule (Shakeshaft & Cohan, 1995). Faculty and staff members may be sidetracked from their usual schedules, especially if the news media, attorneys, or investigators contact the school for information (Goorian, 1999). Anger and doubt are typical emotional reactions during an inquiry of a colleague's alleged misconduct. The rights of school personnel are protected in the best situation, and investigations stay undisclosed at least until disciplinary charges, if any, are filed (McGrath, 1994).

Staff and faculty may express extreme irritation toward the victim for coming forward, then at administration and others responsible for an investigation. Some educators may feel

assaulted as a group and fear that they, too, will be assaulted, and still others will feel unappreciated and tainted unjustly by the state of affairs (Shakeshaft & Cohan, 1995). In addition, when raising awareness, school leaders may be met with resentment and skepticism on the part of educators when they are given educator sexual misconduct statistics. Their annoyance comes partly in the grief process that goes along with colleagues' violation of trust (Hendrie, 1998a).

False accusations are another avenue for educators' anger. If accused, an educator's reputation is at stake; yet after interviewing 192 New York State school superintendents and 41 superintendents from other parts of the United States in person or by telephone, Shakeshaft and Cohan (1995) found that only 7.5% of misconduct accusations were misleading. Hendrie (1998c) quoted Shakeshaft, "False accusations hardly ever happen, yet children are sexually abused much more than you would ever believe. The mythology out there is a lot bigger than the reality" (p. 2). When educators fear assault, the reason for the inquiry (namely to protect students) is lost, and the school community concentrates chiefly on its sense of personal susceptibility (Goorian, 1999; McGrath, 1994).

Misguided Loyalty

Another problem school administration faces is that sexually abusive educators are often well liked by students, highly respected by their colleagues, and admired by the community (Shakeshaft, 1994). It is not uncommon to find that educators who have been sexually harassing students are the same individuals who display a Teacher of the Year certificate on their wall prompting district officials and community members to ignore allegations, believing that excellent teachers are not sexually harassing or abusing children (U.S. Department of Education, 2004). Offenders work at being recognized as good professionals and use it as the path to students, particularly those children in elementary and middle schools (Shakeshaft & Cohan, 1994). The U.S. Department of Education found that, at the high school level, predators may or may not be the most celebrated professionals, and initial acts are less premeditated and more

often opportunistic from a misplaced sense of privilege or a result of poor judgment.

Romantics and Comics

School administrators will also come across certain individuals and educators who view occurrences of sexual misconduct against students by school personnel as love stories, wanting to see the couples together, but student victims are children whose lives tend to be profoundly impacted by educator sexual misconduct. And still, other administrators or educators who sexually harass or abuse children or accept inappropriate behavior don't classify such conduct for what it is—educator sexual misconduct—and not unsympathetically as flirtation, thereby ignoring the power differential between students and school personnel. Upon her release, a Washington teacher that served 7 years in prison for statutory rape of her former sixth-grade student, someone who is also the mother of her former lover's two children, announced their engagement. The mother of the former pupil condoned the relationship. The couple wed May 20, 2005 (e.g., BayNews9.com, 2005c; cbs2chicago.com, 2004; CNN.com, 2004).

The film making industry reinforces the social acceptance of the teacher-student sexual relationship. There are countless movies and made for television movies or series in which the subject of teacher-student sexual relations is comically portrayed or romanticized. In the 1995 comedy, *Billy Madison*, a man stands to inherit his father's fortune but only if he can make it through all 12 grades within 2 weeks to prove he can run the family business. Throughout the movie, the student is flirtatious toward his female teachers, the homosexual principal lusts after him, and the student continuously tries to win the hand of his sexy third-grade teacher (Simonds, Davis, Herlihy, & Sandler, 1995).

In a popular television series, *Buffy the Vampire Slayer*, which cast a group of adolescents, an episode entitled "I Only Have Eyes for You" followed a 1955 teacher-student relationship that is romanticized (Greenwalt & Green, 1997). An estranged high school student killed himself and his teacher-lover who, upon his death, granted him forgiveness as they ascend

toward heaven.

The Schoolhouse Predator Profile

According to Gorian (1999), although many cases of educator sexual misconduct take place in private, often being denied even by the victims themselves, the principal who increases his or her scrutiny and seriously pays attention to rumors, gossip, or indirect complaints will note that child molesters commonly give warning signs. In the school leaders' role as informant, they educate faculty and staff to look for those among them who might be sexually harassing or abusing children (Bithell, 1991). One indication may be overly affectionate actions such as prolonged hugging and touching. Predators may also engage in unprofessional conduct and verbal abuse such as telling sexual jokes and sexual teasing, which may be a method for grooming their victims. Harassers that stare, comment on an individual's attire and body, or make sexual remarks without reprimand may become emboldened and advance to touching a student's hair, breast, or genital areas (Gorian, 1999).

Job of Offenders

As Shoop (2000) noted, schoolhouse predators usually spend extraordinary amounts of time with children and may try to increase their contact with certain students beyond the school day, inviting them over for parties and movies. Sexual predators may take trips with students and buy them gifts, thus building relationships over time and gaining a child's trust, all the while being lauded for their devotion and commitment in undertaking extra work with children and participating in extracurricular activities (Hendrie, 1998d, 1998e). Teachers whose job description includes time with individual students (such as teacher's aides, drama coaches, coaches of athletic teams, and music or band directors) are more likely to sexually harass or abuse than other educators possibly because extracurricular programs and activities make areas available such as locker rooms, activity offices, and rehearsal rooms where educators can act on their sexual desire for children (Hendrie, 1998d; Shakeshaft, 2003; U.S. Department of

Education, 2004).

In addition, some studies as well as media and court reports indicated that many child molesters are chronic predators, and as mentioned earlier, teachers were reported most often, followed by athletic coaches. In Washington, state officials stated 159 coaches of girls' sports had been fired or reprimanded within one decade, and in Texas an investigation found more than 60 instances of high school and middle school coaches losing jobs as a result of allegations of educator sexual misconduct within a 4-year period (Dougherty, 2004).

Offenders Groom Their Targets

Offenders usually court a child who is well-behaved, follows orders, is vulnerable or needy, and who is good at keeping secrets. The victim may come from a home with little semblance of a family, with the child or parents engaged in risky behaviors involving alcohol or drugs (Shakeshaft & Cohan, 1995). Most predators wishing to hide their sexual contact with children seek students they can control either by force or by enticement and grooming, whereby an abuser selects a student, gives the child attention and rewards, and provides support and understanding, all the while increasing the amount of sexual behavior. Through grooming, the educator is able to test the child's silence at each step, and any complaint can be discredited because it does not yet constitute identifiable sexual misconduct. Grooming allows the offender to desensitize the student through progressive sexual behaviors, to provide the student with experiences that are valuable, to learn information that will discredit the child, and to gain the parent's approval (U.S. Department of Education, 2004).

Schoolhouse predators use various strategies to trap children. Vulnerable or marginal students who are grateful for the attention are often sought after because students that adults regard as marginal are also unlikely to be accepted as credible complainants. These children are lied to, isolated, and made to feel complicit (U.S. Department of Education, 2004). Predators look for opportunities to be alone with their victims by providing a student with extras like additional

help on a mathematics project, help learning an instrument, or opportunities for outdoor activity such as camping. As sexual encounters become progressively more intimate, molesters use threats and guilt to keep the occurrences secret, thereby allowing the sexual misconduct to recur (Goorian, 1999). Some offenders tell children that what they are doing is out of love, both parental and romantic, with abuse being allowed to continue because of the mindset that children can be untruthful (U.S. Department of Education, 2004).

Allegations of Educator Sexual Misconduct

Many victims are marginal both socially and academically, and female victims at the middle and high school levels are often more physically developed than their peers and may also have histories of *bad girl* behavior, thus making them less credible witnesses against their offenders (Hendrie, 1998d; Shakeshaft, 2003; Shakeshaft & Cohan, 1995). Schools are also a place where educators are more often believed than are students and in which there is a power and status differential that privileges educators. Studies estimated that a mere 6% of students report sexual misconduct by an educator to someone who is able to help them. The other 94% say nothing or swear a friend to secrecy. When students do report educator sexual misconduct, nearly 90% concern contact sexual misconduct, yet the majority of complaints are disbelieved or ignored. Most victims, their parents, and school districts do not report educator sexual misconduct to law enforcement agencies; hence, most cases are not entered into criminal justice information systems, so predators are subject only to informal personnel actions within the relative privacy of their school records (Shakeshaft, 2003; U.S. Department of Education, 2004).

In addition, school districts and schools rarely provide the victim, parents, or other students with support or healing interventions. In the 2004 United States Department of Education's report *Educator Sexual Misconduct: A Synthesis of Existing Literature*, researcher Shakeshaft found no descriptions of policies or procedures that debrief other students or parents. Shakeshaft also found no recommendations for survivor support and stated that the majority of

school leaders claim that they had done their job if action was taken against an offender (U.S. Department of Education, 2004).

Who Are These Molesters?

Offenders that prey on children typically do not appear perverted. Instead, they tend to be hard working, devoted family members who appear to be more honest and law abiding, more religious, and better educated than average (Shakeshaft & Cohan, 1995). According to Shoop (1999), school personnel and the community often become confused, making it easier and more comfortable to assume that the student is not telling the truth and encourages principals to be sensitive to the internal conflict this apparent disagreement forms. Interviewees may admire the alleged offender and struggle to visualize this educator harming a child.

Shoop (1999) asserted schoolhouse predators present themselves as regular, common folk in most areas of interaction with other adults, but child molesters do not reason as conventional individuals do and are often bound to act indecently toward children by forces that adults typically do not experience. Principals and educators alike suffer the damage caused by educators' sexual behaviors toward students and recognize that these behaviors harm not only children but also society as a whole, which still engages in massive denial about educator sexual misconduct (Hendrie, 1998b; McGrath, 1994; Shakeshaft, 2003; Shakeshaft & Cohan, 1995; U.S. Department of Education, 2004).

During a 6-month project, *A Trust Betrayed: Sexual Abuse by Teachers*, Hendrie and Drummond, *Education Week* editors, interviewed state and local education and law-enforcement officials, principals, teachers, victims, (kindergarteners to high school seniors with approximately 2/3 girls and 1/3 boys) and parents to create a predator profile (Hendrie, 1998d). They also surveyed officials from each state regarding their policies and laws concerning sexual relations with students and the reporting of suspected educator sexual misconduct. With the help of Dorko, a librarian, and Coles (another researcher), Hendrie and Drummond also reviewed court

documents, public-policy records, news and journal articles, and wire service clippings, which led to the creation of a database of 244 active investigations of educator sexual misconduct nationwide, which involved everything from unwanted touching to years-long sexual relationships and serial rape.

The research showed that suspects ranged from 21 to 75 years old, with an average age of 28. While most were men, 20% were women, and in nearly 50% of the cases, the suspects were accused of educator sexual misconduct by more than one student. Typically, the offenders were men who prey on girls. In a 4-year study conducted by Shakeshaft and Cohan (1995) involving 225 cases of students sexually harassed or abused by teachers or other school personnel, it was established that 96% of the sexual predators were male, and of the sexually harassed victims, 76% were females and 24% were male (Hardy, 2002). Of the children that the females sexually harassed or abused, 86% were female and 14% were male (Shakeshaft & Cohan, 1995).

Categorization of Child Predators

Shakeshaft and Cohan (1995) found that offenders are divided into two categories: (a) romantic bad-judgment offenders, or those individuals that prey on adolescents; and (b) pedophiles, calculating individuals who are sexually attracted to children and who choose to work in learning institutions in order to be close to young children. Romantic bad-judgment offenders typically view teenagers as sexual partners capable of consent and often view their sexual misconduct as an affair, refusing to acknowledge the power inequity in such a relationship (Shakeshaft, 2003; U.S. Department of Education, 2004).

The American Psychiatric Association defines *pedophile* as a powerful sexual attraction to prepubescent children, generally 13 or younger (Hendrie, 1998a). In its *Diagnostic and Statistical Manual of Mental Disorders*, the American Psychiatric Association stated pedophiles must be a minimum of 16 years old and be at least 5 years older than their victims. They may be sexually interested solely in children or in adults as well, are commonly attracted to children in a

specific age range (e.g., girls 8 to 10 years old is the most common, with boys typically older), frequently rationalize their sexual misconduct as educational or sexually enjoyable for the victim, and more often target girls than boys (Hendrie, 1998e).

According to a categorization system for child predators imprisoned at the Massachusetts Treatment Center, a state prison in Massachusetts, the only offenders considered true pedophiles are those interested in lasting relationships with children, where their victims meet all of their emotional and sexual needs. Another type of pedophile, the narcissistic offender, is oriented almost exclusively toward sexual gratification and is egoistically interested in the child only as a sexual object. Such offenders characteristically groom their victims, slowly seducing them by creating the facade of caring for them (Hendrie, 1998e).

Women Who Sexually Harass

The U.S. Department of Education (2004) has observed that some researchers hypothesize that women who engage in educator sexual misconduct may be underreported if the target is male; this may be due to the fact that men have been socialized to believe they should be appreciative of sexual interest from a female, and others speculate that males might also underreport sexual misconduct by another male because of the social stigma of same-sex relations. It has also been asserted that treating females as a special group grows out of a set of societal beliefs that sexual misconduct by men is normal, albeit unacceptable, whereas sexual misconduct by women is defined as abnormal. Shakeshaft pointed out that if a boy claimed this happened, people might respond to him, “Boy, aren’t you lucky!” with such an incident seen as a harmless rite of passage (Hendrie, 1998f).

Estrich, University of South Carolina law professor and Fox News legal analyst, made a similar comment regarding an educator sexual misconduct case stating that there is a tendency for some people, particularly an adolescent boy’s peers, to say that the victim shouldn’t complain if the harasser is an attractive woman or a *Mrs. Robinson*, making it very difficult for a boy to have

the courage to come forward and to be believed (Susteren & Estrich, 2005). Throughout the same news case, criminal defense attorneys related concerns describing their own young teenage boys that were taller than their fathers and looked like they were already 17 or 18 years old. Grimm, a criminal defense attorney, stated that if his son had sex with a teacher, the boy would most likely be confused to the point where he would not tell his parents about the occurrence. In addition, Grimm, having represented over 3,000 individuals, commented that there is a double standard with women receiving lower sentences than a man regardless of the crime (Susteren & Estrich, 2005).

Miller, president of the New York-based Stop Educator Sexual Misconduct and Exploitation, claimed boys that are sexually harassed or abused by females suffer more long-term effects and are more likely to use alcohol or drugs, drop out of school, and attempt suicide than boys who are sexually victimized by males because others tout the occurrence as a conquest rather than a victimization, causing the child to feel even more traumatized (Rosenhall, 2005). Shoop, an expert on sexual misconduct, simply concluded, "The issue is exactly the same; no adult should be having a sexual relationship with any child" (Hendrie, 1998f, p.2).

Same-sex Sexual Misconduct

Same-sex sexual misconduct ranges from 18% to 28%, but same-sex sexual misconduct is not aligned with sexual orientation. Males who targeted other males described themselves as heterosexual with most married or in relationships. Researchers have failed to find a connection between sexual orientation and child sexual misconduct (U.S. Department of Education, 2004). Same-sex sexual misconduct, such as female educator to female student or male educator to male student, also has the added stigma of homosexuality causing many victims to delay action. One instance involved a retired swimming, baseball, and football coach that taught at a Florida high school for 30 years. Police were investigating a complaint filed by a former student, now in his 40s. A family member stated the victim was sexually abused numerous times for 5 years,

beginning when he was 13 years old and not ending until the victim graduated from high school. The victim did not speak of the sexual misconduct until after graduation, even though family members tried for years to persuade the individual to come forward. It was not until 20 years later, when the offender confessed, that the victim was ready to purge his memories of educator sexual misconduct (DeNardo, 2005; Glenn, 2005a, Glenn, 2005b).

The reality in such decades-old cases is that the statute of limitations has expired. In the past 30 years, the Florida Legislature has changed the time limits for reporting sex crimes against victims 13 and older 26 times, yet many sexual misconduct complaints go unprosecuted because the statute of limitations extends only 4 years past a victim's 18th birthday. In addition, the statute in place when an incident occurred is the one applied when prosecuting the allegation (Glenn, 2005c). In the aforementioned case concerning the retired swimming, baseball, and football coach, five more victims have come forward, yet there may be little they can do. In 1798 the U.S. Supreme Court ruled that no law can be applied retroactively; therefore, even when an individual confesses to a crime, an arrest can not be made if the statute of limitations in place when the crime was committed has expired (Glenn, 2005d).

Statutes of limitations for reporting sexual misconduct also differ among states. In North Carolina, Alabama, Kentucky, and Maryland there is no time limit on the reporting and prosecuting of such crimes. Alaska and Illinois allow a victim to come forward after 10 years, and the time limit is 15 years in Georgia and Massachusetts. In Florida there is no time limit on prosecuting a sex crime against a minor if a complaint is filed within 72 hours (Glenn, 2005d).

In addition, due to the age of a child or educator or the type of sexual misconduct, offenders may be prosecuted under numerous statutes. All states have laws against adults having sex with children, but each state's definition varies from the next (U.S. Department of Education, 2004). As mentioned in chapter 1, state laws concerning consensual sex prohibit adult-child relationships but define childhood differently. In 6 states an individual becomes an adult at the

age of 17, in 11 states the age of adulthood is 18, yet in one state, a 15-year-old is considered to be an adult. In addition, some states have enacted educator sexual misconduct laws that specifically prohibit sexual misconduct by school employees or people in a position of trust. Currently, 27 states have such laws; however, there are several limitations when using state statutes to address sexual misconduct against students by school personnel (Parks, 2003):

1. The law includes only children who have not reached the age of consent, which varies by state.
2. Many states do not require the guilty to register as sex offenders.
3. There is no uniform legal definition of child sexual misconduct from state to state.
4. There is no standard penalty for similar actions across the states.
5. The majority of states have legally enforceable codes of professional conduct with language such as New York's *conduct unbecoming a teacher* that provides for revocation of a professional license for misconduct, but like criminal approaches, these regulations differ by state (U.S. Department of Education, 2004).

Targets of Educator Sexual Misconduct

According to Hendrie (1998c), an important role for the school principal is to ensure that every child is safe while they are under his or her care. As previously mentioned, individuals may not understand the potential for sexual misconduct in the schools; the accuser is likely to give a poor impression as the offender often segregates the victim from his or her peers and swears the child to secrecy, thereby making the student even more dependent on the predator and less involved in the social world of the school. When the complainant comes forward, the initial response is characteristically in support of the educator (McGrath, 1994; Shakeshaft & Cohan, 1995). School faculty and staff who have worked with the accused or who know the accuser frequently make conclusions about the truth of the accusation, not dependent upon the findings of an investigation, but upon their personal past experience with the individuals involved

(Shakeshaft, 1994). As Shoop (1999) stated, many educators do not believe a predator teaches among them and believe that sexual misconduct against students by school personnel only occurs elsewhere, is rare, and therefore, does not warrant their attention.

Additionally, the student is often fearful and confused about the ongoing sexual misconduct and the result of admission. If an emotionally distraught child accuses a respectable educator of assaultive behavior, most colleagues and other adults who hear the allegation will condemn the child (Shakeshaft & Cohan, 1995). These rejections by educators and other adults intensify the helplessness, despair, separation, and self-blame that constitute the most harmful facets of educator sexual misconduct. Shoop (1999) asserted, many sexual misconduct survivors may leave school, develop dysfunctional sexual behaviors, medical or psychological conditions, and have attempted or committed suicide. Victims know their experiences do not fit the norm and may think they are immoral or even evil.

They may feel that they are more mature than their peers, and they only need the adult who understands them. The offender's target usually fears the consequences of the sexual conduct being exposed and may not trust others, eventually becoming filled with self-condemnation for somehow inviting and permitting the sexual assaults (McGrath, 1994).

Those Being Preyed Upon

The majority of students who experience educator sexual misconduct are females, particularly females of color. Hispanic, African-American, and American Indians are overrepresented as victims of educator sexual misconduct, while Asian and Caucasian students are underrepresented (U.S. Department of Education, 2004).

There are virtually no data on sexual misconduct of students with disabilities and none on sexual misconduct of disabled students. There is research indicating that children with disabilities are more likely to be maltreated, and using data from the National Data Archive on Child Abuse and Neglect, researchers found that nearly twice as many disabled girls than disabled boys were

sexually harassed (U.S. Department of Education, 2004).

In a 2000 study, researchers were able to document the proportion of all children by disability status with reports of sexual misconduct. Using their data, Shakeshaft calculated that 8.8% of students with disabilities compared to 2.8% of those without disabilities experienced sexual misconduct. Students with behavior disorders are more than five times as likely as non-disabled children to experience sexual misconduct, with mentally retarded students more than three times as likely. Unfortunately, these data are not distinguished by role of offender. Of significance, the University of Alberta Abuse and Disability Project conducted in 1992 documented that 7% of the sexual misconduct of disabled children came from bus drivers. Disabled children are often transported off-site for services (U.S. Department of Education, 2004).

Targets of Exploitation Wave Red Flags

Physical, emotional, and behavioral problems are commonly observed in students who experiencing sexual misconduct, yet in a study conducted by Shakeshaft and Cohan (1995), 58.8% of superintendents interviewed reported that their school district offered no help to the victim. School-related difficulties may include the following: (a) avoiding educators, (b) not talking in class, (c) difficulty paying attention or studying, (d) failing grades, (e) arriving at school early and staying late, (f) a drop in attendance or dropping out completely, (g) an unwillingness to change clothes for physical education classes or a reluctance to participate in physical education activities, (h) an inability to trust school personnel, and (i) poor peer relationships. Academic and discipline repercussions may include the desire to change schools or did change schools; received a lower grade on an assignment, test, or class; and had problems with school authorities. In addition, victims may experience appetite loss; have lowered immune systems; feel embarrassed, self conscious, afraid, and confused about their identity; and also have difficulty forming intimate relationships (U.S. Department of Education, 2004).

Graves (1994) and Lumsden (1991) reported regressive behaviors by victims that included sleep disturbances, thumb sucking, bed-wetting, and nightmares. They found that students may also display the following behaviors: (a) persistent, inappropriate sexual play with self, peers, or toys; (b) may exhibit knowledge of sexual behavior which may be evident in drawings that are advanced for the pupil's age; (c) exceedingly compliant behavior; (d) aggression; (e) pseudo-mature behavior; (f) running away from home; (g) suicidal thoughts or attempts; (h) sexual promiscuity; (i) avoidance of relationships; (j) withdrawal; (k) retreating into a fantasy world; and (l) drug or alcohol abuse. Graves and Lumsden stated that possible physical indicators of sexual abuse included frequent urinary tract infections, pain, itching, bleeding, and ragged or stained garments (U.S. Department of Education, 2004).

Effects on Other Students, Parents, School, and Potential Employees

There are costs to society when educator sexual misconduct is not properly addressed by school principals and district officials. For example, a report on sexual misconduct in New York City schools indicated that approximately \$18.7 million was paid between 1996 and 2001 to children who experienced sexual misconduct by an educator (U.S. Department of Education, 2004). Compensation for even one sexual misconduct case could cost a school district more money than it receives from the federal government annually. A school district benefits from actual notice of any sexual misconduct by its school personnel and the opportunity to remedy the situation administratively before encumbering a potentially costly lawsuit.

Even though the decision in *Gebser v. Lago Vista Independent School District (1998)* stating, "Individual misconduct by a teacher in the sexual harassment of a student does not render the school district liable under Title IX unless a school official had knowledge of the situation and responded with deliberate indifference" (Alexander & Alexander, 2001, p. 372) was viewed as a triumph for school districts, they may still face liability for the misconduct of their workforce (Fossey, 1991; Gorian & Brown, 2002), because Title VI and Title IX (see pages 42-44). They

may also allocate monetary damages to an injured party and penalties to the school, while state licensure and certification policies are capable of removing an educator both from an individual school district and from certified teaching altogether (Shakeshaft & Cohan, 1995).

In 2003 a class action was filed in the U.S. Court of Federal Claims in Washington on behalf of 100,000 Native Americans who were sexually abused after being forcibly taken from their homes to attend federally mandated Indian boarding schools to become Americanized. Children as young as 6 years old were beaten, raped, and tortured. Seven Sioux Native Americans who claim they were sexually abused while at such boarding schools are demanding \$25 billion in damages from the United States government because they maintain that federal representatives intentionally permitted the abuses to take place (Blair 2003; Huff, 1997). If the abuse had been prevented, the effort and resources necessary to respond to costly litigation could have been put to better use (U.S. Department of Education, 2004).

According to the U.S. Department of Education (2004), when school leaders do not properly address sexual misconduct in the school, the negative effects spread to other students, school employees, and potential staff. Studies by Shakeshaft indicated that sexual harassment changes the climate and culture of the school, causing doubt and confusion among other students and school employees. Students become distracted from learning and may even harass the victim. Potential employees may have concerns about your school system, and an incidence may attract the undesirable educator.

The Principal and the Law

Parents, not willing to let educator sexual misconduct continue, have looked to the law to shield their children from racial or sexual threats while they are in school. The Equal Protection Clause of the Fourteenth Amendment to the Constitution forbids our government from treating individuals or groups in a different way without sufficient explanation and has been the basis of lawsuits attacking discrimination in public schools (Imber & van Geel, 2000). The Equal

Protection Clause also prohibits educational programs or activities that disfavor either gender without justification.

Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 are federal statutes that are used to deter discrimination in education on the basis of race and gender (Alexander & Alexander, 2001). According to Imber and van Geel (2000), Title VI and Title IX supplement the Constitution most importantly by providing remedies for discrimination not available under the Equal Protection Clause; “The Equal Protection Clause applies only when the offender is a school official, not a fellow student, and only when the victims can show that the offending conduct was intentionally discriminatory against their race or gender” (p. 218). These statutes also define racial and sexual harassment or abuse as impermissible forms of discrimination, thereby requiring schools to adopt and implement a program developed to prevent racial and sexual misconduct against students by school personnel or fellow students (Imber & van Geel, 2000).

In addition, Title VII of the Civil Rights Act of 1964 is a federal statute that prohibits employment discrimination as a function of sex, but has also served to resolve sexual misconduct issues in learning institutions (Bryant, Casey, Jackson, Jefferson, & Rissetto, 2000; Imber & van Geel, 2000). Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, and Title IX of the Educational Amendment of 1972 to the Civil Rights Act of 1964 are further discussed in the following paragraphs.

Title VI of the Civil Rights Act of 1964

Title VI pertains to employment discrimination and was designed to prevent discrimination in the workplace on the basis of race, sex, religion, color, and national origin, but it has also been used in cases involving peer-to-peer sexual misconduct in the schools, premised on the plaintiffs demonstrating beyond reasonable doubt that a hostile environment exists (Imber & van Geel, 2000). Title VI maintains that no person in the United States shall, on the grounds of

race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance, and it applies to private and public schools as well as to every program or activity sponsored in a school receiving federal funds. In other words, if a school's administration receives federal support for one program, it must act in accordance with Title VI in all its activities (Aquila & Petzke, 2000).

Title VII of the Civil Rights Act of 1964

This federal statute pertains to workplace discrimination but has served as the legal foundation for defining and resolving sexual misconduct issues in academic settings (Bryant et al., 2000; Imber & van Geel, 2000). According to Bryant et al., the definition of *employer* under Title VII includes learning institutions, and unlike Title VI or Title IX, Title VII was passed under Congress' commerce clause power and Section 5 of the 14th Amendment; therefore, Title VII covers more employers than Title IX. Title VII asserts that an employee may not be subjected to a racially or sexually hostile, threatening, or offensive work environment (Aquila & Petzke, 2000). In addition to hostile environment harassment, the regulations also acknowledge *quid pro quo*, another form of sexual harassment or abuse where an employee is expected to trade sex for work benefits (Imber & van Geel, 2000).

Title IX of the Educational Amendment of 1972 to the Civil Rights Act of 1964

Title IX provides the specific legal framework for addressing sexual discrimination within academic settings and is the relevant law for sexual misconduct against students by school personnel or peers (Goorian & Brown, 2002). The language of Title IX doesn't mention sexual harassment or abuse but, rather, it is a federal statute enacted to free educational institutions of sex discrimination in any educational organization that receives federal funds (U.S. Department of Education, 2004). Title IX addresses employee-to-employee, employee-to-student, and student-to-student sexual misconduct (Goorian & Brown, 2002).

Title IX, which strongly parallels Title VI, protects students from unlawful sexual misconduct in all of a school's programs or activities, whether these programs or activities take place within the school, on a school bus, in a class, or training program supported by the school at another site or elsewhere (Goorian & Brown, 2002; Imber & van Geel, 2000; Office for Civil Rights [OCR], 1997, 2001). This federal statute also requires that educational institutions have established grievance procedures to process complaints involving sex discrimination.

The Office for Civil Rights (OCR)

The OCR of the U.S. Department of Education is the administrative agency authorized to enforce Title IX, which provides that no individual in the United States because of gender be barred from partaking in, be deprived of the benefits of, or be subjected to bias under any education program or activity receiving Federal financial aid (OCR, 1997, 2001; Imber & van Geel, 2000). In addition, the OCR publishes guidelines to help schools recognize and effectively respond to the sexual misconduct of students and also provides technical assistance to schools in developing sexual misconduct policies to clarify the responsibilities of school employees (U.S. Department of Education, 2004).

Limiting School Liability

In *Burlington Industries, Inc., v. Ellerth* (1988) and *Faragher v. City of Boca Raton* (1998), the U.S. Supreme Court proclaimed new procedures for determining the conditions under which an employer subject to the statute should be held liable for misconduct by one of its supervisors (Bryant et al., 2000). Both cases involved alleged harassment of a female employee by a male supervisor, but neither employee reported the misconduct to someone with authority to address it. Both employees quit and later filed suit. The *Ellerth* and *Faragher* cases were decided on the same day with the holding announced in each case stating that a defense includes two essentials:

1. The employer exercised reasonable care to prevent and correct promptly any sexually

harassing behavior.

2. The plaintiff employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer or to avoid harm otherwise (Alexander & Alexander, 2001).

According to Bryant et al. (2000), under the principles provided by the Supreme Court, an employer has more opportunities to observe and manage its supervisors than it does all the co-workers. This creates a new defense for employers and protects them and school corporations from being held financially liable under Title IX if school administrators were ignorant of the sexual misconduct. This ruling emphasized the significance of filing a formal complaint with the learning institution to give administration an opportunity to resolve the incident before the filing of a lawsuit occurs. Only in instances where administration displayed deliberate indifference to a student's complaint can the institution be held liable (Alexander & Alexander, 2001; Bryant et al., 2000).

Obligation to Report and School Liability

Cases regarding educator sexual misconduct have raised the subject of whether schools are legally responsible for employees' actions. The legal principal of respondent superior proposes that, given certain situations, representatives who employ and supervise can be legally responsible for the actions of employees (Fossey, 1991; Lumsden, 1991). Twenty years after the enactment of Title IX in 1972, the Supreme Court in *Franklin v. Gwinnett County Public Schools* (1992), a Georgia case in which a student was sexually molested by a coach, ruled a student may sue a school district for monetary damages under federal sexual harassment and discrimination rules (Aquila & Petzke, 2000; OCR, 2001; U.S. Department of Education, 2004).

Originally, complaints of sexual misconduct were administratively managed by school districts themselves, but when the U.S. Supreme Court implied in the Franklin case that students have a right to sue school districts over sexual misconduct, the verdict opened the door to private

litigation. Attorneys and plaintiffs became more likely to file sexual misconduct complaints with the courts, instead. However, the U.S. Supreme Court failed to communicate the standard of liability, and the elements necessary to receive compensation from a school district were unknown; therefore, the Franklin case did not provide educators with a clear framework for understanding their legal responsibilities to provide a harassment-free school (Fossey, 1991; Goorian & Brown, 2002).

Assorted Standards of Liability

Assorted standards of liability were advanced in federal courts. A strict liability standard would hold school districts liable without fault whenever a school worker sexually harassed or abused a child. A constructive knowledge standard holds that a school district and its officials are liable if they knew or should have known due to an offender's suspicious behavior surrounding the sexual misconduct, but they did not take action (Rebore, 2001). The Eleventh Circuit Court implemented an actual knowledge standard, stating that a school district cannot be held liable unless it had actual knowledge of the sexual misconduct and failed to act, and thereby left students, parents, and educators responsible for reporting sexual misconduct to school officials. The school district would then have the chance to take action. If the school district failed to act, then it could be held liable due to its inaction (Bryant et al., 2000).

Gebser v. Largo Vista Independent School District

In *Gebser v. Largo Vista Independent School District* (1998), the U.S. Supreme Court settled the subject of liability standards. The Gebser case involved the sexual harassment of a female student by a male teacher, which took place during class time when the student was the only pupil of the teacher in an advanced placement class. The student, with the help of the U.S. Department of Education, made use of the U.S. Supreme Court's previous decision that sexual misconduct at school was analogous to sexual misconduct at work and made a case for the constructive knowledge standard (Fossey, 1991; Goorian & Brown, 2002).

The student's argument stated that, even if school officials were unaware of the misconduct, they should have discovered it through everyday observation, and therefore, should be held liable as if they had had actual knowledge of the misconduct (Dowling-Sendor, 1998). As Imber and van Geel (2000) pointed out, the Court disagreed and instead chose the actual knowledge standard, whereby a plaintiff must establish beyond reasonable doubt (or preponderance of the evidence if a civil case) that he or she gave notice of the misconduct to a proper school official and that the official was deliberately indifferent to his or her grievance.

The U.S. Supreme Court stated that Congress's objective in endorsing Title IX was to discourage sex-based discrimination in our learning institutions. Such indifference could cause a school district to lose its federal funding but not until the district had the opportunity to remedy the problem itself. When the school did learn of the sexual relationship between the teacher and student, the educator was fired and his teaching license was revoked, thus the plaintiff could not prove that the administrator or school district had knowledge of the sexual misconduct and failed to respond (Imber & van Geel, 2000).

Davis v. Monroe County Board of Education

Compensation for even one sexual misconduct case can cost a school district more money than it receives annually from the federal government. Therefore, when the school district is given actual notice of any sexual misconduct by its school personnel it may have the opportunity to remedy the situation administratively before encumbering a potentially costly lawsuit as may be witnessed in the *Davis v. Monroe County Board of Education* (1999) case (Fossey, 1991; Gorian & Brown, 2002).

As discussed in Alexander and Alexander (2001), *Davis v. Monroe County Board of Education* (1999) concerned a petitioner who brought proceedings against the Monroe County Board of Education in Georgia, alleging that her fifth grader, LaShonda, was the victim of a long, drawn-out pattern of sexual misconduct by a fellow classmate at Hubbard Elementary School.

CNN.com (1999) reported that LaShonda claimed the boy grabbed her breasts and genital area and that he made offensive declarations such as “I want to be in bed with you” and “I want to feel your boobs” (Alexander & Alexander 2001, p. 375). LaShonda reported the sexual misconduct to her mother and the classroom teacher. The teacher assured the mother that the principal had been informed. When the misconduct continued, the daughter reported the incidents to two other teachers, and the mother contacted the teachers again to make sure an administrator was notified.

LaShonda was not the only victim; other female students attempted to speak with the principal as well; however, no disciplinary action was taken against the alleged harasser (Dowling-Sendor, 1999). When LaShonda’s mother inquired as to what action the school intended to take against the harasser, the principal simply stated that he would have to threaten him a little bit harder (Alexander & Alexander, 2001). No attempt was made to separate LaShonda from the harasser, and it took more than 3 months of reported misconduct before LaShonda was allowed to change her classroom seat so that she was no longer sitting next to the harasser (Alexander & Alexander, 2001; Dowling-Sendor, 1999; Stein, 1999).

The complaint alleged that LaShonda had suffered during the months of sexual misconduct, her high grades dropped because she became unable to concentrate on her studies, and the complaint reflected on her father’s discovery that she had written a suicide note. Eventually, the harasser pleaded guilty to sexual battery (Alexander & Alexander, 2001; Bryant et al., 2000; Dowling-Sendor, 1999; Drake & Roe, 2003; Stein, 1999).

The Supreme Court established that the misconduct occurred during school hours and on school grounds with the majority of the misconduct taking place in the classroom under an operation of the funding recipient or school board. In this setting, the school board exercises significant control over the harasser, and the court concluded:

Funding recipients are properly held liable in damages only where they are deliberately indifferent to sexual harassment, of which they have actual knowledge that is so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school. (Alexander &

Alexander, 2001, p. 378)

Promising Sexual Misconduct Policies

Per Title IX regulations, learning institutions are required to implement and publish a policy against sex discrimination and grievance procedures providing for timely and reasonable resolution of complaints of discrimination on the basis of sex. If sexual misconduct has taken place, a school defies this requirement of the Title IX regulations if it does not have those procedures and policy in place (OCR, 1997, 2001). School principals are expected to acquire familiarity with the policies and procedures providing for complaint procedures, documentation and specified routing of complaints, investigation measures including temperament of the accused individual while the inquiry is continuing, and victim support (Drake & Roe, 2003).

A Clearly Written Anti-sexual Misconduct Policy

Because socializing is often an appropriate means of creating rapport with students, it is vital to have policies in place that guarantee punctual, professional investigation of grievances and incidents to decide their value (Dowling-Sendor, 2002; Gorian, 1999). To satisfy their legal and moral duty to their students and minimize their risk of legal liability, schools can adopt, publish, and abide by formal anti-discrimination and anti-misconduct policies, which apply to all school personnel, and center on the problem of educator sexual misconduct (Bass, 1990). Bryant et al. (2000) suggested devising a clear sexual-misconduct policy that specifically defines educator sexual misconduct and covers both verbal and physical misconduct. This policy can also address sexual harassment or abuse of students by other students, sexual harassment or abuse of students by staff, and sexual harassment or abuse of employees by other employees or higher-level officials (Bass, 1990). According to the OCR (1997, 2001), promising policies clarify the nature of sexual misconduct with simple age-appropriate examples. School boards that do not have policies can look to the policies of other school districts and look to the U.S. Department of Education's Title IX guidelines.

The U.S. Department of Education (2004) suggested that anti-misconduct policies include reference to the following prevention strategies: (a) descriptions of educationally appropriate touching, (b) limitations on after-hours activities involving one student, (c) the right to investigate without a formal complaint, (d) all school employees' obligation to report, (e) mandatory reports of any criminal investigation or conviction during the time of employment, (f) required chaperones for off-site field trips, and (g) deadlines for reporting allegations with the ability to expand the time limit.

According to Bryant et al. (2000) and Goorian (1999), a promising anti-misconduct policy also needs to contain privacy safeguards to protect the victim's confidentiality and to ensure that no retaliation is inflicted upon the individual for filing a complaint or participating in an investigation or inquiry. Shakeshaft and Cohen (1995) claimed that a school is not able to promise absolute confidentiality, but that it should state that confidentiality will be protected to the extent that the investigative process allows. Further, Bryant et al. (2000) asserted that sexual misconduct victims be provided with multiple avenues for complaint. For example, if the offender were an administrator, the student would be able to complain to a guidance counselor or an assigned Title IX coordinator.

Title IX Coordinators

The anti-misconduct policy includes identifying staff assigned to coordinate prevention efforts, receiving and responding to sexual misconduct reports, making aware of time frames for bringing complaints, and having the knowledge of how to conduct thorough investigations (Goorian, 1999). More than one person is assigned the responsibility of receiving and screening complaints in the event that one of those persons is an offender (Bryant et al., 2000). As the Title IX coordinators, the designated school employees possess in-depth knowledge of sexual misconduct and the school's grievance procedures, and they know which incidents must be referred to law enforcement. Every complaint is taken seriously and is documented in writing

(Goorian, 1999). Furthermore, the policy describes expected actions to be taken by a school such as assuring the accuser or accused prompt investigation and disciplinary action if validated (Bryant et al., 2000). Good policies offer voluntary and informal remedies to resolve most complaints and provide an opportunity to appeal the findings. They also address how to keep students, parents, and staff informed of the status of their complaints and list possible consequences and penalties for offenders (Hardy, 2002). Additionally, all allegations and outcomes of sexual misconduct are recorded in an employee's personnel file. No molestation findings are expunged for any reason (U.S. Department of Education, 2004).

Disseminating the Anti-Misconduct Policy

The policy and the problem of sexual misconduct can be discussed in all-school assemblies, orientations for new staff, and meetings with parents. This policy can be communicated to all faculty and staff, parents, students, and volunteers and be strictly enforced. Good policies ensure grievance procedures are widely distributed and easily understood by all. Schools may publish the policy and grievance procedures as separate documents, make copies available at various locations throughout the school, and include a policy and a summary of the procedures in the school's major publications (OCR, 1997; 2001).

Bryant et al. (2000) suggested the following regarding policy distribution: (a) prominently display the sexual misconduct policy in an employee handbook or as a separate document, (b) have the school newsletter make periodic reference to the policy and its location, (c) the school principal affirms the importance of the policy during the first faculty and staff meeting at the beginning of the year, and (d) information about the policy (such as complaint procedures) is posted in an area used for faculty and staff notices.

Report and Intervene

Goorian (1999) claimed school personnel, students, and parents can be taught how to look for suspicious behavior, and how to report suspected sexual misconduct and to intervene in

an attempt to stop the misconduct if they are made aware of what these policies are and how to make complaints. A good school policy is one that encourages students, parents, and school employees to challenge offenders and file grievances. According to Bryant et al. (2000), persuading victims to report sexual misconduct may prevent future litigation, unfavorable publicity, and considerable liability. Effective complaint procedures are flexible enough to accommodate the varied situations that could arise and include provisions for adequate, impartial, and timely investigation of complaints, including the opportunity to present evidence and witnesses (Goorian, 1999). Courts using the defense as in cases like Faragher and Ellerth have stressed the promptness with which the employer addresses an employee's complaint of misconduct because swiftness exemplifies the institution and its efforts to stop sexual misconduct.

School Administrators Policing the Education Profession

It is customary for most schools to check the basic professional capability of an individual submitting an application to work in a learning institution. Prospective employees characteristically come with a long list of credentials, licenses, and employer references; however, the professionally competent educator, custodian, or bus driver may not be morally competent (Bass, 1990).

Research studies showed that the typical pedophile working in schools passes through three different school employment sites before being caught (Chaika, 1999). Individuals may lie, hide information, list false identities and credentials on resumes, use bogus Social Security numbers, and travel from school district to school district or state to state, evading their trails of sexual misconduct (Bainbridge, 1999).

District Size

The size of a school district may be a major determinant of how cautiously potential school employees are screened. Small districts tend to depend on references and informal sources,

whereas larger districts tend to use bureaucratized measures and criminal record checks. Large school districts may allow school personnel to begin employment before all background checks are completed and appear to have more trouble discovering and rejecting inappropriate applicants (Bass, 1990).

Background Checks

Numerous states require mandatory criminal background checks using FBI and state records and fingerprinting for teacher certification (Hendrie, 1998a). The states of Illinois, Indiana, Massachusetts, North Carolina, Ohio, Pennsylvania, Texas, and Wisconsin do not require criminal background checks (Parks, 2003). The majority of states also require criminal background checks and fingerprinting for all school positions to discourage individuals with serious offenses on their records (Hendrie, 1998a).

FBI background checks rely on voluntary reporting of courts in participating states and do not review financial and criminal records, false identities, or civil litigation (Bainbridge, 1999). If FBI checks are not mandatory, a principal may examine local police records because most often some form of criminal background checks are required for applicants seeking teaching positions and other positions having proximity to students. However, this only discloses individuals who have encountered the criminal justice system; therefore, administrators may choose to reexamine criminal records every 5 years. Once an individual is employed with a clean record, there is nothing to prevent that person from committing a reportable crime in another jurisdiction and not having the local school board know about the arrest (Chaika, 1999).

School administrators are able to check the registries of known sexual offenders and sexual predators that many states keep (Hendrie, 1998a). For example, the Florida Department of Law Enforcement (FDLE) has a database of all sexual offenders and predators listed by city, county, or zip code. Included are photographs, physical descriptions, and current addresses of sexual offenders and predators (FDLE, 2005). A principal may also check the national registry of

sexual offenders living in the United States by visiting RegisteredOffendersList.Org. In addition, the United States Department of Justice has developed the National Sex Offender Public Registry (www.nsopr.gov) which links 21 states and the District of Columbia providing the names, locations, and photos of convicted sex offenders. The federal government has linked the offender sites with each state in charge of maintaining its information. The Justice Department planned to have all 50 states online by the end of 2005 (BayNews9.com, 2005e).

The U.S. Department of Education (2004) suggested principals also check for any gaps in employment, inquire into reasons for changing schools or districts, ask direct questions, and search Driving While Intoxicated offenses. In addition, Bass (1990) recommended school leaders obtain as many references as possible, screen them warily, and seek out those contacts that may have information concerning the applicant. While completing background checks, Hendrie (1998a) advised school officials document the investigation, including each time a reference is requested, and keep copies of supporting documentation, making sure all written or oral statements about former employees relate only to work issues.

Florida's Response: The Jessica Lunsford Act

In response to the kidnapping, raping, and murder of a 9-year-old Florida girl, Florida Governor Jeb Bush signed the Jessica Lunsford Act into law in September 2005 to help better protect children from convicted sexual offenders. This law affects anyone that has a business relationship with the school board and with employees or agents that will be on school grounds during the time students are present, have direct contact with students, or have access to or control of school funds. Penalties include a 25-year minimum sentence and a maximum of life for sex offenders who commit murder. Released offenders must wear electronic monitors until their death (BayNews9.com, 2005f).

The Jessica Lunsford Act requires sex offenders to register in a national database and school districts to conduct background checks on any individual who has contact with students on

school grounds. One Florida county is using electronic fingerprinting devices that allow schools to electronically send fingerprints over a secured line to the FBI and receive a response within 48 hours concerning an individual's work history. Additionally, the device can keep offenders that do not want to be fingerprinted away from schools (BayNews9.com, 2005g).

Principals in Florida also have the ability to check an individual's state issued ID using purchased software. The researcher's daughter's elementary school is a pilot for a new visitor check in using V-soft which tracks visitors, students, faculty, contractors, and volunteers at the school. A person's driver's license is entered into the system, which has the ability to provide alerts on people who may jeopardize the safety of the campus. When finished screening, the system prints out a visitor pass with the individual's name, photograph, and the location of where he or she is going to be on campus (an anonymous Florida County, 2005).

The background checks seem to be working. In one Florida county, five former school district employees are banned from its schools, and eight other individuals are pending further review after background checks exposed crimes of moral turpitude, which includes indecent exposure, lewd or lascivious conduct, prostitution, and sexual misconduct with a minor or the disabled (BayNews9.com, 2005i). In another Florida county, a man dropping off lunch for his girlfriend's daughter was arrested after school administration discovered he was a registered sex offender from another state, and he had failed to register in Florida as required by the state law (BayNews9.com, 2005j).

In Washington, D.C., a federal version of The Jessica Lunsford Act was introduced by Republican Representative Ginny Brown-Waite. Modeled after legislation moving through the Florida Legislature, the federal proposal called for random, semiannual address verification of sexual offenders and predators who currently need to register once a year. Brown-Waite claimed that states cannot account for 24% of sexual offenders who should have registered (BayNews9.com, 2005h).

The Children's Safety Act

The Associated Press (2005) reported the House voted on September 14 to subject child sex offenders to rigorous monitoring requirements and new mandatory penalties under The Children's Safety Act of 2005 (U.S. House of Representatives, 2005). The bill created a national web site and requires states to update the federal government of changes to a sex offender's registration information. The Children's Safety Act also mandates states to maintain a statewide Internet site to include offender information and requires misdemeanor offenders to register for 20 years and felony offenders for life. It also authorizes the death penalty for sex crimes resulting in the murder of a child. House Judiciary Committee Chairman James Sensenbrenner clarified that approximately 550,000 convicted sex offenders live in the United States, with the whereabouts of 100,000 unknown. He expects the legislation to receive favorable treatment in the Senate and hence to be signed into law by the end of 2005.

Meeting the Interviewee

When interviewing potential school personnel, a synthesis of the findings of several studies offers guidelines to principals:

1. Require a common application form for prospective school personnel that requests all of the information the school and school district needs, not merely what a candidate has highlighted on a resume (Walsh, 1999).
2. Request clarification for all breaks in employment history (Hendrie, 1998a).
3. Ask if a candidate has ever been convicted of a misdemeanor or a felony, which will also call for applicants to reveal whether they have been dismissed for other reasons. This knowledge is public record; and therefore, it is not an invasion of privacy (Shoop, 1999).
4. Require signed release forms allowing the district to obtain data from previous employers, and in states where workers have access to their personnel files, have candidates request the files themselves (Hendrie, 1998a).

5. Ask each candidate and their former employer(s) if the applicant has ever been investigated or accused of sexual misconduct. Such disclosure will not invite defamation lawsuits, and more than half the states have laws that protect public employers when they supply good faith responses to requests for information about employees (Goorian, 1999).

6. Inform the applicant that they have the opportunity to react in advance to controversial information that may be alleged by a former employer (Hendrie, 1998a).

7. Prospective employees should be made aware that incomplete data or falsification of mandatory information is sufficient grounds for termination of employment and may lead to criminal prosecution and a loss of their licenses (Walsh, 1999).

Praiseworthy Recommendations

Criminal background and fingerprint checks in the employment process can detect some offenders; although, many accused harassers become mobile and are permitted to evade criminal charges if they consent to resign quietly. Unfortunately, when school personnel leave in the midst of allegations of misconduct, some school administrators praise their former employees in letters of reference designed to help them move on (Goorian, 1999). Law enforcement organizations were not obligated to forward criminal records to the FBI or to various state police agencies, but under The Children's Safety Act of 2005, states are required to notify the federal government and other states when a known sex offender moves from one state to another (U.S. House of Representatives, 2005). Unless a school district is aware of and sends an inquiry to each of the jurisdictions in which the prospective employee lived, the system will not attain a truly accurate evaluation, particularly if past employers are recommending the offender (Chaika, 1999).

Some districts have no-comment policies or supply so-called neutral references confirming a name, employment dates, and job titles, sans comment concerning the educator's past performance for fear of defamation (Walsh, 1999). In a study of 225 cases of educator sexual misconduct in New York schools, all of the accused had admitted to sexual misconduct of a child;

however, none were reported to law authorities, and 1% lost their teaching license. In addition, only 35% received a negative consequence for their actions, 15% were terminated or not rehired, and 20% received a formal reprimand or suspension. Others were reprimanded informally, and some chose to leave the district, most with positive recommendations or retirement packages intact. Of those that left, 16% were teaching in other schools, and superintendents did not know if the other offenders were employed. In a 2001 report from New York City, researchers Campanile and Montero indicated that 60% of school personnel who were accused of sexual misconduct were transferred to desk jobs at offices inside schools (U.S. Department of Education, 2004). Forty percent of those teachers were repeat offenders, but agreements appear to have been made to avoid litigation with those individuals.

A survey of state departments of education conducted by Parks (2003) found that 17 states have a law defending school administrators from defamation lawsuits based on work references given for current or former employees and that only 27 states have a law targeting educators who abuse their positions of trust or authority by having sex with students (allowing for poor management of educators charged with abusive behavior). Such weakness was demonstrated in an Ohio case, where an instructor was charged with sexual battery stemming from a 15-month affair with a student. During the pretrial, criminal charges were dropped in exchange for the teacher's agreement to not renew her teaching license. Although this was a speedy remedy for the locality, this teacher is now able to obtain a teaching position in a different locale because the sexual misconduct was basically ignored.

A California Supreme Court ruling in 1997 chastised school officials for providing glowing recommendations for a past employee (Hendrie, 1998a). In that case, a pupil sued school leaders in three school districts that had previously employed a middle school vice principal who sexually abused her as well as the Merced County school system in which the violation took place. The administrators wrote letters recommending the educator, never revealing that he had

been investigated repeatedly for alleged improprieties with students and had been forced to resign.

The vice principal, charged with molesting two girls ages 10 and 13 while working in the Livingston Union district in Merced County, later pleaded guilty to a single misdemeanor count, but the older child sued. The California High Court sided with the plaintiff and stated the administrators' representations of the individual were misleading in light of defendants' alleged knowledge of charges of the vice principal's repeated sexual improprieties.

A Way of Life

For some mobile molesters, sexual harassment and abuse of children is a way of life, and they leave a path of molestation that extends across many years and numerous children's lives (Hendrie, 1998a). For many repeat offenders, new employment is the easiest way to stay ahead of their pasts, moving on before raising suspicion or leaving only after accusations against them have surfaced. School administrators who allow them to quietly steal away when accusations appear abet these predators.

School personnel accused of educator sexual misconduct are likely to have dealt with similar allegations in the last school where they worked (Shakeshaft & Cohan, 1995). Unfortunately, their new employers are often unaware until it is too late, and considering the teacher shortages, a principal who fires an offender is faced with a sudden extra vacancy to fill. Also, because the pressure to bring more educators into the classroom is high, the principal may find it difficult to allot the time needed for background checks (Hendrie, 1998a).

A school board may choose immediate action because their direct concern and liability is for the students in their district. Yet, keeping quiet when an administrator or school official has knowledge that a former employee is an abuser and is seeking employment with children is likely to result in litigation. The California Supreme Court's decision in the case of *Randi W. v. Muroc Joint Unified School* (1998) held five school districts and their officials liable when they

repeatedly supplied positive references for a former school administrator who was accused of severe improper behavior involving children at each former school and was then sued for misconduct with a pupil at his new place of employment (Chaika, 1999).

National Association of State Directors of Teacher Education and Certification

To help prevent offenders from moving on to different learning institutions, the National Association of State Directors of Teacher Education and Certification operates an online clearinghouse that lists all disciplinary measures taken against educators and the grounds for those actions. While an administrator can check to see whether a potential school employee is on the clearinghouse's list, the clearinghouse is limited by the information it is provided. Hence, school districts negligent in taking legal action against schoolhouse predators compromise the value of the clearinghouse as a prevention tool (Chaika, 1999).

A Life Lost

In 1992 a student that experienced educator sexual misconduct fatally shot herself after a high school band director in Miami was accused of sexually abused her. The educator, George Crear III, also had been accused at his former school in Michigan, but he had left quietly in 1987 after reaching an agreement in which the 26,000-student district decided to keep the allegations quiet. A Miami jury acquitted Crear in 1997 of charges that he had sexually abused a 15-year-old band member at the same time that he was having an affair with her mother, but he was convicted later that year in Michigan on five counts for sexually assaulting a 13-year-old student in 1983. The 48-year-old educator denied the charges and appealed.

Eight years later after learning about the Miami charges, another young woman informed Michigan authorities that Crear also had sex with her in middle school, and for this misconduct, Crear was convicted and sentenced to life in prison. If school leaders had taken appropriate actions, perhaps they could have saved a life. In fact, Crear's case was the major force for the 1996 Michigan law barring such agreements (Hendrie, 1998a).

When the Accused Resigns

Bass (1990) recommended that when known schoolhouse predators are allowed to leave quietly and no criminal action is initiated, school personnel files should reflect the resignation and the conditions surrounding it. In addition, should the school employee successfully complete a counseling or treatment program, that information should also be included in the individual's records. Lastly, fearful of defamation charges, when a suspected child molester resigns, regardless of the circumstances, the administrator is able to obtain permission to give information to potential employers who may request it. The permission will include a release from all claims that may arise from giving such references. Truth is a complete defense to a charge of defamation.

When an Employee is Suspected of Sexual Misconduct

According to Bryant et al. (2000), a learning institution's sexual misconduct policy must be used to have any effect. Reporting, grievance, and investigation actions begin immediately, thereby shielding the school district from legal responsibility. Under Title IX law, failure to react to allegations of sexual misconduct or failure to create a policy to react to allegations of sexual misconduct may represent deliberate indifference, thereby subjecting the school district to civil damages from individuals and/or from the U.S. Department of Education (Goorian, 1999). The U.S. Department of Education (2004) suggested all allegations be reported to child protection agencies with police consulted immediately to build relationships for shared investigation.

Shakeshaft and Cohan (1994) have examined the issue of school district response to student allegations of sexual misconduct. It appears the investigative skills of school leaders are lacking, and in several cases, no formal investigation was carried out. If a police investigation ensued, districts often failed to report in terms of violations of district policy or Title IX requirements.

The United States Department of Education (2004) recommended school leaders respond

quickly to any allegations, and have investigations completed within 48 hours with reports presented to school authorities, students, and parents. The U.S. Department of Education suggested investigations not be terminated if the accused resigns; rather, they advise school leaders to complete the investigation and file a report with the school district, criminal justice authorities, and state licensing entities.

Immediately Remove the Accused

Bithell (1991) recommended that, while the proper authorities are being notified, the accused teacher be removed from the classroom to prevent contact with children, usually with a suspension during the investigation. She suggested schools not conduct their own investigation unless other authorities find evidence the educator is guilty of sexual misconduct but not a crime. Teachers may engage in conduct such as touching, making crude remarks, or writing suggestive notes that do not warrant criminal charges, but it validates suspension or revocation of an educator's license. Even if the misconduct is not considered a crime, liability issues remain, and the school district and the school's administrators are still legally responsible.

Keep the Door Open

Shakeshaft and Cohan (1995) and the U.S. Department of Education (2004) advised principals to keep school personnel and the public informed of all events taking place to salvage public trust that could be lost. They recommended that administrators meet with school personnel immediately following the first charge and then organize a team of counselors along with the school's Title IX coordinators to advise and help students, parents, faculty, and staff. It is ill advised to wait until the following day; teachers need to be prepared to deal with students, parents, and the community (Shakeshaft & Cohan, 1995; U.S. Department of Education, 2004). Graves (1994) suggested school leaders remain open and meet daily with all school faculty and staff, including bus drivers, custodians, and others, if necessary, to keep them aware of developments. When new information surfaces, an administrator can quickly compose a summary

and distribute it to all school employees. Administrators and their Title IX coordinators may also hold a meeting to answer questions from the community and press.

False Allegations

As McGrath (1994) asserted, there must be no tolerance for the sexual misconduct against students, but school leaders are obliged to defend the reputations of innocent educators because false allegations of sexual misconduct will drastically injure an educator's reputation and may damage or destroy one's career. The intention of a sexual misconduct policy is to identify and prevent sexual misconduct by school personnel; however, often these policies do not include a prohibition against making a false complaint. In fairness to school personnel, this issue cannot be neglected.

To help prohibit false complaints, schools may rely on a written Code of Conduct for educators and other school employees, which clearly forbid all romantic and sexual relationships between students and educators regardless of the child's age. As mentioned earlier in this review, when Shakeshaft and Cohan investigated 225 cases of students reporting educator sexual misconduct, they discovered that 7.5% of the accusations were untrue (Drake & Roe, 2003). Shoop (2000) suggested students be made aware of the damage a false complaint can do and that any student who makes a false allegation will be reprimanded

Hendrie (1998c) pointed out that instances of school employees actually being arrested for crimes that authorities later deem fictitious are few and far between. However, accusers such as 23-year-old Margaret Powell of Cheltenham, Pennsylvania, in her well-publicized case accusing Michael Gallagher, a 30-year veteran teacher, of sex crimes do a disservice to real sexual misconduct victims because false allegations only erode the credibility of students with genuine claims against educators. As principal Teresa Montanaro of Overlook Elementary School stated, "Educators feel disillusioned...when we read in the newspaper that [the authorities] regret the whole incident; that doesn't quite do justice to the insult and injury that was suffered by Mr.

Gallagher and his family” (cited in Hendrie, 1998c, p. 3).

Risk Management Strategies for Teachers

Shoop (2000) suggested the best way educators can protect themselves from false allegations is to avoid behaviors that may be misinterpreted as sexual misconduct. He offered the following risk management strategies:

1. Educators should not be alone with a pupil in their classrooms outside of the regular school day without first notifying their principal.

2. School personnel should avoid being alone with a student behind a closed door.

3. Educators should not meet students outside of school for refreshments.

4. Teachers should avoid counseling students in nonacademic matters. They are not trained as counselors, and if they feel a student is in trouble, educators should refer that child to the school’s counselor(s).

5. School employees should not transport students in or allow students access to their personal vehicles.

6. Educators should not give students hall passes to come to their classrooms on nonschool-related business.

7. School employees should not engage students in conversations regarding their romantic or sexual activities and should not discuss their own personal problems with students.

8. Students should never be entertained in a teacher’s home unless it is a school-sponsored activity.

9. Educators should not make sexual remarks, tell sexual jokes, comment about students’ bodies, or share sexually orientated information with students.

10. School employees should never come in contact with students in a way that could be construed by a neutral observer as inappropriate (such as brushing against their bodies; touching their hair; or rubbing their necks, shoulders, or backs).

11. Educators should not poke, punch, tickle, wrestle, or spank students.

Professional Organizations and Teacher Unions

Administrative professional organizations provide workshops at yearly meetings on the topic of educator sexual misconduct, and the American Association of School Administrators published an edition in *School Administrator* devoted to sexual misconduct against students. However, specific direction to its members is lacking; there is no evidence that professional teacher organizations have addressed the issue or conducted any studies of incidence. There is also no research that confirms teacher union attempts to identify sexual misconduct among members (U.S. Department of Education, 2004).

Staff Development and Prevention

The school is the only communal organization outside the family with which virtually all children have regular, ongoing contact with adults (Lumsden, 1991). Shoop (1999) advises that schools have the opportunity to become more effective contributors in prevention and intervention efforts intended to decrease the multifaceted dilemma of educator sexual misconduct found in our schools and calls for inservice training workshops for school personnel, and prevention programs for children which are available to inform educators and students that it is never appropriate for a teacher or other school personnel to have a sexual relationship with a student. Regrettably, little has been accomplished to prevent sexual misconduct against students, and there are no studies on the effectiveness of prevention programs or legislation. In New York City, a commission created a list of 35 recommendations for reducing educator sexual misconduct, yet follow-up investigations indicated that the recommendations have not been implemented (U.S. Department of Education, 2004).

Training School Personnel

Bithell (1991) claimed the principal acting as informant is able to make sure faculty and staff know what the potential problems are should an employee become involved with a student.

In addition, the principal has the ability to provide training for educators to look for those among them who sexually harass or abuse children and to also help deter fellow educators from engaging in sexual misconduct against students. According to the U.S. Department of Education (2004), with few exceptions, sexual misconduct prevention training for school faculty and staff does not mention sexual misconduct against students by school personnel and focuses on maltreatment coming from outside of the school. The United States Department of Education suggested additional training for school personnel that would outline the behaviors that are not acceptable so that all of the faculty and staff, including those who harass or abuse, are held to the same expectations.

Educators and other school personnel are sympathetic toward mistreated students, and although law requires reporting sexual misconduct, many educators are fearful and uncertain about reporting suspected misconduct because they are unaware that such information reported in good faith provides immunity from civil or criminal liability. School personnel can ask and discuss questions about their school's policies and procedures, which will assist understanding and compliance and ease their apprehensions about reporting educator sexual misconduct (Bithell, 1991; Lumsden, 1991; McIntyre, 1990). When school administrators make policies and expectations public and explicit, educators and other staff will develop an awareness of educator sexual misconduct, and it will remind them of their responsibility to report (U.S. Department of Education, 2004).

Further, ill-trained school or district level administrators can also obstruct justice, invite lengthy litigation, cause community turmoil, and prevent victims from receiving the help and counseling (Hendrie, 1998c). It should be kept in mind that most higher learning institutions allow teachers to become certified without exposure to educator sexual misconduct curricula. Lumsden (1991) reported on a 1987 teacher survey by McIntyre:

1. Approximately 81% of teachers receive no preservice information about educator

sexual misconduct. On a narrative note, it was not until the researcher was pursuing a master's degree in Educational Leadership that a law class was offered which discussed educator sexual misconduct. The class discussed legal liability but did not adequately inform possible administrator candidates of prevention strategies for educators or students.

2. Approximately 66% of teachers have not been offered any inservice opportunities in this area.

3. Only 4% expect being very aware of the signs of sexual misconduct.

4. Only 17% revealed that they could recognize signs that were very obvious.

5. Approximately 75% reported that they would not recognize any signs of misconduct.

School principals can offer training sessions to inform school personnel that their school and school districts are serious about investigating and punishing any type of educator sexual misconduct. Administrators can make it clear to teachers that romantic relations with students are illegal and unethical (Shoop, 1999). Additionally, when wishing to report misconduct, students may present information slowly, little by little, to assess an educator's response to what they wish to communicate (Lumsden, 1991). Victims may also be uncooperative, and some students do not report the misconduct immediately, waiting several years or even decades before coming forward (Hendrie, 1998a). Lumsden (1991) recommended that school personnel be provided with knowledge and information not only for identifying possible sexual misconduct but also for help in responding to deliberate or unintentional admission by students.

Several authors have suggested including the following training components in staff development:

1. Inform school employees of school and district policies (Graves, 1994).

2. Make employees aware of the warning signs of possible sexual misconduct (Graves, 1994).

3. Teach school procedures for reporting sexual misconduct (Graves, 1994).

4. Explain what behavior is inappropriate and what the resulting consequences are if they are found harassing or abusing a student (Chaika, 1999).

5. Provide annual professional ethics training to all school employees before they begin working with children and during their professional lives (Chaika, 1999).

6. Define educator sexual misconduct and depict instances of actions and manners that are not permitted (Shakeshaft & Cohen, 1995).

7. Instruct educators on how to help children discuss issues of sexual misconduct (Shakeshaft & Cohen, 1995).

8. Provide education about how particular language and behaviors can stop victims from seeking help (Shakeshaft & Cohen, 1995).

Prevention Programs for Children

Another viable tool in the fight against educator sexual misconduct are school-based prevention programs used to educate children about how to protect themselves from offenders (Drake & Roe, 2003; Lumsden, 1991). The U.S. Department of Education (2004) recommended students be made aware of the boundaries that their teachers should not cross, that such misconduct is prohibited, and that there is a person to whom they can report an occurrence. Programs have been created to protect children from sexual misconduct, but they seldom include examples of school personnel (U.S. Department of Education, 2004).

Lumsden (1991) asserted that some educators promote prevention programs for students, while others express doubts about the theoretical assumptions underlying some programs and articulate apprehension about the lack of attention paid to prevention program assessment. It is difficult to conclude with conviction whether prevention programs are effective in reducing children's susceptibility to sexual misconduct. Children's knowledge and performance in replicated situations can be calculated, but development in these areas after exposure to a prevention program is not essentially predictive of how students will react when they find

themselves facing a real situation. Because most offenders are trusted school personnel and not strangers, countless controlling emotional factors have an influence on real situations that play no part in simulated settings. It is difficult for a student to interpret information into behaviors when the misconduct is undertaken by an authoritative and significant individual in the student's life (Shakeshaft & Cohan, 1995).

Summary

Sexual misconduct in schools is a problem that overwhelms students, parents, administrators, faculty and staff, districts, and entire communities. The goal of this chapter was to increase awareness of educator sexual misconduct and to present the sparse data that are available. The chapter began by discussing the principal and in-house obstacles such as angry, misguided educators. Offender types and their targets were explored as well as effects on other students, parents, the school, and potential employees. Laws protecting students were reviewed, and obligations to report and liability were addressed. Several authors offered suggestions for promising anti-misconduct policies, employee screening, risk management strategies for teachers, staff development, and prevention programs.

The U.S. Department of Education (2004) summarized available data regarding educator sexual misconduct and suggests areas that need future research. Surveys have been completed involving elementary, middle, and high school students; high school graduates; and college students regarding their sexual experiences. Other studies included wrongly accused teachers, fired or reprimanded coaches, criminal cases against teachers, and a survey of state education departments on reasons for revocation of teacher licenses. Limited national data exist regarding prevalence of educator sexual misconduct and consequences for offenders. Data concerning school and district prevention strategies are also sparse. A paucity of data is available regarding the profiles and patterns of student victims, and there are no profile data on offenders or on the effects of sexual misconduct on other students, teachers, parents, administrators, or the school's

reputation. In addition, with the exception of one 1985 descriptive study in which two administrators share their experiences with educator sexual misconduct, there exist no data regarding how administrators living a case of sexual misconduct handled the entirety of the situation—from the point in time that it was revealed, whatever suspicions they had or didn't have, the actions they took, and how they dealt with the consequences and the aftermath of that entire event.

The researcher chose to focus on the school principal for this research project because no data apparently exist on what the public school principal knows and understands about the issue of sexual misconduct against students by school personnel. Yet, it is school administrators who are obliged to simultaneously be concerned with shielding their students from educator sexual misconduct and defending the character of their schools and the educators within. The goal of the investigator was to complete an exploratory study of what the public school principal knows and understands about such occurrences. The quality of a principal's assessment can mean the difference between a safe, caring, and orderly learning surroundings and a school climate fraught with angst and apprehension.

Chapter 3: Qualitative Methodology and Research Design

Chapter 3 details the methods and procedures the researcher used to investigate educator sexual misconduct. The investigator employed the insights derived from her literature review to construct a field-based qualitative approach for the purpose of exploring what K-12 public school principals know and understand about school sexual misconduct. As stated in chapter 1, the central question addressed was: What knowledge and understanding do public school principals have of the issue of sexual misconduct against students by school personnel?

Qualitative Research Design

Glesne and Peshkin (1992) described *qualitative inquiry* as “You can love a landscape for a lifetime, and it will still have secrets from you” (p. 179). Regardless of the topic investigated, one will never be able to understand it all, but through qualitative inquiry, the researcher may know where to next look and what new questions to invite. Merriam (1998) depicted qualitative research as an umbrella concept and referred to Lancy, who compares the mighty oak forest of quantitative research to the mixed forest of qualitative research in which there are distinct trees representing different species or, at least, subspecies.

Among numerous others, Glesne and Peshkin (1992), Miles and Huberman (1994), and Patton (2002) further validated the researcher’s choice of qualitative study claiming that we can go beyond snapshots of what or how many with the inherent flexibility of qualitative studies, which allow for varying data collection times and methods as a study proceeds. Data for the basic qualitative study were collected through several means including interviews, observations, or document analysis, with findings a mix of description and analysis (Glesne & Peshkin, 1992; Merriam, 1998; Miles & Huberman, 1994; Patton, 2002). In addition, qualitative research omits

preconceived notions or hypotheses about an evaluator's possible findings and is often advocated as the best strategy for discovery of or exploring a new area (Glesne & Peshkin, 1992; Miles & Huberman, 1994).

According to Miles and Huberman (1994) and Creswell (1994), qualitative research can be conducted in several ways. More specifically, in exploring sexual misconduct against students by school personnel, the investigator will follow the research tradition that Creswell (1994) termed *ethnography*. Creswell defines ethnography as a description and interpretation of a social group whereby the investigator examines an individual's patterns of behavior often through one-on-one interviews with members of the group. The researcher studied the meanings of behavior (what principals do) and language (what principals say) of the culture-sharing group.

Ethnographic methods are usually very descriptive, resulting in detailed description, analysis, and interpretation of the culture-sharing group or individual (Creswell, 1994; Merriam, 1998; Miles & Huberman, 1994; Patton, 2002). According to Miles and Huberman, ethnography is interpretive, mediating two worlds through a third. In other words, they deemed ethnographies as interpretations of the interpretations people (respondents) make of their situations.

Data Collection Techniques

Two different techniques were used to gather data in this qualitative study: personal interviews (see Appendix C) and content analysis of documentation. According to Tashakkori and Teddlie (2003), different methods highlight various aspects of a study and may even constitute other trends. Varying perspectives developed by using personal interviews with K-12 public school principals and the content analysis of state level documentation relating to educator sexual misconduct and one Florida school district's anti-misconduct policy, beginning principal program, and misconduct prevention programs supplement one another so as to produce a richer and fuller picture of the issue of sexual misconduct against students by school personnel.

Interviews with School Principals

In order to better comprehend the school principal's knowledge and understanding of educator sexual misconduct, it was necessary to gain in-depth perspectives from stakeholders by conducting person-to-person interviews (Glesne & Peshkin, 1992; Merriam, 1998; Patton 2002). The standardized qualitative open-ended interview was used in the study, which Patton (2002) and Tashakkori and Teddlie (2003) purported is based on open-ended questions. The researcher was prepared to follow unexpected leads that arose in the course of the interviewing, yet neither the sequence or wording of questions were varied; hence, the presentation was constant across participants (Glesne & Peshkin, 1992; Patton, 2002). As mentioned earlier, one of the benefits of qualitative study is the ability of inherent flexibility, which allows for varying data collection, where to next look, what new methods to explore as a study proceeds, and what types of questions to invite (Glesne & Peshkin, 1992; Miles & Huberman, 1994).

Interviews with 10 K-12 principals selected from the elementary, middle, and high school levels were completed. Each interviewee was given semi-structured questions regarding his or her knowledge and understanding of educator sexual misconduct and the sexual misconduct policies of the school and school district (see Appendix C). Interviews were tape-recorded and transcribed. The investigator looked for chunks of data (Miles & Huberman, 1994) such as significant ideas, statements, paragraphs, phrases, or language that emerged from the data in relation to individual respondents' interviews and among individual respondents' interviews that lead the same grade levels.

Truthful Responses

According to Merriam (1998), the main purpose of an interview is for the researcher to find out what an individual is thinking about. To deeply explore what principals know and do with such a sensitive topic as educator sexual misconduct, the investigator needed to be responsive and understanding when interviewing in an attempt to elicit truthful as opposed to safe

responses. As mentioned in chapter 1, school districts and officials often wish to prevent disclosure of sexual misconduct (U.S. Department of Education, 2004). In addition, during the researcher's pilot study, one administrator claimed that most of the educator sexual misconduct cases that school leaders read about had generally been well hidden, further prompting the researcher to be sensitive in her questioning techniques.

Merriam (1998) asserted, "The key to getting good data from interviewing is to ask good questions" (p. 75). Questions need to be clearly worded with language familiar to the respondent. Merriam also notes that leading questions should be avoided as they reveal a bias or an assumption that the investigator holds. Researcher bias was discussed in chapter 1, and by acknowledging that she has personal biases, the researcher made a conscious effort not to let such bias affect the results of the investigation by using leading questions that would encourage the interviewee to accept her viewpoint. Per Merriam's suggestion, the investigator ruthlessly appraised her questions to note whether candidly answering any of the questions would make a respondent feel uncomfortable. To help alleviate any feelings of possible threat, principals were provided the questions for review beforehand and questioning began by requesting comparatively neutral, descriptive information about the topic of educator sexual misconduct. Merriam (1998), citing Taylor and Bogdan, also noted that, at the beginning of an interview, the respondent should be made aware of the following five concerns:

1. The investigator's motives and intentions and the inquiry's purpose.
2. The protection of respondents through the use of pseudonyms.
3. Deciding who has final say over the study's content.
4. Payment (if any).
5. Logistics with regard to time, place, and number of interviews to be scheduled.

Glesne and Peshkin (1992) also explained that the researcher would not receive the same reception from all interviewees. For the fullest, most accurate response, investigators must be

good listeners. Listening with their research purposes in mind, knowing when to patiently probe, and when to move on will help researchers experience less resistance, which may include missed appointments or yes/no answers. Respondents may be preoccupied with personal matters, but a listening researcher can clear the way for upcoming meetings. If the researcher's questions are asking about matters too sensitive for respondents to talk about, Glesne and Peshkin suggested the individual say: "It seems to me that you have not been comfortable. . . . Are there areas you would rather not talk about? Do you think we ought to stop the interview?" (p. 89). If an interviewee did not respond with a yes, they recommended the investigator continue with the interview and judge the quality of responses. If it is poor, they suggested concluding the interview as soon as possible.

Pilot Study

Developing questions with the testing of a properly organized pilot study with respondents drawn from the actual group that a researcher means to study is an important prelude to the successful conduct of interviews (Glesne & Peshkin, 1992; Merriam, 1998; Mullen, 2004). Unexpected troubles that come into view can be anticipated and solved at this stage, saving time and effort afterward, allowing the investigator the ability to revise research plans and interview questions (Ary, Jacobs, & Razaviech, 2002; Glesne & Peshkin, 1992). As suggested by Mullen, after review by the researcher's major professor from the University of South Florida (USF), a pilot study was conducted to test the issues to be explored in this study, to gather feedback on the instrument from the respondents, and to determine whether further refinement was needed before proceeding with the official study.

The pilot study participants came from an urban K-5 elementary school in Florida during the 2004-2005 school year. This site had an enrollment of about 650 students. The racial demographics were approximately 45% white, 30% Hispanic, 20% black, and 5% other. Roughly 60% of students were eligible for free or reduced-price lunch. The investigator interviewed the

school's principal, assistant principal, and behavior specialist regarding educator sexual misconduct. The tape-recorded interviews were analyzed seeking patterns. In addition, the researcher's colleague, an elementary school assistant principal also in Florida, offered her thoughts via e-mail. This assistant principal's urban school had an approximate enrollment of 680 K-5 students. The racial demographics were approximately 72% white, 11% Hispanic, 7% black, and 10% other. About 5% of the students qualified for free or reduced-priced lunch.

The principal, assistant principal, and behavior specialist were all males between the ages of 30 and 40. Both administrators received their M.Ed. degree in Educational Leadership. The behavior specialist received a B.S. in Psychology with an emphasis in education, and the researcher's colleague, a 49-year-old female elementary school assistant principal received a M.Ed. in Curriculum & Instruction K-12 and an Ed.D. in Educational Leadership. All participants were educated in Florida, were formerly teachers, and have been in their current capacity 5 years or less. In addition, the elementary school principal was previously a high school educator, and the female assistant principal was previously a high school testing director and educator for 17 years. Professional goals for both assistant principals were to become principals, and the behavior specialist desired to seek a degree in behavior analysis. The principal wanted to remain in his current position.

Pilot Study Revisions

For the pilot study, the researcher had interviewed elementary school principals. Because the literature covers multiple school levels, the investigator broadened her base to include principals from elementary, middle, and high schools. This allowed the researcher to explore whether or not differences exist with respect to these three grade levels or whether varying policies, processes, or systems seem in place. An analysis of K-12 principals also opened up the question of whether or not elementary aged children are treated differently from their older counterparts.

Another change that emanated from the pilot study was a need to understand one school district's anti-misconduct policy instead of comparing three district policies as originally intended. The researcher explored exactly how one district defines educator sexual misconduct and the degree of variety and variability in that language through document analysis. The researcher then took that question to principal interviewees with the wording "I'd like to explore educator sexual misconduct with you. When I say educator sexual misconduct, what does that mean to you?" Principal responses helped the researcher to get a collective, descriptive picture of the school district under study and the language it uses to define educator sexual misconduct.

All of the pilot participants stated that their school and district had policies against educator sexual misconduct, but they also said that no formal training was in place for themselves or faculty and staff. Graduate school preparation provided respondents with one law class that briefly dealt with educator sexual misconduct. It appears none of the participants received training regarding such misconduct against students in their beginning principal programs. Therefore, the principal orientation program and misconduct prevention programs within the district was also investigated.

Principals were not asked how they implement the district's anti-misconduct policy or what their past behaviors have been if and when they encountered sexual misconduct against students by school personnel. One participant stated that most administrators know what to do if sexual misconduct is suspected, but that many are not sure how to prevent it. This administrator also claimed that most of the cases that school leaders read about had generally been well hidden. Because of the aforementioned respondents' statements, the researcher also explored what principals say and do when sexual misconduct is suspected in addition to exploring principals' ideas regarding prevention strategies.

Content Analysis

A common data collection technique used by qualitative researchers is content analysis

(Merriam, 1998; Patton, 2002). The content analysis of documents can corroborate interviews; help raise questions about a researcher's study (thereby shaping new directions for interviews); and may provide historical, demographic, and personal information that is unavailable from other sources of data (Ary et al., 2002; Glesne & Peshkin, 1992). Ary et al. used the term *content analysis*, which focuses on analyzing and interpreting recorded material such as public records and reports. Tashakkori and Teddlie (2003) defined content analysis as any technique for making inferences by objectively and systematically identifying specified characteristics of messages, and Merriam (1998) claimed that all qualitative data analysis is content analysis in that it is the content of interviews, field notes, and documents that is analyzed.

Patton (2002) referred to documents as material culture that can offer a rich source of information about a learning institution. The researcher attempted to use content analysis of documents to examine the sexual misconduct policies of one school district within Florida, its principal orientation program, and its offering of sexual misconduct prevention programs/staff development training. In addition, the researcher examined any state level regulations and legislation pertaining to educator sexual misconduct to explore how state level documentation may shape the context in which school districts write their policies.

The researcher has contacted the USF libraries. The university does not have a database that indexes school district policies; therefore, the participants were approached requesting a copy of the district's anti-misconduct policy. She also used the Internet to access the district's web site and a search engine that contains district information.

The researcher had a specific file folder where the school district's documents were stored. Along with the printed copy of a document, a Document Summary Form was completed because many documents were lengthy and needed clarifying and summarizing as Miles and Huberman (1994) indicated. A document summary form puts a document in context, explains its importance, provides a short synopsis, and helps to establish categories, ideas, themes, and/or

patterns. This information provided greater depth to the study's results by filling in gaps using insights from other data collection. Table 2 provides an example of how this was displayed. In addition, Patton (2002) stated, "Content analysis is used to refer to any qualitative data reduction and sense-making effort that takes a volume of qualitative material and attempts to identify core consistencies and meanings" (p. 453). However, he also suggested that content analysis or pattern recognition sometimes refers to searching text for recurring words, patterns or themes to see how many times and in what context a word or phrase is used. Miles and Huberman (1994) also mentioned frequencies or noting the frequency with which an idea or phrase is repeated. A frequency count is a way to show a reason why this particular idea or phrase was selected as a common idea. A specific idea or phrase comes up again and again in the documents. The researcher also employed this technique during her content analysis of state level and school district documents.

Study Participants

Permission to conduct the study was obtained from the Institutional Review Board (IRB) at USF. The researcher completed the Human Participants Protection Education for Research Teams online course. An application for the IRB Review of Research Involving the Use of

Table 2

Sample Document Summary Form

Date received _____

1. Name or description of document.
 2. Event or contact, if any, with which document is associated.
 3. Significance of document.
 4. Summary of contents.
 5. Miscellaneous information.
-

Note. Sample taken from Miles & Huberman, 1994.

Human Subjects was completed and data collection did not begin until approval was received from the USF Research and Compliance Office. In addition, the researcher contacted the school district to be studied and was granted permission to conduct research.

The names of the study participants examined were kept confidential throughout the study. There is no identifying information that would make a school leader recognizable for the reader. The researcher secured all of the collected data in her private home office, which is accessible only to the researcher. After the completion of the study and in accordance with the IRB's timeframe, all of the data collected were destroyed. Interviewees consisted of 10 K-12 public school principals that are currently employed in a single large school district in the western section of Central Florida. There was no cost or financial remuneration to any individuals involved, so participation was voluntary.

Following the gathering of institutional approvals and the dissertation committee's proposal meeting, the researcher gathered principal and school data regarding every learning institution in the district. The researcher began by telephoning K-12 principals to ask whether they would be interested in participating in this research study, and she continued using Glesne and Peshkin's (1992) networking strategy called snowballing, whereby an investigator makes one contact and then uses an individual's recommendations for names of other possible participants.

Attempted contact was made no more than two times per principal within a 2-week period, not only to avoid appearing as harassment but also because the researcher did not want Florida Comprehensive Assessment Test (FCAT) preparations to interfere with the study's data collection process. If a principal showed interest, an interview was scheduled within the next 2 weeks, and the study's methodology and informed consent form were briefly described. To the researcher's surprise, many more respondents made themselves available for the study than expected, but for the sake of practicality, four elementary school principals, three middle school principals, and three high school principals were interviewed.

When the researcher spoke with principals that had just recently experienced sexual misconduct at a school site, her study was not welcomed. Three individuals declined to be interviewed. She received responses such as, “I don’t want to hear anything else about sexual misconduct,” and “If you really need me to talk to you I will, but I really don’t want to.” One principal who had telephoned at the suggestion of her colleague complained that reporters were still calling her. She stated to the researcher, “Sorry, no interview.” The colleague tried to explain the individual’s feelings:

[She] took this position to try something different. She was at an elementary school and got promoted to secondary at her request. She got something different—a premier elementary school to a very challenging middle school, which in itself is a full time job and then to have that thing come up? She comes in, and she has to take the fallout.

Still, the researcher was hopeful when one principal who had experienced sexual misconduct while at another school agreed to an interview. Unfortunately, when the researcher arrived for the interview, she was told that the principal had called in sick that day and could not talk to anyone. The investigator left a note with her telephone numbers behind, but the administrator never responded.

The principals who participated in the study were helpful, offering the investigator student and faculty handbooks, which contain the district’s anti-misconduct policy. They offered the researcher a glimpse of the principal’s handbook and their crisis management binders. In addition, school leaders provided websites for online information; offered brochures; and provided the names and telephone numbers of individuals and agencies that could be contacted regarding principal orientation information, state mandated ethics training, and other prevention programs or inservice workshops.

The semi-structured interview of the participants was designed to last approximately 45 to 60 minutes. A few interviews lasted roughly 45 minutes, but most went beyond an hour. Each interview began with an explanation of the informed consent form, and time was provided for the

participant to read and sign both copies. Each principal was informed that the interview would be audio recorded for transcription and analysis and then be destroyed. School leaders were also told they would receive a copy of their transcribed interview to allow them to check for accuracy. No changes were requested.

Through interviewing, the researcher discovered the importance of using an interview guide. The interview questions were set forth in the informed consent form to aid the flow and sequence of dialogue. Many of the participants became eager to share stories about sexual misconduct, some of which were only slightly related to the topic. The researcher found it necessary to direct many of the respondents back to the questions. The semi-structured interview method had allowed the compilation of uniform data across participants and also offered a greater depth of information than a structured interview would have provided (Patton, 2002). During the interview process, the researcher asked follow-up questions using prompts and probes when further clarification was needed or when a participant needed to refocus on a specific question.

The name of the Florida school district examined is also being kept confidential and no identifying information is provided that would make the school district or participants recognizable. The researcher explored whether the anti-misconduct policy is solely at the district level or whether policies also existed at the school level. As mentioned previously under the scope and limitations of the study, the school district studied was chosen because it is large, accessible, and familiar.

Data Collection, Management, and Analysis

According to Miles and Huberman (1994), the way a qualitative research project is managed from the beginning influences the types of analyses that are completed. Similarly, Locke, Spirduso, and Silverman (2000) informed us that a structured, systematic plan for data collection, management, and analysis is a fundamental ingredient in any research proposal. Merriam (1998) and Patton (2002) also informed us that one of the benefits of qualitative

research is the investigator's opportunity to collect and analyze data simultaneously as a qualitative research design continues to be emergent throughout a study. While this study maintained a clear and structured plan to gather, control, and evaluate the collected data, the flexibility offered by using a qualitative paradigm allowed the researcher to make valuable modifications that may have increased the authenticity, dependability, and trustworthiness of data collection, management, and analysis (Glesne & Peshkin, 1992; Merriam, 1998; Miles & Huberman, 1994; Patton, 2002).

Data Collection and Management

Personal interviews were used to collect data for this study and these were organized according to significant ideas, statements, paragraphs, phrases, or language that emerged from the data to illustrate common categories, ideas, themes, and/or patterns as they related to the grand tour research question and principal interview questions (Miles & Huberman, 1994). Content analysis of state level documentation and school district information was organized by topic: (a) state level documentation concerning educator sexual misconduct, (b) the school district's anti-misconduct policy, (c) principal orientation program, and (d) sexual misconduct prevention programs/staff development training.

Principal Interviews

All interviews were recorded on audiotapes and transcribed verbatim to ensure that all talk was preserved for analysis (Merriam, 1998; Patton, 2002). While natural conversation may not be fluid or grammatically correct, an interviewee's silence, interruptions, and utterances may convey deep meaning (Miles & Huberman, 1994; Patton, 2002). The researcher took focused notes during the interviews to assist future analysis, and immediately after each meeting, a post interview review for each interview was completed to allow for reflection and elaboration. Specific details, observations, or concerns were then documented in the investigator's research journal to aid in the analysis of data when warranted. Patton (2002) contended that the period

immediately following an interview is a time of quality control to guarantee that the data obtained will be useful, reliable, and authentic. After transcription was completed, the transcript was mailed to participants so that they could check for accuracy and note any concerns.

After transcription of an interview was completed and checked by the participant, the researcher read through each hard copy and made notes and shorthand notations in the margin. The investigator coded the interview for significant ideas, statements, paragraphs, phrases, or language that emerged from the data to illustrate categories, ideas, themes, and/or patterns in the research for later analysis. Codes are efficient data labeling and data retrieval techniques that helped show specific connections and hasten analysis.

Miles and Huberman (1994) warned that coding interviews should not be put off to the end of data gathering as qualitative research is emergent and coding forces the investigator to tie research questions directly to the data. Miles and Huberman also suggested a start list that may have 12 to 50 or more codes. Prior to interviewing principals, the researcher created a tentative list of codes that related to the principal interview questions. Codes were then revised, eliminated, and new ones were created as the interviews continued. Appendix D shows a list of the codes used throughout the researcher's analysis. Codes are listed under specific interview questions for easy reference.

Once coding of a transcript was completed, the investigator created a word document outlining in greater detail the ideas, patterns, and themes that were derived from the interview data. The researcher then used clustering (a display of condensed chunks), which set the stage for developing conclusions (Miles & Huberman, 1994).

Data Analysis

Data analysis is the process of making sense out of the data by categorizing, synthesizing, and interpreting what individuals have said and what the analyst has seen and read (Glesne & Peshkin, 1992; Merriam, 1998). In qualitative studies, data management and analysis are used

simultaneously to build a coherent interpretation of the collected data (Miles & Huberman, 1994; Patton, 2002). The collected data must show consistency, and (as covered in chapter 1) the researcher increased dependability by keeping a journal to track the qualitative process and to assist with data interpretation by recording her thoughts, reactions, questions, and hunches about the study (Ary et al., 2002; Patton, 2002). Miles and Huberman (1994) contended that journal writing contributes to the integrity, dependability, and validity of the analyst's inquiry. The journal also entailed experiential notes (study relating to researcher's own experiences), contextual notes (initial notes on research site), and methodological notes (process of qualitative study/difficulties encountered) as suggested by Miles and Huberman and Merriam.

As previously mentioned, the investigator transcribed all of the interview data herself. By listening to the respondents, the researcher was allowed to become immersed in the dialogue once again. The researcher then read through each transcription, making notes and shorthand notations in the margin of the hard copy. Merriam (1998) claimed, "Comparing elements within a classification system can lead to tentative hypotheses and explanations" (p. 157). The researcher then coded each transcription using the codes created as previously mentioned (see Appendix D). Once an interview was coded for significant ideas, paragraphs, statements, or language that had emerged from the data to illustrate categories, ideas, themes, and/or patterns, the coded data were placed into a *matrix*.

Ultimately, a matrix was created using the results of this study that best summarized the data. The emergent ideas, themes, and patterns as seen through the matrix were then communicated through the dissertation findings in detail along with quotes from participants to corroborate the results. Table 3 represents the matrix that was designed. The author then condensed all material as it related to a particular theme into a *meta-matrix*. Themes across all narratives were compiled from subthemes or principal interview questions that had been coded and counted to see how often a particular idea or pattern occurred. Table 4 illustrates how such a

Table 3

Example of Display of Question 7

Principal	Graduate school program prepared	Graduate program did not prepare	Principal's recommendations
A			
B			
C			
D			

meta-matrix was created specifically for this study. Miles and Huberman (1994) affectionately called meta-matrices *monster-dogs* and defined a meta-matrix as a master chart assembling descriptive data from each of several cases in a standard format. The basic principle is inclusion of all relevant data, which is then partitioned and clustered so that contrasts between variables of interest can become more clear and more refined, requiring further partitioning into quotes and summarizing ideas, statements, or language.

The analyst transferred the coded data into the meta-matrix sorted according to the *typology* that it represents. *Typology* was defined by Tashakkori and Teddlie (2003) as a systematic classification of types and purposes that have characteristics or traits in common. The emergent ideas, themes, and patterns as seen through the meta-matrix were then communicated in detail within the study's findings.

After obtaining state level documentation concerning educator sexual misconduct, the school district's anti-misconduct policy, its principal orientation program and any sexual misconduct prevention programs/staff development training, the researcher completed a

Table 4

Example of Meta-Matrix

Theme	Subthemes	Codes	Frequency Count
Theme			
Theme			

document summary form for each manuscript to help put the text in context, explain its importance, and provide a synopsis. After obtaining the aforementioned state-level and school district documents, the researcher scanned said documentation, which then allowed for content analysis or pattern recognition. Patton (2002) used this process to search text for recurring words, patterns, or themes to see how many times and in what context a word or phrase is used. As noted before, Miles and Huberman (1994) also mentioned frequencies or noting the frequency with which an idea or phrase is repeated as a way to illustrate why a particular idea or phrase was selected as a common idea. The emergent categories, ideas, themes, patterns, phrases or words and documentation as they related to the study's grand tour question and principal interview questions were communicated through the dissertation findings in detail.

Authentication and Trustworthiness

The researcher is the primary instrument of data collection and analysis in qualitative research; therefore, the issue of trustworthiness needs to be addressed. Trustworthiness in the authenticity of the data and analysis due to exploration of the data being presented is to the qualitative researcher what objectivity, reliability, and validity are to the quantitative researcher (Patton, 2002). Tashakkori and Teddlie (2003) used the terms *valid* and *trustworthy* interchangeably because valid research is plausible, credible, trustworthy, and therefore, defensible. Creswell (1998) preferred the term *verification* versus *validity* because verification highlights qualitative inquiry as a distinct method, a genuine form of investigation.

Given that qualitative inquiry is fluid and flexible, it becomes more difficult for researchers to be able to verify that they have been credible and trustworthy in the analysis of the data. To ensure that data collection instruments are evaluating what the researcher asserted, the investigator conducted a pilot study and continued to receive guidance and feedback from her major professor, an expert in qualitative research methodology and school leadership. In addition, the use of two different data collection techniques (personal interviews and content analysis)

helped enable the researcher to establish authenticity and trustworthiness for her study by comparing the data collected from each source.

To further enhance trustworthiness of the data, three of Creswell's (1998) verification procedures were used (clarifying researcher bias, member checks, and peer review). The researcher informs the reader of her biases and experiences, which may shape the analysis of the study. In addition, the investigator engaged in member checking by taking her written statements and findings back to the interviewees, so they could judge for accuracy and trustworthiness. The researcher also periodically debriefed her major professor and graduate peer reviewers as to her results, hoping they would call attention to any problem areas that may occur in her writing, results, or interpretations.

User Generalizability

Generalizability refers to the degree to which a study's findings are applicable to other populations or samples (Ary et al., 2002; Merriam, 1998). Tashakkori and Teddlie (2003) used the term *inference transferability*, which refers to generalizability or applicability of inferences obtained in a study to other individuals or entities, other settings or situations, other time periods, or other methods of observation/measurement. The researcher's intent was not to generalize the results of this study to school principals, but rather to provide relevant and valuable information that may be useful to school leaders and other researchers.

Consistent with the qualitative paradigm, the investigator offers detailed, rich descriptions to provide the greatest likelihood that the reader will resonate with the study's findings (Creswell, 1998; Merriam, 1998). To build an intellectual and emotional connection with readers, thereby making the study relevant, the researcher chose the important and significant topic of educator sexual misconduct. The researcher personally transcribed all of the principal interviews so that readers could hear the shared voices of the respondents and connect to them. Respondents' voices were honored and fully represented because the author included the majority

of what they had to say. In addition, the material is readable and interesting, further allowing connections for the reader.

Summary

This qualitative study examined and described the public school principal's knowledge and understanding of educator sexual misconduct. This exploratory study began with an examination of state level regulations and legislation pertaining to educator sexual misconduct. The investigator explored policies within one Florida school district and then turned to school principals to discover how they implemented those policies and what their past behaviors had been. As such, this research is valuable to school administrators because current literature shows there is scant research regarding sexual misconduct against students by school personnel (e.g., Gorian, 1999; Shakeshaft & Cohan, 1995; U.S. Department of Education, 2004). The results from this research sought to provide school leaders with insights that may help them combat the volatile issue of educator sexual misconduct and to possibly provide them with resolution should such an event occur.

Chapter 4: Results

Introduction

The primary purpose of chapter 4 is to report the data that resulted from exploring the grand tour research question: What knowledge and understanding do public school principals have of the issue of sexual misconduct against students by school personnel? Questioning why educator sexual misconduct still plagues our learning institutions, the researcher investigated what language a particular school district and some of its K-12 principals were using to describe the issue. The goal was to determine what principals know and understand about the issue of educator sexual misconduct and what they see as their professional responsibility should such an incidence occur.

Principals responded to questions about their careers in education and discussed any university training that they may have received regarding educator sexual misconduct. Principals were asked if they have a misconduct policy in place in addition to their school district's policy.

State-level legislation was researched to see how it might affect the school district's policy. The researcher also examined district or school-based programs and inservice workshops for administrators, faculty, staff, parents, and their children regarding educator sexual misconduct.

The principals' own initiatives concerning dissemination and enforcement of the district's anti-misconduct policy were also examined. Based on the literature review and what has been discovered throughout this study, the researcher developed strategies and ideas for training and found practical implications that may help guide principals in their role in the prevention of sexual misconduct against students by school personnel.

Principal Interview Questions

The investigator created 10 semi-structured interview questions for participants with the hope that, within their responses, the researcher would uncover categories, ideas, themes, and/or patterns that were common among the respondents. Throughout the interview process, the researcher sensed that principals felt it was their responsibility to create a safe and caring learning environment for all of their students as well as for the adults associated with their campus. Principals seemed comfortable answering questions about educator sexual misconduct and indicated that it was their duty to prevent such misconduct and to bring resolution should such an incidence occur.

School leaders said it was their job to be able to recognize inappropriate behavior and to understand that perceptions among students and educators may differ. All respondents follow their school district's anti-misconduct policy and are able to locate it quickly. Although school leaders are not involved in the development of such guidelines, they are responsible for enforcing and disseminating said policies. Administrators have been trained to contact their district office immediately if an incidence of educator sexual misconduct occurs and feel they are obligated to investigate an allegation while protecting the accused perpetrator in addition to the student.

There is no training for parents on how to keep their children safe from offenders, and training for students is also lacking. However, administrators, faculty, and staff are required to complete a Code of Ethics inservice offered through the county and sponsored by the state of Florida.

Administrators suggested that it would be beneficial for the guidance arena (K-12) to incorporate awareness and to make sure elementary, middle, and high schools all have that as a component. Children should be taught skills that would prevent them from putting themselves in a situation where they could be a potential victim. The questions and their responses are shown in Appendixes E through P. The condensed data, as it related to a particular theme, are shown in

Appendix Q.

Question 1. How many years did you serve as a teacher, an assistant principal, and a principal? As previously mentioned, the researcher interviewed four elementary school principals, three middle school principals, and three high school principals. Among the participants, both male and female participants were represented at each school level. Some schools housed poverty stricken students, while others were premier schools located in newly developing areas. Some schools required student uniforms, while others allowed free dress. In one school, close to 85% of the student population qualified for free or reduced-priced lunch, while at another school site about 6% of the students qualified for free or reduced-priced lunch. Student populations ranged from approximately 600 to 1,000 for elementary; 1,400 to 1,800 for middle; and from 1,200 to 2,000 for high school students.

Almost all elementary and middle school students were neighborhood children, while a large proportion of high school students were not living in the area of their school. Three of the 10 schools were located in rural areas while three others were located in the inner city. Two of the schools were nestled in well-established neighborhoods within city limits, and the remaining two institutions were situated in surrounding suburbs in newly developing premier communities. All schools appeared well maintained with orderly students and friendly, competent personnel willing to assist. Parent volunteers were most noticeable at the elementary level, but they were also apparent at secondary institutions. One principal had obtained a doctorate, while the others had received their master's degrees in the state of Florida. With the exception of one African-American principal, all others were Caucasian.

The majority of the principals interviewed had been schoolteachers for many years, ranging from 8 to 26 years as an instructor (see Appendix E). Only one individual had been a teacher for only 3 years. Most principals had been assistant principals for a shorter period of time, ranging from 3 to 10 years. Administrators had held the principalship anywhere from 1.5 years to

22 years. One school leader had also been a guidance counselor for almost 7 years. Principals that were administrators in high schools had been high school teachers. This same comparison existed for elementary and middle school administrators as well, with the exception of one individual that had been an elementary, middle, and high school principal.

The author feels that the research participants and the schools they represent resemble administrators and schools in the county district. Male and female respondents were represented at each school level. One principal was new, leading for only 1.5 years, while another participant was a seasoned professional with 22 years in the principalship. Schools also mirrored those in the county district and had between 600 and 2,000 students. One characteristic all schools had in common was that a caring, devoted, and knowledgeable school principal led them.

Question 2. Did you do anything to prepare for this interview? The entire study population responded with “no” or “no, nothing” when asked if they did anything to prepare for the interview (see Appendix F). One principal quickly skimmed over the sexual harassment section in a student handbook he had given the researcher after responding to her question. Another administrator stated, “They [the district] give us a lot of training.”

Although principals claimed they had not done anything to prepare for the interview, they appeared confident and well informed. Most school leaders did not hesitate before responding to the author’s questions, and one administrator showed the investigator the worn crease in her handbook where the district’s anti-misconduct policy begins, leaving the researcher with the sense that principals were equipped to deal with the issue of sexual misconduct against students by school personnel at their school site.

Question 3. I’d like to explore the topic of sexual misconduct against students by school personnel with you. When I say sexual misconduct, what associations come to mind? Sexual harassment, sexual abuse—how do you define educator sexual misconduct? According to researchers Shakeshaft and Cohan (1995) and the U.S. Department of Education (2004),

understanding the relevant terminology is key to the clarification of educator sexual misconduct. Investigators, journalists, attorneys, authors, and others use the terms sexual abuse, sexual harassment, sexual exploitation, and sexual misconduct interchangeably (partly because some definitions include others and legal meanings differ from state to state) to describe adult-to-student sexual misconduct in schools. Shakeshaft (cited in U.S. Department of Education, 2004) prefers the term *educator sexual misconduct* because the phrase includes a larger set of unacceptable and unprofessional behaviors, that she defined as any behavior of a sexual nature that may constitute professional misconduct. Shakeshaft believes her definition is vital to the progress of future research on educator sexual misconduct because it includes criminal, civil, and professional codes of conduct and investigates elements lacking in much of the literature on child sexual abuse (cited in U.S. Department of Education, 2004).

After analyzing participant responses to Question 3, three themes or patterns emerged from the transcription text (see Appendix G). First, it appears most of the principals interviewed see sexual harassment as being under the umbrella of sexual misconduct. One respondent stated, “You can have misconduct with or without actual touching. I think inappropriate statements, isolating a student in a room alone, intimately touching the student, or anything beyond the scope of education could be considered misconduct.” Another principal made the following remark:

To me, sexual misconduct covers everything verbal and physical; I think of misconduct as being the more professional, global response. In our student handbook, harassment also defines an offense by a student. So, I see harassment as less. Misconduct is a broader concept that goes from one end to the other.

One school leader replied, “I see sexual harassment as it could be a verbal advancement, unwanted and inappropriate, and sexual misconduct I see as a physical gesture or activity. Misconduct seems to cover more.”

In addition to viewing sexual harassment as under the umbrella of sexual misconduct, the majority of principals also preferred the term *misconduct*: “We’ve been trained to say sexual

harassment, but in many cases I would say the term *sexual misconduct* when talking to a student.”

Another respondent remarked, “*Misconduct* is the term I like. Educator sexual misconduct could be showing a preference perhaps of girls over boys or boys over girls.” Another principal said,

I think misconduct is a really good word. When I was still a teacher, a male kindergarten teacher told the children, if you’re not wearing panties, line up. Another male teacher I worked with in an intermediate class had taught the children to spell the word attic by looking down girls’ shirts (a tee tee I see). In yet another school, I remember a teacher being arrested for having physical contact with a female student. This is all misconduct to me.

Still another principal responded, “When I think of sexual misconduct, I think of sexual harassment and sexual abuse. It goes from one side of the spectrum to the other.”

The third theme that arose from the transcription text was that some of the administrators preferred the term *sexual abuse* versus *sexual misconduct*. One participant referred to misconduct as a catch all phrase stating, “Making comments to students would be classified as sexual harassment. If there were actual physical contact, sexual in nature, I’d call it sexual abuse. The term *misconduct* is not black and white, and I wouldn’t use it. Misconduct says not really here, not really there.” Another administrator commented, “For me harassment would be intimidation and taking advantage, proximity, whereas sexual abuse would actually be physical touching and inappropriate touching of body parts.”

As part of Question 3, the author also asked participants how they felt about discussing educator sexual misconduct. None of the principals shied away from the topic, but instead they made comments such as, “I’m okay with discussing it because it’s been discussed and rediscussed in our district. There’s not much more that you can say, and as school administrators we have to create a safe, caring, environment for the kids,” and “I don’t have a problem talking about it. I have a school to run and I don’t want any news media. I want my students to feel safe. I want the adults associated with this campus to feel safe.” Another principal remarked, “Openness is critical. Kids have to have a safe place where they know they can talk and share information, and

there has to be rules and regulations that you follow in the school that you make very clear to your staff.” Other principals commented, “We have to talk about it. Reality is that in society there are bad people, and some of them are teaching or are in the educational field,” and “It’s a sensitive topic, but every workplace has expectations and training. The workplace is supposed to educate their workforce about sexual misconduct policies in place for their work arena, and we’re a place of business as well.” One high school principal expressed the following viewpoint:

Does it make me uncomfortable talking about sexual misconduct? Yes and no. Yes because it’s uncomfortable to have to approach people, especially those you respect. You have to relate what you’ve heard, and it makes you uncomfortable from that perspective because a lot of people feel well you know who I am, and you should know what I stand for, what I’m all about. But what they don’t understand is, I do know who you are and know what you stand for—but you’ve got an accusation sitting out there, and you better let me investigate it—so I can make sure that everything is clear. It’s for your own personal protection, and you better be thankful you got a guy like me sitting on the other side to do the questioning and that we’re democratic. And if you’re guilty, you’re guilty, but if you’re not guilty, you’ll be protected. It makes you feel uncomfortable because you have to approach people, and some people are so defensive that they don’t understand that the best thing happening to them is the administrator sitting across from them. If he has your respect, trust him. Trust is important. You have to build trust in your school, but even with trust, it’s difficult because it’s a sensitive issue. We’re talking about people’s livelihoods.

After the researcher telephoned principals to seek their participation in her study, she immediately wrote their comments in her research journal that is conveniently located on her computer. An overwhelming response seemed to mirror one principal’s thoughts, “It’s a hot topic. Most people are afraid to say anything because they’re afraid that, if they say a name or something, they’ll get sued.” Another respondent claimed, “Our profession has been ruined with the cases, and for our profession to move ahead, we need to say what we believe, but we are all afraid to say anything.”

As previously mentioned, the researcher had an interview scheduled with a principal that had experienced sexual misconduct firsthand while an administrator, but upon arrival for the interview, the investigator was told by the front office that she called in sick that day. The comment made by this school leader while on the telephone scheduling the interview with the

researcher was “Well, I’ve never had any experience with it.” After the researcher assured this individual that she was not seeking out principals that had actually experienced sexual misconduct firsthand, the principal stated that she would like to participate, but that she would not say her name while being audio taped because she was afraid she might be recognized.

Previously, the researcher mentioned speaking with two other individuals that had an experience with educator sexual misconduct and that did not wish to be interviewed. It appears administrators are more willing to discuss educator sexual misconduct if it has not happened at their school. During an interview, one high school administrator commented that principals who have experienced an occurrence of educator sexual misconduct at their site are usually transferred to another school or are given another position within the district.

In Shakeshaft’s (2004) synthesis of existing literature regarding educator sexual misconduct for the U.S. Department of Education, she summarizes existing studies and lists recommendations for additional analysis. According to Shakeshaft, there are no data concerning schools in which educator sexual misconduct has occurred. There are no data relating to the effect on other students, teachers, and parents. There are also no data on how the occurrence affected the reputation of the school and its administrators. Shakeshaft’s other recommendations for additional analysis specify that there are limited or little data available on the topic of sexual misconduct against students and that, when discussing a school where such an incidence has actually taken place, there are no data at all with the exception of Rose and Marlowe’s (1985) text, *The Forbidden Apple: Sex in the Schools*.

Most of the participants believed sexual harassment fell under the umbrella of sexual misconduct. As with Shakeshaft (U.S. Department of Education, 2004), most school leaders also preferred the term *sexual misconduct* because of the large spectrum it encompasses. A few administrators preferred the term *sexual abuse*, indicating that sexual misconduct was too broad. When participants were asked how they felt discussing educator sexual misconduct, the majority

expressed no discomfort with one elementary principal stating, “We didn’t talk about sex education 20 to 30 years ago either, and so now it’s time to talk about sexual misconduct against students.” Yet, the three school leaders contacted that had recently experienced educator sexual misconduct did not wish to discuss the topic.

Question 4. What is your understanding of sexual misconduct against students by school personnel? In other words, what do you think school principals should know and understand about educator sexual misconduct? After analyzing participant responses to Question 4, three patterns and/or themes emerged from the transcription text (see Appendix H). Nine of the school leaders interviewed mentioned that principals need to know what acceptable behavior is and what is unacceptable. An administrator explained:

Well, I think the principal should know what is acceptable behavior on the part of all educators. They should have that engrained in them intrinsically. It doesn’t have to come out of a book that you have to follow certain lines regarding sexual misconduct or sexual harassment. Treat others as you would like to be treated. So, I think you start with the eternal aspect—you do not want to treat people in a manner that they feel they have been harassed or that you’ve demonstrated any form of misconduct. When you’re dealing with people in particular, you’re not going to have a handbook or a textbook; you have to have a firm understanding of what is right and what is wrong.

Another individual echoed the previous statement:

Principals had better know what is appropriate and what is not appropriate, what is in the realm of sexual misconduct. They better know what’s appropriate or inappropriate conversation, physical contact . . . at the beginning of every year we talk about this, and it’s in our handbook—that’s where the district has it.

Another theme the author discovered was that most school leaders sampled in this study felt an administrator should be able to recognize the signs of misconduct. An elementary principal indicated, “I keep going back to common sense, but you can’t have all these years of training and not apply it. We are trusted to know this, to be able to recognize sexual misconduct, and I think awareness is the key.” One principal in the population sample provided an example:

I had a situation 2 years ago—a male teacher on my staff. He was shared between my school and another school. Both myself and the other principal felt that this individual was grooming a boy, and we contacted professional standards. Even law enforcement got involved, but unfortunately, it was deemed unfounded. He even had his own website

which depicted only boys. Law enforcement had him dismantle his website, and he was terminated from the school system in this county for not necessarily that, but for a whole bunch of other stuff. He has now sued the county and is getting unemployment and is now able to teach in other Florida counties. I still think he was grooming. He identified a little boy in the gifted program who was a loner, low self-esteem. He befriended mom, who was a single mom, and became the perfect surrogate dad. On the surface, we thought he's trying to get to mom. What tipped me off and what I thought was extremely bizarre was he was no longer employed at my school, but was employed at another school and took a personal vacation day from his other school and attended our field trip to be the chaperone with this little boy. We contacted mom and wanted to know if he could sign him out at the end of the day. She said no. Red flags, red flags, so that struck me as a person who is possibly grooming.

He furrowed his brow in frustration as he continued:

We didn't have enough evidence to show anything. There was nothing— unless an inappropriate act is committed, there's very little to go by, but there were those red flags, my gut instinct. It was a hunch, and it was really sad that I was making judgments on this individual. I'm thinking this is strange, a single young male, spending so much time with a young boy. And I think back at myself at that point in time, and I was out with women, partying having a good time downtown. And I'm like, you try not to delve into their personal life, but that's not typical of what a young single male would be doing. You'd be hanging out with your buddies, going out to eat, enjoying the single bachelor life. Not spending your Saturdays and Friday nights with a 9-year-old boy. Who knows what typical is, but it did not fit what my typical norm of what a single bachelor would do.

Yet another school leader commented on the fact that some individuals may not wave red flags:

I was at my nail place, and this young lady started to talk about this teacher she went to high school and college with and how she had been accused of sexual misconduct with a young man. She said there was nothing that would have prepared anybody for what she did. She lived a normal life. She was beautiful, popular, a cheerleader; she had fun. She even had a husband. This customer at the nail salon said she never acted like that before. There was nothing about her that would ever make you think she would do that. Apparently, there weren't a lot of warning signs.

The third pattern that surfaced from the transcribed text was that school leaders need to understand that individuals' perceptions of the same situation may differ. One middle school administrator stated:

I really think all of this goes back with the integrity of the adults we've got working with the kids. People do things out of character. I had a student who was spending a lot of time with a teacher, and even though it wasn't out of sight of folks, it still didn't look good. If it looks like duck, quacks like a duck . . . well, it wasn't walking or quacking like a duck, but it was looking like a duck. So let's change the environment, the timing, and the circumstances so that it can't go to the other—quacking and walking like a duck.

Another middle school principal also mentioned how individuals' perceptions differ:

There are two things here. One would be a student, maybe a student perception. For example, if a student feels a comment a teacher made was sexual in nature, they'd go home and tell their parents. Their parents would come in and maybe file a grievance. But yet, on the teacher's side, there is nothing to it, and after interviewing other kids in class, they didn't take it that way either, and so it was a student's misperception of sexual misconduct. So, when you ask about what's my understanding of sexual misconduct against students, I'm not talking about someone's perception, but what actually happens. And I would think that there is a variance at levels. At the middle school level, I think most of the misconduct would be verbal in nature like inappropriate comments. And I'll tell you my experience. I've been at this school for 14 years, and we haven't had any sexual misconduct reported, either the harassment or the abuse.

Another misperception is our culture's Mrs. Robinson fantasy. One principal admitted:

I know in our culture people think he's a young guy with an older girl or a woman, and isn't this like, Wow! He's so lucky—and to think that there's something positive about that. I think such children are grossly abused and taken advantage of. This one teacher took advantage of a child. . . . I feel she robbed him of his childhood, his youth, and that's such a dishonest and cruel thing to do. He's supposed to be chasing a 13-year-old girl down the hallway, not having sex in the backseat of a car with a teacher.

Three themes emerged in response to Question 4. One, participants believed school leaders should know what acceptable behavior is and what it is not in the area of sexual misconduct. Administrators mentioned that some of this knowledge is just common sense. Two, respondents asserted school administrators should be able to recognize the signs of educator sexual misconduct if it occurs at their school. Three, interviewees thought school leaders should be aware that individuals' perceptions of a situation involving alleged sexual misconduct may be different.

Question 5A. Is the anti-misconduct policy you follow at the district level or do you have a school level policy as well? All of the principals in the population sample stated that they followed the school district's policy (see Appendix I). They believed that this way all administrators were on the same page with everyone understanding exactly what the procedure is and if it were to occur, what their chain of command is (i.e., professional standards, area director, school security, etc.). One participant remarked, "We follow the district level and interpret our

personal feelings into it, but our guidelines are the district's levels.”

As part of Question 5, the author also asked where the district's policies might be found. The entire population sample once again responded in agreement, indicating the district's anti-misconduct policy could be found in the student handbook, faculty handbook, principal's handbook, crisis management binders (that consist of three large, filled-to-capacity binders for principals), the district policy handbook, and online as is the remainder of the school board policy manual. All school leaders had the information readily available in their offices.

Question 5B. Describe what you perceive is your legal role in the development, dissemination, and enforcement of policies dealing with educator sexual misconduct. As another part of Question 5, the researcher also requested participants describe what they perceive is their legal role in the development, dissemination, and enforcement of policies dealing with educator sexual misconduct (see Appendix J). Six themes emerged:

1. Principals have no role in the development of school district sexual misconduct policies.
2. It is the principal's responsibility to enforce misconduct policies.
3. Regarding dissemination of the district's anti-misconduct policy, sexual misconduct policies are not discussed with elementary-aged children.
4. Sexual misconduct policies are not discussed with parents.
5. The school district's anti-misconduct policy is discussed with middle and high school students.
6. During preplanning, school administrators review the district's anti-misconduct policy with faculty and staff.

When describing their legal role in the development of policies dealing with sexual misconduct against students, all administrators mirrored one principal's statement, “I don't have any role in the development of the district's policy.” When discussing their role as enforcer, the

majority of principals echoed another administrator's comment: "I've informed people of the policy, and when it's broken, I need to deal with it. I need to enforce it immediately."

Dissemination of the district's anti-misconduct policy differs at different school levels and within different schools. At the elementary level, students are given the student handbook to take home to their parents. The handbook is not discussed in school. It goes home with other beginning-of-the-year material such as emergency cards, lunch menus, bus schedules, and the like. One principal stated, "We rely on the parents to go over the handbook with their children."

Another school leader explained:

We might go over pieces of the student handbook, but I've never taken the sexual misconduct part and gone over it. Not with parents, either. What we do have at our school is a guidance counselor who will do small groups with kids if those issues come up, but as far as doing a blanket presentation to our students on it, no, we have not.

In middle and high schools, teachers do discuss the student handbook with the children. One principal explained:

We dedicate the first 2 days of school to procedures. Period by period—it's scripted for all the teachers. Like first day, first period, we're going to talk about the student planner, and it's scripted what teachers are to say. Second period, we'll talk about lockers, and so there's one period, 1 day that we talk about sexual harassment.

A high school principal explained his school's procedures for discussing the student handbook:

We go over the handbook with students. Each school has its open process as far as going over the handbook, but we at the start of the school year distribute student handbooks at the classroom level. The teachers are asked to go over it, and the students are told that, whether they read it page by page or not, these are the topics, and this is where your resources are. Students also sign a card to show that they have received a handbook and that they understand that they are responsible for knowing the content.

One middle school administrator holds grade level assemblies to discuss the contents of the student handbook:

We break up the assemblies into sixth, seventh, and eighth grade and then go over the entire handbook. They have to know the rules. We repeat them throughout the year if something starts. Like, in the springtime, kids want to be hugging and kissing, touching more, and things come up, so we discuss it again to remind them.

Another middle school principal explained:

At the beginning of the year, we refer to the handbook a lot, but we don't go over it page by page. First of all, they'd never get anything out of it. But we do talk about certain items, and sexual harassment is one of them. At the beginning of the year, we have all that Harry Wong kind of stuff. With our sixth graders, we spend the better part of 2 weeks, not every period or the full period, but for 2 weeks students have different kinds of orientation things going on. So, they get a heavy dose for an extended period of time including what is right and what is wrong and what someone should never do and that kind of stuff. With the seventh and eighth graders, we go over the topic in homeroom. And during this time, we also do a morning show presentation, and we talk about the fact that there are student and faculty restrooms, use your own. And we also talk about kids doing or saying inappropriate things to each other. We also specifically use sexual harassment because it is termed so in the handbook.

A secondary principal described his school's procedures with regard to the student handbook:

No, we don't train parents, and the students know the material because it's in their handbook. The parents are supposed to read the handbook, but who knows? The first day of school we also talk to them about students' rights and privileges and what's expected of them. After we go over the handbook, students have to sign that they received a handbook. They go home with this card that the parents must also sign stating that they've received a handbook. We're very strict about that. The card signing is county policy. Do we have a formal sit-down about sexual harassment? No, but it's in the handbook, and we cover things like bus responsibilities, school responsibilities, attendance, grades, and of course, misconduct, which is anything verbal, weapons, Level 1 offense—which would be weapons, knives, guns, anything like that. Sexual misconduct goes under that umbrella. They know. . . . there's not one kid in this school that wouldn't know what would be misconduct.

During preplanning, the period before students return to school, the school district sets forth topics that school administrators are to discuss with their faculty and staff before the start of school. Each faculty member is supplied with a teacher's manual that holds a copy of the district's anti-misconduct policy. Other school personnel such as secretaries, custodians, and food service workers share such manuals. One school leader shared, "Our custodians have a manual which includes the student and faculty handbooks. They are not written in Spanish, but we have a translator." Another principal, commented (regarding the district's anti-misconduct policy), "I make sure it's there for everybody—definitely, because whether I want to be or not, I get held responsible for anything that happens on this campus."

An elementary school principal also addressed sexual misconduct policies during preplanning and explained the process:

Prior to every school year opening, all the principals meet to discuss any new expectations for the year—new laws or whatever. We go through and review information that is presented to us almost page by page. One of the topics is sexual harassment, and that's one thing we cover every year just in case somebody didn't already know it. We are told every year that we need to review this with our teachers. We have a school handbook, and it's part of that. And we also have a faculty handbook, and it's specifically in there. And whenever somebody comes in, I make sure that they know about that handbook. We talk about it. Everyone has his or her own individual handbook.

Yet, one principal also reminded us of the teacher's duty: "It's my job to inform teachers and staff that these are the anti-harassment policies; however, by state law, it's the teacher's responsibility to know the law." Another participant in the population sample summed up the importance of the handbook:

The handbook is put in place for good communication and clear expectations . . . so that parents, teachers, and students have a guide which to live by, and my role is to support that handbook and put into that handbook the passion and caring of an administrator . . . from the student's perspective, the teacher's perspective, and the fellow administrator's perspective.

Question 5 asked school leaders about the anti-misconduct policy they follow, where the policy may be found, and what they perceived to be their legal role in the development, dissemination, and enforcement of policies dealing with educator sexual misconduct. All respondents in the study population claimed they follow their school district's anti-misconduct policy, which could be found in the student handbook, faculty and principal's handbook, crisis management binders, the district policy handbook, and online. Principals indicated that they had no official role in the development of anti-misconduct policies, but that it was their responsibility to enforce such policies.

School leaders are also responsible for the dissemination of the district's anti-misconduct policy; however, dissemination differs among grade levels as follows:

1. Misconduct policies are not discussed with parents.
2. Misconduct policies are not discussed with elementary-aged children.
3. Misconduct policies are discussed with middle and high school students.

4. During preplanning, school leaders review the district's anti-misconduct policy with faculty and staff.

Question 6. What do you think a principal should do if an incidence of educator sexual misconduct occurs at his or her school? In other words, what do you see is a principal's professional responsibility in relation to educator sexual misconduct? After analyzing participant responses to Question 6, four themes or patterns emerged from the transcription text (see Appendix K). First, nine of the principals interviewed felt sexual misconduct was not something to be dealt with at the building level but that sexual misconduct was something that needed to be addressed at the district level. One principal remarked, "It's not like somebody coming in tardy to work." The administrators claimed that if an allegation were made against a school employee, they immediately would call the school district's professional standards office, which is the district's investigative branch of human relations. Professional standards has the investigators and the wherewithal to investigate allegations of sexual misconduct by a school employee. They may advise an administrator to remove the individual from their classroom or post, may formally reprimand the employee, revoke their teaching license, and charge them with a criminal offense. One administrator explained:

We know all the parameters that, even if we have a doubt, we are to call professional standards. So, even if we don't have all the background and knowledge on it, we are always told [that if we have] any doubt, concerns, any inkling, or intuition, there are other people that can help walk you through the process.

A high school principal commented, "I can't imagine a principal in this county that would have a sexual misconduct situation and not know what to do. It's basically calling the support people at professional standards, and they have their scenario." One school leader had experienced sexual misconduct that was not directed toward a child but a child's parent. Of professional standards, this individual claimed, "Whenever I had a question on what to do next, they were right there with me. So, I've never had that feeling that I was in the fire by myself."

Many of the school leaders also stated that, after discussing the situation with professional standards, they would also contact their area director, school security and/or local law enforcement, the school's guidance counselor, school social services, or anyone else they needed as a support group. One secondary administrator explained the importance of contacting her area director:

If there's a problem, I always contact my area director because if a phone call goes downtown, it's going to filter down to her anyway. If she knows about it, she can first of all respond with knowledge, it gives her a better opportunity to respond appropriately, and it may also save her time. If she already knows what I'm doing about a situation, she can tell the folks downtown this is what's going on right now, and I'll keep you updated. It saves everybody a lot of hassle.

In addition to contacting professional standards and other district agencies for help, another theme or pattern that emerged from the transcription text was the urgency necessary to deal with such an incidence. One secondary administrator pointed out, "It's horrible, you need to be working on FCAT skills and getting kids ready for graduation or whatever they need to do, and then you're spending all of your time dealing with this misconduct." Another school leader commented:

Everything I was engaged in would stop. I'd notify professional standards immediately, assuming I've talked to the student and to his or her parents about the situation. Then I would speak to the accused teacher directly and get a written statement about what happened.

An elementary principal remarked, "You would stop what you're doing and deal exclusively with this. It would be on the top burner for sure."

A third pattern that surfaced was the administrator's professional responsibility to investigate. Although most of the administrators would call professional standards immediately upon being made aware of an accusation of sexual misconduct at their school, most reported a need to investigate. One high school principal indicated,

I need to be real clear on what the accusations are . . . that what is perceived is actually what happened. I have to make sure that I don't leave any stones unturned, and if there were any witnesses to the issue I question them—I don't rely on just one person.

Another participant in the sample population responded, “You would do the best you can to gather up all the information and statements to assist the investigators before stepping back.” One seasoned administrator would rather begin an investigation before contacting professional standards:

It goes through the investigation to the point where you as the principal feel that it should stop or continue. Once you’ve met with the parties [and] expressed the concerns, if they don’t meet the criteria you have to express it at that point, if there’s possible implication, [and] if it’s possible that things did occur, then you don’t have a choice; you have to pursue it. How you pursue it is in your hands. Whether you want to keep it an internal investigation and what consequences you want to do internally, or you may want to take it to the next level, which would be reporting it to professional standards. At that point, you absolve yourself of that responsibility, and you provide all the data that you have because you provided a thorough investigation. Your goal is that, when people come in to investigate the situation, they won’t have a lot of questions because you would have asked all of the questions, and you would have gathered all the data. They are simply going to reinforce what you asked. You’re going to make that job a little easier for those people.

The fourth theme that became known from the interviews was the principals’ duty to protect the accused against false accusations. A false accusation can be extremely damaging even to a veteran educator, and several respondents mentioned that it was their responsibility to not only protect the victim but also an alleged perpetrator. After interviewing 192 New York State superintendents and 41 superintendents from throughout the United States in person or by telephone, Shakeshaft and Cohan (1995) concluded that 7.5% of accusations were false. Many research participants stated that there was a need to increase educators’ awareness of educator sexual misconduct so that they do not put themselves in a vulnerable position. One middle school leader asked, “What if what the student says doesn’t match with what the accused says? . . . I need to make sure everything is clear.” An elementary school administrator explained her viewpoint:

I would try to keep things very quiet. I wouldn’t run out in the front office and call school security. I would do it myself. This is very important. Your office staff is privy to everything, but now and again you do some things that no one is privy to and you keep it quiet. It doesn’t look good in the community. When I say quiet, you give everyone his or her rights. You have to remember children have rights, but so does the alleged perpetrator, and you’ve got to be careful because just like that other little girl we spoke

about, it did not happen. It just did not happen. So what if we get all crazy and cause a big commotion—no quietly, but diligently. Figure out exactly what happened, involve all of the people who are above me that need to know—the parents, professional standards, the police—and then deal with it step by step but very quietly. This isn't something you run out to the front office and holler to the world, guess what happened? This is quiet until we figure out exactly what's going on.

A secondary school leader warned, “It really destroys the image of the teacher. There's one bad teacher out there that does something like that, and society will call them all a group of perverts.”

A middle school administrator reminded us:

I'm not the judge. Obviously, in a situation like that I would not have been there, so therefore, how do I know who is right and who is wrong and what those details are . . . and let's remember, teachers are on the front line—they need to know that I'm in their corner.

One administrator mentioned how he coaches his teachers, especially young, eager teachers to not put themselves into vulnerable positions:

We talk about never, never ever putting yourself in a position. For example, if I have a male teacher tutoring a female or female tutoring a male, I remind them to leave the door open, never go into a room that's very private, and to be open about it. I also tell them that, if there is a student that they feel wants to be tutored because maybe they want to have a closer relationship with them, that they should meet somewhere like in the middle of the media center or someplace very public so that the message is going to the student that they are being tutored because the teacher is trying to help, not because he wants time alone with the student.

A middle school principal from the population sample expressed a concern regarding the use of restrooms:

I do a lot of talking about age appropriate restrooms. Sometimes there is problem with proximity, and I understand that, but we're fortunate here with our facility the way it's built. It's not as much of an issue where it is with some, but I know it's a huge issue, for example, with a school that's north of here—their faculty restrooms are on one side of the campus, and they have people that are way back out there. And so, sometimes it's an issue of I need to be there for my kids, but I gotta go to the bathroom. So there are times when it's not a choice; someone should have to make as an adult—what do I do? I think that we can lay these policies and the expectations out there, but you also need to provide the opportunity to follow them. So, I think that, depending on where you are and what's going on, sometimes it's more difficult. You're always taking that chance when you use a child's restroom, but the other side of it is that there are some physical limitations that sometimes shouldn't be there for the teacher.

Yet another school leader mentioned his restroom concerns and a lack of awareness:

Running to the bathroom and using children's bathroom is a lack of awareness. I remember as a teacher, especially as a male, it was ingrained more you don't want to put yourself in a situation where people would give you a second look. Don't ever use the children's restrooms. It seems like common sense, but I find myself reminding teachers of this.

One elementary principal summed up his duty to protect the accused:

We also have to be cautious because we don't want a witch-hunt. A situation just happened where a teacher was falsely accused, and authorities claimed that it was unfounded, that the child made up the story. So, that's what I'm very, very concerned—that some children may not like a teacher for whatever reason and in a vengeful fashion think, I'm going to take you down. All they've got to say is he touched my bottom, and what if it didn't happen? A lot of time what teachers do which is very innocent can be taken as not so innocent. They tell you going through school—don't hug the kids. Well, I have to be honest with you, kids are coming to hug me all the time, so I do the hip thing, you know, push out my hip instead of my front. It's just hard, but quite honestly, if someone had a vendetta against someone they could say that so and so—there's something about him; do you ever notice how he hugs all the kids? Hugs can be taken the wrong way, and you know how damaging that can be to a child. What are you supposed to say? No I can't hug you, don't touch me? It's like the kid's self-esteem is so low anyway, and now, you won't even hug me?

One elementary principal warned her employees to be careful not to fall into a pitfall by the manipulation of students:

So the kids come from environments where they are needy, and they want to develop that little extra layer of support they feel a teacher should provide—but that's very dangerous territory. What if a student needs a ride home? It was already 4:30, and I had a student here. I couldn't reach the mother, and the daycare center refused to come pick him up. You never want to be in a situation where a claim can be made that some misconduct occurred, so I had the guidance counselor follow me to the daycare center in her car. We teach our instructors to use good judgment. Not having good judgment could result in disciplinary action or termination.

One high school administrator explained his duty to protect his teachers from misleading perceptions or accusations:

You have a responsibility for those people that teach for you day in and day out. Too often, teachers are on the front line, and they get shot at—and they're not fair shots. You, as a principal, need to be sensitive to the role that the teacher plays. Everybody is an authority. It's like baseball or football. Everyone thinks they're a coach. Parents think they are educators. Everybody seems to think they know what's right to do, what's right to teach, whom to teach. However, they're not in the position of the teacher or the administrator, and a certain amount of trust needs to be in place. And the teacher needs to trust that the principal is doing the things that he needs to make sure that that teacher's welfare is also being looked at. It's not being treated in an insensitive way. You . . . by the way you conduct your investigation, by the way you meticulously write down the

comments that are said to you, and by the way you listen and re-clarify.

Another high school principal talked about the importance of clear perceptions:

There needs to be a clear perception as to what is being said because perception is not necessarily reality. Sometimes, there are extenuating circumstances like consenting behaviors on both parts which are not related, and you can have hard data that sits there that tells you that there's some mixed communication going on there. This person is saying they have been sexually harassed, but yet this person is seeking this person out from that person's area.

One administrator shared speculations and the difficulty of dealing with the news media:

One of the things you need to do is be very clear on what went on and don't speculate. Don't put a teacher or student in that position. It's a double-edged sword. The administrator is put in a very difficult situation because sometimes he has to make a very difficult gut decision—do I take it a step further? I've had situations where . . . I had a band director that was accused of sexual misconduct. I had to handle that on the front line. Here I've got Channel 8 sitting outside along with everybody else. How do I deal with that? How do I deal with the press? You know, I have a school that I'm running here, how do I stop the press? I've got kids here, and the press wants to come in and question this guy. And they have no right.

A middle school administrator shared how it was necessary to counsel a teacher that innocently wanted to help students:

We have a teacher here whose students were coming to for after school help—male students, even high school students, because they needed somebody they could relate to. But finally I said, “Look for your own safety, you can't do this. Everything may be harmless and innocent, but all it takes is one kid to get mad at you and say something happened, and then you have to prove it different.” When I said that, his eyes got big, and he put a stop to it. But some of those situations are from innocence and naivety, and teachers want to help—but they put themselves in situations like in a room with a shut door and so forth. I used to be a counselor, and there was always that concern when talking to the girls; I always made sure the windows were all open so all could see us.

Four themes emerged from the transcription text regarding the question: What do you think a principal should do if an incidence of educator sexual misconduct occurs at his or her school? First, all principals indicated that sexual misconduct is an issue that is addressed at the district level. All school leaders alleged that they would immediately contact the district's professional standards office, which is the district's investigative branch of human relations. The second theme that emerged from the transcribed text was the urgency necessary to deal with such

an incidence. Administrators claimed they would stop what they were doing and deal exclusively with the alleged misconduct. A third pattern that surfaced was the administrator's professional responsibility to investigate. The overwhelming majority of principals felt it was their job to research an accusation to assist district investigators. The fourth theme that surfaced was the principal's duty to protect the accused from false accusations and to increase an educator's awareness so that they do not put themselves into vulnerable positions.

Question 7. In which way did your graduate school program of study prepare you to deal with the issue of educator sexual misconduct, and in which way did it not? And what could be included in the preparation program at the university level that would help aspiring leaders should the issue of educator sexual misconduct ever be encountered? The overriding theme derived from the transcription text was that the graduate school program of study did not prepare aspiring administrators regarding the issue of educator sexual misconduct (see Appendix L). The following principals' comments were direct and speak for themselves:

1. Formal training at the university level—I don't recall. We didn't get anything that would help at the building level. We didn't get any of the dos and don'ts. We had school law, and it really pertained to issues that dealt with the funding issues. It was more like court cases involving the rights of children in schools (Brown vs. Topeka)—that kind of thing—that was school law.

2. I had law, but we didn't really focus on sexual misconduct as a topic, it was a topic within the topic of law. On one night, we may have discussed it—the responsibilities—it wasn't a real focus.

3. You've got your law class. Yeah, they empirically defined it. They did not do a job as to humanistically defining it—they told you what the formula equaled, and they told you this is what you do in a very cold, impassionate, and non-caring way. But you did get the data. You did get the information, but nothing about experience on how to handle it. That's a weakness.

4. I had school law, but little time was devoted to sexual harassment or misconduct. What it did was—it brought up as—group of cases that illustrated a certain point like Brown vs. the School Board of Education—those kinds of things were grouped together like these are freedom of speech. But there was nothing like these are things you should be cognizant of as a principal of a school. It was more these are some cases and topics that have come up in school law. But I don't recall ever sitting around having discussion about what I would do or what I thought about sexual misconduct in the schools. So, it was more just like these are the cases and the rulings that apply to you as a principal.

5. My graduate program did not prepare me for topics like sexual harassment or misconduct. I had one law class, school law, where we learned about the different court cases, and we were responsible for understanding Brown vs. Education, blah, blah, blah.

6. I really don't think we had anything on sexual misconduct. I had school law, but they never addressed sexual harassment or what to do when the media shows up on your doorstep.

7. At the university level, I recall coursework that dealt with what is ethical and not ethical, so the universities need to improve on their training. I had a law class, but it taught a lot of definitions; I think it was something that was just glossed over.

A few administrators indicated that they were satisfied with their graduate program training and its response to educator sexual harassment and stated, "We had a combination of the academic, but there were a lot of discussions, and current applications, and current issues. I was very comfortable by the time I finished," and "Yes, we did address sexual harassment or misconduct. It goes back to the ethics and so forth."

The following is the last administrator's viewpoint:

The only time it was addressed at all was in the law class. It was one of my favorite classes. I think it was covered adequately. With the amount of material to cover, I don't think there would have been time to go more in depth. Maybe they need to add another course—but once again, in this county, if I'm uncertain about something, I have someone I can call, so I'm not concerned that I need to remember everything that I learned in school. It would be a good thing if it was addressed a little bit more, but it was fine.

The second part of Question 7 addressed what administrators thought might be included in the preparation program at the university level that would help aspiring leaders should they ever encounter an incidence of educator sexual misconduct at their school site. One theme or pattern emerged from the transcription of the text after analyzing participant responses to this part of Question 7. School leaders were seeking practical implications. One principal explained, “The sexual harassment and personnel issues, just hiring and firing, what you can and can’t say—we need more practical implications.” Another school leader suggested, “A seminar course on special topics . . . you could have sexual misconduct, answering to school liability—those are topics you hit, but to have a seminar class where you focus and go more in depth on these issues would be helpful.” Another administrator from the sample population remarked, “You’ve heard about all these law cases. Let’s talk about some realities of the real world. What do you do in these types of situations?” One secondary principal mentioned the need for administrator candidates to experience real life applications:

When we deal with kids, we have to be able to get them to generalize, and we need to get them to apply—it’s most important. We need to get them to do critical thinking skills. Well, teachers have to be able to apply, too, to generalize. They have to be able to move it from one context to the next, from one life experience to the next life experience, and they need to learn from their experiences so anything that you can put aspiring leaders in—any situation close to the real thing like internships. Internships are very important, and that’s what I try to do here. I have what I call my aspiring administrators group. I have a book over there that I give to them—they have experiences to go through. I started this back at another high school years ago, and I understand that aspiring administrators need to be developed just like students do.

Another secondary administrator also offered aspiring administrators the opportunity to lead:

Prior to getting an administrative position, aspiring leaders need some real practical knowledge of the position, not just the practicum that they may chose to do in master’s degree programs. I have people that are currently in educational leadership programs, and they sit in when an assistant principal is going to be out for a while or if I’m going to take a vacation. It’s important to provide people looking for administrative positions with some practical knowledge and experiences so that they don’t walk into it blank. In most cases, my teachers have already finished the master’s program, but I also let those sit in that aren’t quite finished.

When principals were asked whether or not their graduate school program of study helped prepare them to deal with the issue of educator sexual misconduct the overwhelming majority of school leaders felt that their university training was not adequate. School leaders suggested the need for practical implications to help aspiring administrators deal with real world issues such as sexual misconduct. Two secondary principals offer aspiring administration candidates at their schools the opportunity to lead throughout the school year, thereby providing promising leaders with the practical skills they need.

Question 8. Did you receive any inservice training as a beginning assistant principal or principal that helped prepare you to deal with the issue of educator sexual misconduct? If so, please describe. The school district in question offers three orientation programs directed at aspiring school leaders. One such program is a mentor/protégé program intended to offer intensive assistance to instructional employees recognized as having potential for leadership positions. Mentors acknowledged from the ranks of administrators are trained to work closely with their protégés. The program provides a diagnostic battery designed to identify areas of strength and developmental needs and also includes individual and group training events along with released time for shadowing. Each year approximately 25 individuals are chosen from candidates with professional certificates and tenure. In addition, the program offers assessment of personal and leadership skills, specific feedback and professional development plans, one-on-one assistance, and support and encouragement.

In addition to the mentor/protégé program, the district offers a type of new leaders orientation program, which is a 1-year plan designed to support administrators as they undertake a new leadership position in the school district. This program is designed for every leadership role and does not provide specific formal training, but pairs an aspiring leader with a peer mentor to help guide the individual through the first year of transition.

An assistant principal who wishes to pursue the principalship must enroll in the school

district's new principal orientation program. This plan is based on the 19 Florida Principal Competencies identified by the state as required competencies to perform successfully as a school principal. It is a 2-year program that meets on a series of Saturdays and covers the following components: (a) human resources, (b) curriculum and instruction, (c) management, and (d) leadership.

After analyzing participant responses to Question 8, one theme emerged from the transcription text (see Appendix M). The majority of the principals interviewed felt the district's new leadership orientation program and the new principal orientation programs provided them with training to help combat the issue of educator sexual misconduct.

One school leader replied, "The principal's internship program is very intensive. When people hit that first year as principal, they're not lost; they know what the expectations are and what the procedures are if misconduct occurs." Another principal claimed, "The training we have is more than adequate. We've learned through years of training and experience how to deal with 'what if' issues like sexual harassment." An elementary school principal indicated, "I feel that this information is brought to us through both beginning administrator programs. They discuss what's appropriate and what's inappropriate and what you should be doing if something is going on that's not appropriate at your school and you need to get some solutions." One participant from the sample population mentioned that training regarding sensitive topics such as educator sexual misconduct is ongoing:

A classroom teacher has already had training about ethics. When you go on to become assistant principal, the training intensifies. As they go through the county program to become a principal, training is further intensified. The staff development in this county is really very good.

A secondary administrator also provided the researcher with information regarding the district's crisis management plan, which consists of three large binders that have been given to administrators since Columbine. The binders are updated yearly when all school principals meet

during the summer:

When Columbine occurred, I could tell you that, as administrators, our world changed. The way we do business is totally different. We have a very intensive crisis management plan that covers everything. If a bomb went off downtown, if we had a nuclear attack, if we had terrorists, or a guy running down the street that robbed the 7-11—we have procedures for every possible scenario, even sexual harassment. Here it is—indexed—sexual harassment. We actually rehearse a scenario that is not even known to us at the beginning of the school year. We have a “what if” scenario, and we’re all on standby waiting to hear. This is for every school in the county. We have to do a mock lockdown, pretend someone is having a heart attack in the lunchroom or media center, and we have to run with the emergency life support. We also have state scenarios. The last state scenario we had was that a terrorist attack occurred at a railroad, and an explosion occurred which caused a plume of ammonia to be up in the air, and we were waiting to see which way the ammonia plume would blow. We had to lock the windows down and duct tape the doors. We went through that scenario like it was the real thing.

On the other side of the coin, a few principals were not pleased with their orientation programs. “It may have been mentioned, but nothing was done in depth. Our beginning principal program is a 2-year program with specific training, and we had speakers from the district give an overview of the area—but not much was covered.” Another administrator had similar feelings:

Neither program touched on sexual misconduct against students by a teacher. One Saturday was on personnel, but again, just talking about employee misconduct overall, not focused on sexual misconduct. We do update our crisis management plan yearly, but that’s only for crisis situations at school like if there’s a bomb threat. Sexual harassment is in there, but when we go over it, it’s really focused on the bomb threats, intruder on campus, and stuff like that.

The school district being studied offers three orientation programs directed at aspiring school administrators. The overwhelming majority of participants felt that these new leadership programs provided ample training to help them successfully deal with the issue of educator sexual misconduct should it ever occur at their school site.

Question 9A. Does your school or school district have sexual misconduct training in place for administrators, parents, students, faculty, or staff? If so, please describe. Because Question 9 is a multi-faceted inquiry, the researcher will discuss training regarding educator sexual misconduct in the following manner: (a) first, as it relates to parents; (b) second, as it relates to students; and (c) finally, as it relates to administrators, faculty and staff (see Appendix

N). The author will then discuss participant responses to the second part of Question 9 regarding recommendations for training.

After analyzing participant responses with regard to available training for parents, the overwhelming response is similar to one principal's comment: "We really don't have training for the parents." A high school administrator mirrored that response with "We expect the parents to read the student handbook which discusses sexual harassment, but I don't know that they really do." Another school leader remarked, "In middle and high school, kids return a card with their signature and their parents' signature stating they've received the student handbook. Whether [or not] the parents actually read it is another question." One administrator claimed, "It's the parents' responsibility to read the handbook themselves. A middle school principal offered parents information outside of the student handbook:

Parents have the handbook, but I also put little blurbs in the student newspaper. I don't know that we hit sexual harassment as much as we touch on things that are said to kids that should not be said. But, we also talk about sexual harassment or misconduct at the sixth-grade orientation, and we also talk about it at our open houses. At open house, we tell the parents that they are going to get the student handbook, but we don't hit the policy things. In the spring, we do have a night where they [parents] can come up and talk about school stuff, like the handbook and our policies.

Regarding training to increase students' awareness of educator sexual misconduct, it was previously mentioned that the student handbook and its material regarding sexual misconduct is covered with students in the middle and high schools. The majority of middle and secondary principals interviewed had mentioned that teachers go over the student handbook during the first few days of school, whereas elementary administrators stated, "We don't go over the handbook as part of our rules and procedures," and "We're constantly modeling good behavior." Instead, many elementary school leaders rely on their guidance counselors and the use of outside agencies to discuss the issue of sexual misconduct against children using a blanket of adults. For example, in kindergarten and first grade, many schools use a program called Good Touch, Bad Touch. In third grade an outside, non-profit agency offers Kids on the Block, which entails puppets that discuss

sexual misconduct. After the program, students write a letter to one of the characters that they turn in to the teacher, who then gives it to the guidance counselor. One elementary principal commented, “My experience is that we’ve picked up on some children who were abused through those letters. Educators didn’t abuse them, but abuse was taking place in the home.”

Many elementary principals mentioned that their guidance counselor does work with their fourth and fifth graders, addressing sexual harassment and what it is. Counselors also go into classrooms to discuss sexual misconduct on an as-needed basis. One primary principal stated:

We’ll have teachers that say, Miss . . . can you come in and talk to our class about sexual harassment—what it is, and what’s acceptable? We just had a situation in a fourth-grade class where the girls were snapping each other’s bra straps. It’s girls on girls, but that’s still sexual harassment. And she does guidance lessons with children all the time on social skills because we are a high poverty school—our kids have very poor social skills, and touching does come up. We have had some children that experienced sexual abuse at home, and she has talked to those children individually regarding topics such as what’s inappropriate touching because the children don’t really know the difference.

Another primary school leader explained the role his guidance counselor plays in dealing with sexual harassment or misconduct:

We do have a health program here, and in our county, counselors are required to talk to children about sexual harassment in developmental levels. Our counselor takes the county guidelines and goes into fifth grade in September and specifically tells them what sexual harassment is. They’re becoming aware of their body changes now. This is something that she does; not every guidance counselor does this particular lesson. They are not really given any type of lesson. The county does tell us in the Comprehensive Guidance and Accountability Plan that the school is responsible for making sure the kids know what sexual harassment is, but there’s no distinct plan. Here, in kindergarten, we have a program called Body Rights, where they teach good touch, bad touch—this is dictated through the county; however, we do not have a general program. We’re told we have to tell the kids about sexual abuse and harassment, and they give us different types of resources . . . we choose what those are.

The following is another elementary school leader’s thoughts regarding the role of the school’s guidance counselor:

Our guidance counselor doesn’t touch on it too much in kindergarten because these kids are pretty, well, this is a nice area, and you have to be careful about how much you open up that can of worms. In first grade, he does a lesson on body rights—what is your body, it’s important, what are the private parts, these parts should not be touched by anyone else unless maybe it’s for a bath. We do have some boys who will be very experimental like looking under girls’ dresses and so on. And sometimes a teacher will say so and so touched someone, and even if it’s all innocent, our guidance counselor goes into that

class and does some type of lesson. Starting in second grade, we do a lot of character education, too—we do a lot of modeling about respecting others, and one of our rules is that you don't touch others.

Another primary principal mentioned a program for third graders called Kids on the Block, which is a performance involving puppets:

These puppets explain to the kids what child abuse is, and they go through the different kinds of abuses like the sexual abuse and emotional abuse. Through this program, they tell the kids to go back to class and write a letter to the characters in show and tell them how they feel about things and if anything ever happened to you like this. We find out a lot about what goes on through these letters. The guidance counselor and I screen these letters and then send them to the guidance supervisor downtown. It's required of us if we do this program. Do we have to do the program? No, I don't have to have Kids on the Block come here, but it's something I choose to do. Our guidance counselor talks with the kids, and if she feels there is sexual misconduct going on, she is required to call Children and Families. Have we had to do this before? Yes, I had a case a couple of years ago where an older brother was sexually abusing a little girl. The girl did not know it was the wrong thing to do, so the children do need to be aware that their body belongs to them.

This was a final comment regarding this issue from an elementary school principal:

Basically, you do what you want with K-2, and most schools ask Kids on the Block to visit the school. They're very valuable; although, I have had parents upset. In the past, we have not notified parents because they may sometimes be the ones committing the abuse, so we feel like it's an educational program for students. And I think that soon there will be something that will come out from the district—they seem to be working on that right now—something that is educational, and something that we feel is every child's right to watch. I know we have offenders in the area, and we are very protective of our kids.

He explained a situation at a school he worked at previously:

I've had kids that were being fondled when I worked at another school, and I notified Children and Families. And here we found out that the same man was abusing girls at other schools. The police officer sitting there with me at the time complained that there's so much of this going on and said that it probably wasn't going to go anywhere. I told him, if you don't do anything about this, I'm going to call the newspaper. Now according to the county, yes, guidance counselors are responsible for making sure kids know about sexual harassment and child abuse. A lot of us are character education schools, so the kids learn developmentally what respect is, and they do learn that nobody has a right to touch them. And we do it developmentally through the grade levels. But there's not a per se child abuse program in . . . [the] county.

In this section, the author will discuss training offered by the county for its administrators, faculty and staff. All participants in the sample population mentioned the program

Professionalism through Integrity: The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida (brought by the Florida Education Standards Commission). Referred by most administrators as the Code of Ethics training, this 3-hour workshop is a state-mandated inservice for all school employees. The program, as provided through the district, was updated and revamped this year requiring that all administrators, faculty, and staff complete the new training that specifically went over sexual harassment and sexual abuse. All school employees received this inservice during the summer or during preplanning held in July of the school year. There were no exceptions. One high school administrator gave the following explanation:

We updated and addressed the harassment issues....The bottom line is we have the training at the beginning of the year, and all the teachers are required to have that. And we give them inservice points for attending. We do it every year. New people that come on board—we have designated dates for them. Every single person has training—custodians, secretaries, teachers, assistant teachers, teacher’s aides—everybody. The county gives us the curriculum that is presented to the staff by district-trained people. We have two teachers on my staff that went to intensive training so that they can be trainers. They trained me. I was required to sit in there for the half-day training, and you’re not even allowed to take a break unless a break is scheduled. It’s very intensive.

A middle school principal commented on the school district’s Code of Ethics training:

The county is strict on training. It’s 3 hours, very dry, a DVD. They interlace some activities, but it’s about stealing, sexual misconduct, everything—everything that would get you fired as a teacher, and if something did occur, it explains you’d have to go through a course of action to not be fired.

One high school administrator discussed due process:

We hear on the news that people are guilty, but they haven’t gotten their due process yet. And sometimes, working with children, things are said that may not be true; so it’s alleged. They have to know where to turn. They get inservice points for that training. If they miss it, they have to take it somewhere else. You have to have it.

Principals must check off everyone that attended the training session, and if they were sick, they had to make it up at another location. One participant stated, “You’re sequestered, and you don’t leave. It’s not ‘I’ll be back in an hour.’ If you do that, then you didn’t attend the whole training, and you have to retake the whole thing. The district doesn’t play with that.”

A school leader who was not pleased with the school district's Code of Ethics training stated, "The video was awful. At least it's brief, and it does go over sexual harassment. But, I still don't think there's enough of that. Teachers put themselves into a real predicament by what they say—a very fine line." A middle school principal explained his dislike of the training:

This is the thing, if there are sexual deviants in the professional ranks, videos or training like that would probably not detour them. And for the vast majority of teachers that are so called normal, they think the ethics training is a waste of time. It's something we're required to do, and we'll do it—but it doesn't really change things.

The researcher also sought out information regarding other school districts in the state of Florida to discover if they offer school employees additional training to combat educator sexual misconduct. The author contacted five colleagues from neighboring districts—three school principals, one assistant principal, and one compliance trainer. Their responses mirrored the principals' comments in the aforementioned section. The Professionalism through Integrity program is the training provided to administrators, faculty, and staff. The outside individuals contacted also remarked that there is no formal training for parents or their children with the exception of policies outlined in parent-student handbooks. The author researched each school board's website and discovered each school district openly displayed their anti-misconduct policies.

Question 9B. Any recommendations for training? For the second part of Question 9, the researcher asked participants if they had any recommendations for training (see Appendix O).

Two themes emerged:

1. Teach the child to not be a victim.
2. Repeat anti-misconduct information yearly, beginning early.

The following comments were made:

1. Awareness is the key. Children need to be made aware, possibly through plays or something from Disney—something done in a very professional, tactful manner.

2. We might need training for the kids. Maybe this is our problem. Just like teacher workshops, it's a one shot deal. We're going to talk about it one time, and you're supposed to know it. And with kids, what do we know? That they have to be exposed to information like 20 times before they get it; same thing with this. If we talk about the signs of inappropriateness, we need to keep addressing it throughout the year because you know kids can say, oh yeah, you know that teacher's doing that, too. If they hear it one time—well what's the message we send as adults—I'll tell you one time, and that's it. So it's not really that important, and if it is important, we'll say it, and say it, and say it.

3. In fourth grade, they already start teaching human life, and it can be done in an appropriate way—good touching, bad touching, and appropriate and inappropriate comments. It would help if children received training and if it was addressed more than just once.

4. Kids, even at the high school, need to have things repeated. For example, at the beginning of last year when all the abductions were in the limelight . . . I got on the intercom and talked to my students [telling them] it's my opportunity to teach and remind them that their little brothers and sisters should be escorted to and from school. I told them, as young adults, they should not walk alone, but walk with a partner. I also told them to be aware of their surroundings and be cautious when walking around and talking on the cell phone. That's just good common sense. I gave them that just because I care about them, and the topic was all over the place. . . . I just think it's important in today's world to teach children how to take care of themselves.

5. It's important, and I think it would be beneficial for the guidance arena, K-12, to incorporate awareness, making sure elementary, middle, and high all have that as a component.

6. Start in kindergarten with the inappropriate stranger and good touch, bad touch, and it could climb from there. First we do the Stranger Danger, then we do Good Touch, Bad Touch, then we do the Bicycle Safety, then we do the Firearm Safety, etc., but maybe sexual harassment or misconduct could be an embedded thing that follows from year to year and builds on it, so it's

not a once in a lifetime deal.

7. We could teach the child to not be a victim and make sure that the agencies that are already in place spiral that through their years in a school setting.

8. Starting in kindergarten would be good, but you'd have to be careful because they don't understand; hopefully, they don't understand. And with all the resources we have in our area here—mental health counselors, psychologists, and psychiatrists—there's trained experts that could guide the curriculum, and the curriculum probably is already out there. It's just a matter of determining on how to change it based on age appropriateness.

9. Sexual harassment is noted on the student referral forms. So, obviously, children should have to know what it is, and we can teach children you don't want to be in a room alone with an adult. You want there to be another adult, the door open. You want to teach them some skills so that they wouldn't put themselves in a situation where they can be a potential victim.

One school administrator did express a concern:

If there were an agency to come out to school and provide a program for children, great, but my concern is it can't turn into a school-based initiative because we can't do any more. I don't want the legislators coming down saying the district has to provide this now, which is what seems to happen. We have to do one more thing, one more thing. If there were an outside agency that we could contract in that would provide that kind of service, it would probably be a good thing. But I don't want it to turn into a school-based thing where you have to provide specific training for children. It's just too much. You could start in kindergarten if it was done appropriately in light of the fact that we have had occurrences where sexual abuse occurrences go on in the home. It could probably be presented in an okay way.

Question 9 explored sexual misconduct training for administrators, parents, students, faculty and staff. Parents are not provided with training, but are given a copy of the student handbook that discusses sexual harassment. They and their children must sign a card issued through the county district stating that they have received a copy of the handbook and have read the contents. As previously mentioned, teachers do not discuss the handbook with elementary-aged children, but do with middle and high school students through such different means as

assemblies, during home room, and presentations on the morning show. Elementary principals quickly mentioned their guidance counselors who arrange individually tailored lessons for students or classrooms experiencing misconduct in addition to scheduling presentations such as Kids on the Block, a third grade program which uses puppets to teach about sexual misconduct.

All school personnel must complete a mandatory 3-hour inservice that follows ethical guidelines outlined by the Florida Education Standards Commission. It is called Professionalism through Integrity: The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida, and the training session covers stealing, sexual harassment, sexual abuse, and other ethical issues. For the 2005-2006 school year, the county district updated the training and provided a curriculum that was presented to administrators, and faculty and staff by district-trained people.

When school leaders were asked if they had any recommendations for training to protect children against educator sexual misconduct, two themes emerged:

1. Teach the child to not be a victim.
2. Repeat anti-misconduct information yearly, beginning as early as kindergarten.

Question 10. Before we end, is there anything you would like to add? At the end of the interview or somewhere in between, many of the participants brought up the infamous tale of the Florida middle school teacher convicted of sexually molesting two of her male students. Participants' interest in this widely publicized tragedy brought to light just how timely this research project was in addition to alerting the researcher as to how a dissertation may be affected by the times and the news media. The following was a principal's comments regarding the issue of sexual misconduct against students by school personnel and deviancy:

How do you get to a person that's different from the rest of us? If you think about it and step back from a principal's role and even in the student preparation, students are going through the university, and to become a teacher and sexually abuse a child—it is a sexual deviancy. Does that show up anywhere before graduation? Like the situation that happened with . . . I'm friends with the principal who was there—and even a friend of mine said that he had offered her a job, and she said, “Oh, I just got a call 30 minutes ago

offering me another job and I took it.” So, she could’ve ended up at another school, and so the issue—if it’s a deviancy—does it manifest itself in other ways that maybe some professor at the university thinking, oh I had her in class, and I kind of noticed that and didn’t say anything. It’s like, part of my background is—I was in the seminary studying to be a Catholic priest, and at one point, we had 65 students at the seminary. And in one weekend, the director of the seminary felt some of the guys were acting inappropriately. That weekend, 15 students were thrown out. The teachers have to stand up before the bishop and say we find this person worthy of this honor, but yet that doesn’t happen at the college ranks—especially for the public servants that teachers are. I know it’s a whole different setting.

He continued with the following explanation:

You’re in class, dialogue and so forth, but if there are any real concerns with student behavior like this person is just whacked, where does that information go? Is there an advisor that’s told no, this person isn’t really cut out to be a teacher? That could even come out in high school. I take my job of hiring very seriously, and I told you I’ve gotten in trouble making comments that I shouldn’t say. But I interviewed one guy, and at one point I said you need to find a different career. You are not cut out to be a teacher. And I’m the only person that’s told him that, and he complained. He said he’d yell at students and then use corporal punishment. So, it’s my job to protect the profession, and I said no, you can’t teach. You certainly won’t teach here, but you don’t need to teach anywhere. But yet, I think about that teacher and my two friends that offered her a job; she snowed them over. And I even told my friend . . . had she accepted your job offer, maybe none of this would even have happened. Different situation, don’t know. We need some type of gatekeeper. Personality testing? If you imagine students entering the college of education, and you assign an advisor—and maybe knowing that there are hundreds of students, you have several advisors, so maybe it’s 50 to 1—but that person follows these students through their preparation, and then that person has to sign off for graduation.

Another administrator also made reference to the highly publicized case regarding educator sexual misconduct:

We can’t be in the mind of say . . . , we just can’t. You look at many people that have been brought up with a normal family lifestyle and everything, and then it’s like, where did that come? Deviant behavior can’t really change. With . . . , did she just lose her mind? Was she so infatuated with this young kid? And we hadn’t seen anything before?

Another principal expressed her thoughts regarding the aforementioned sexual misconduct case:

It’s a character issue, and it’s a moral issue—those kinds of things. Like, you have a married couple, and somebody starts an affair. They know they’re not supposed to, and if someone had mentioned it to them a year before they did it, they probably would have said no, I would never do that. There’s a temptation that’s there or whatever happens, and they go with it. So, you’ve got a character issue there, and I think that that’s what happened with the . . . girl.

The following was a high school principal’s feeling on the Florida incident:

We don't know her; I don't know her. Is this just something where she snapped and lost her mind, or is this something that is the result of her own abuse when she was young? There are so many psychological reasons why someone would do that. In this case, it was a teacher, but it could be a daycare worker, a coach—it could be anyone. I just really think access is one piece of it, but I also think that when it comes to someone with that mental illness, it could happen anywhere, at anytime, with anybody—male, female, black, white.

An elementary school administrator mentioned the following:

Since you've been here, I've been thinking about . . . I mean, even if we have all the training in place, etc., but if you're deviant, how do you—there's really no telltale sign unless you've seen something that was inappropriate. Then you're like, aha, these are signs. Obviously they are doing something wrong, but to spot it ahead of time? What are the signs? Just like trying to identify a school shooter—they're everything. They're white, black, Hispanic—could be boys or girls—how do you identify it ahead of time? You really can't, but I think an awareness and training would still be very helpful.

A middle school principal discussed one's gut reaction when hiring an individual to teach:

I think about . . . being hired to teach. As adults, we have instincts to know what's there, when there's a problem—but we, through society and social issues, have taught people to suppress them. When that gut instinct calls you, we need to listen to things that aren't settling well with us. When I interview teachers, sometimes there's something's that's bothering me, but I can't put my thumb on it. Like, if you would spend enough time, you could—but it's all those little things that are going on. They're sending out those little red flags—and those gut instincts that I'm referring to—your body tells you, and you are reacting with things that don't settle well with you—but you may not know why. That gut reaction says don't go there, but we still do.

The following was one last comment from a principal:

If somebody had committed sexual battery and has been arrested for it, there's an arrest record, and they cannot get a certificate in Florida because there is a search done so that people like . . . would have to be a new perpetrator. And so the question becomes what takes a person—let's say some deviancy—what makes it manifest? And I don't know,

and if a student like a young girl in class if she's attacked by a teacher is it, was it an impromptu attack, at the spur of the moment type of thing, or had it been building for some time? And then maybe that's where the training for students to say there's something that continuously is said or done, so you need to inform us because really it's communication. You need to tell somebody. But if they are in a situation where there [were] no precursory comments or anything, and it was an impromptu attack, then all the training in the world wouldn't stop that.

Somewhere throughout the interview process, an overwhelming majority of principals brought up a recent Florida case involving a middle school teacher and her 14-year-old student.

Participants' interest and comments about this widely publicized tragedy brought attention to the timeliness of this dissertation and alerted the researcher as to how a dissertation may be affected by the news media (see Appendix P).

Content Analysis

As aforementioned, the researcher obtained state level documentation or legislation to see how it may have affected the school district's anti-misconduct policy. The researcher used pattern recognition, which Patton (2002) refers to as searching text for recurring words, patterns, or themes to see how many times and in what context a word or phrase is used. Miles and Huberman (1994) also mentioned noting the frequency with which an idea or phrase is repeated as a way to illustrate why a particular idea or phrase was selected as a common idea. In addition, the investigator used Miles and Huberman's Document Summary Form to help put the text in context, explain its importance, and provide a synopsis.

The researcher compared the anti-misconduct policy displayed in the school district's student handbook for the school years 2003–2004, 2004–2005, and 2005–2006. The policy as set forth was identical, word for word, for all 3 years. The investigator also compared the anti-misconduct policy as it appeared in the student handbook and the faculty handbook. Again, the wording was identical. Nothing had been altered within the last 3 years that related to any legislation pieces. What did change, as previously mentioned, was the Code of Ethics training that was overhauled for the 2005-2006 school year. School administrators were provided with new scripts, a new DVD, and new discussion prompts. In addition, all administrators, faculty, and staff were required to receive this updated training, even though most attended a similar workshop approximately 3 years earlier. One principal remarked on one change:

Now, with the legislation piece that's come in, we've got our SERVE office. So, if someone is going to come in as a volunteer, whether it's a parent or speaker, we have a system in place that any volunteer that will be one-on-one with students has to fill out the form through SERVE, and we at the school site have to go through the serve coordinator who has to go online and check the different websites to be sure that that individual does not appear anywhere. Plus, each high school and middle school in the county has a school

resource officer, so if they get information about a situation or we need them to help us to check websites; we've got that as a partnership.

The legislation piece the principal is referring to is the Jessica Lunsford Act, which was passed by the 2005 Florida Legislature and signed into law by Governor Bush following the assault and murder of Jessica Lunsford in Homosassa Springs, Florida. The crime was allegedly committed by an individual who had at one time worked as a subcontracted mason at Jessica's school. The Act focuses primarily on increasing measures used to monitor sexual offenders or predators. Part of the Act specifically relates to individuals with access to school district campuses when students are present. It is the school districts' responsibility to conduct the fingerprinting/background screening of noninstructional or contractual personnel to determine whether the individual has been convicted of a crime of moral turpitude. Once screening is complete, it is the responsibility of the district to ensure that the person returning to work is the same person they screened yesterday or last week. Districts may establish methods such as issuance of photo ID badges, sign-in logs, check-in points, or biometric technology to verify a positive match to the identification presented. The responsibility to ensure that campuses are accessed by properly screened and approved individuals remains with each school district, and each district must implement processes that are effective based on each school's unique situation.

In the school district being studied, fingerprints must be kept current and are required to be updated every 5 years. Outside agencies' reports are not accepted. Prior to fingerprinting, each individual is required to disclose any previous criminal history. This information is then reviewed by professional standards. Upon approvals individuals are mailed ID badges that must be worn at all times while on a school campus. Individuals are responsible for the cost of fingerprinting and monitoring for a total cost of \$85.00.

In addition, the school district in question also lists an approved vendor list that lists contractors, subcontractors of such contractors, and all employees of such contractors that have

met the requirements of the Jessica Lunsford Act and are qualified to work with the school district. All applicants will have completed a fingerprint screening, which consists of the Florida Department of Law Enforcement (FDLE) and FBI background checks and includes all sealed and expunged documents for individuals who will have access to school sites.

Generally speaking, the content analysis did little to inform the study. The document analysis established that schools have policies in place and that those policies tend to be at the district level. It also explained whom principals contact if an instance of educator sexual misconduct occurs, thus explaining their dependency on the district to handle such an incidence.

Summary

The purpose of this research study was to explore public school principals' knowledge and understanding of sexual misconduct against students by school personnel. In chapter 4, each principal interview question was presented and explored using the response data collected from the interviewees. It was discovered that principals see sexual harassment as being under the umbrella of sexual misconduct and that they prefer the term *misconduct* as opposed to *harassment* because misconduct is broader. Administrators seemed comfortable discussing educator sexual misconduct and stated that all principals should know what acceptable and unacceptable behavior is. School leaders also indicated principals should be able to recognize signs of misconduct and exhibit sensitivity should an educator be accused of misconduct, realizing individuals' perceptions of an incident may be different.

Participants disclosed that they all follow the county district's misconduct policy. The policy is disseminated through parent-student handbooks and school personnel receive yearly training regarding misconduct during preplanning. Principals also revealed that if an incidence of educator sexual misconduct were to occur at their school site, they would immediately contact the district's professional standards office. The majority of principals would help investigate an accusation, and most mentioned a duty to protect an alleged perpetrator.

An overwhelming majority of participants felt their university training was lacking and suggested aspiring leaders needed practical implications to combat educator sexual misconduct. Most administrators were pleased with leadership programs their district provided and the information they offered regarding sexual misconduct. Participants indicated that parents are not provided with misconduct training, but are given a copy of the student handbook that discusses sexual harassment. In addition, teachers do not discuss the handbook with elementary-aged children, but they do with middle and high school students through different means such as assemblies or a presentation on the morning show. Elementary principals rely on guidance counselors who arrange individually tailored lessons for students or classrooms experiencing misconduct in addition to scheduling anti-misconduct presentations. All school personnel must complete a mandatory 3-hour inservice that follows ethical guidelines outlined by the Florida Education Standards Commission. For the 2005-2006 school year, the district updated the training and provided a curriculum that was presented to administrators, and faculty, and staff by district-trained people.

When school leaders were asked if they had any thoughts regarding training for children, they suggested teaching the child to not be a victim and to have this information repeated yearly, beginning as early as kindergarten. As the interview concluded, an overwhelming majority of participants wanted to discuss a well-publicized Florida misconduct case alerting the researcher to the power of the media.

Based on the literature review and what has been discovered throughout this study, the researcher hoped to come forward with some ideas for training that may help principals prevent sexual misconduct against students by school personnel. The data collected for this dissertation carry with them implications for practice and future research within the educational leadership field. In the following chapter, the researcher will summarize the results of this study and highlight its implications.

Chapter 5: Conclusions and Recommendations

Chapter 5 provides an overview of the research conducted with 10 K-12 public school principals located in a large county school district in the western area of Central Florida. The researcher conducted all scheduled interviews and gathered pertinent state-level and school district documentation for review. Participant responses were forthcoming, as school administrators shared their thoughts regarding sexual misconduct against students by school personnel. Emerging themes are presented and discussed, and recommendations for future directions are addressed. The author concludes with some final thoughts regarding educator sexual misconduct.

Introduction

The purpose of this research study was to explore what public school principals know and understand about educator sexual misconduct. This project attempted to provide a clearer picture of how school administrators perceived and performed their leadership role as moral keeper of the school. Bithell (1991) and Drake and Roe (2003) remind us that, as the school's leader, a principal acts as an informant and enforcer of sexual misconduct policies thus fulfilling his or her role as the moral leader of a school. One interviewee confirmed that when stating, "The principal really is the tent pole, the moral center of the school. I didn't realize this when I was a teacher but now see that the principal sets the tone for the entire school."

From examining the literature, it appears there is scant information concerning the issue of sexual misconduct against students by school employees (e.g., U.S. Department of Education, 2004). Therefore, the researcher sought to discover what language a particular school district and its K-12 principals were using to define educator sexual misconduct and what it is school

administrators perceive, understand, and know about the topic. The author also wanted to research what principals see as their legal and professional responsibility and asked what they would do or what they have done when an incidence of sexual misconduct occurred.

In addition, the researcher explored the district's anti-misconduct policy along with state-level legislation and regulations that may have affected the district policy. The investigator also examined misconduct awareness district or school-based programs available for administrators, teachers, parents, and children. Other Florida school districts' misconduct programs were also briefly investigated.

To accomplish the goals of this study, the investigator reviewed the literature regarding educator sexual misconduct, paying particular attention to the study, *Educator Sexual Misconduct: A Synthesis of Existing Literature*, prepared for the U.S. Department of Education by Shakeshaft in 2004 (see chapter 2). Next, the insights afforded by Shakeshaft's study guided the subsequent construction of a field-based study used to explore what knowledge and understanding 10 K-12 public school principals have of the issue of sexual misconduct against students by school personnel (see chapter 3). Finally, an analysis of the study's results was conducted (see chapter 4), and a written report followed addressing the need for more research examining the topic of educator sexual misconduct (see chapter 5).

Conclusion

For this research, six themes were used to help outline the emergent themes or patterns found within the data collected from the 10 K-12 public school principals and collected state-level and school district level documentation:

1. Principals are dedicated but often restricted by policy or lack of policy.
2. Administrators preferred the term *educator sexual misconduct*.
3. What principals know and understand about educator sexual misconduct.
4. Sexual misconduct policies: development, dissemination and enforcement.

5. A principal's professional responsibility should an incident occur.

6. Awareness and prevention strategies.

Principals are Dedicated but Often Restricted by Policy or Lack of Policy

The researcher began with an introduction to four elementary school principals, three middle school principals, and three high school principals because of the appreciation and admiration she had gained for these school leaders and the role they play in our children's lives. School administrators typically are overworked, underpaid, and are bombarded with daily decision-making (Mullen & Cairns, 2001). Before the interviews began, light banter evolved with the researcher and participant discussing the demands of the principalship. Many described their long days with comments such as "I put in about 100 hours a week," and "My days are usually 10 to 12 hour days, and then I attend at least one evening function every week . . . and I stay until the end. Sometimes it's two or more functions a week—it depends on the season." Other administrators indicated they began their workday at 6:00 in the morning, went home around 5:00 p.m., and then worked on paperwork for another hour or two after dinner. One principal proclaimed, "This is a way of life." Another administrator exclaimed, "I work my [fanny] off. [Another principal] down the street from here works her [fanny] off too! Nights, weekends, you name it, but that's the job."

Upon arriving at each school's office for the scheduled interview, the researcher carefully observed the comings and goings of school personnel, parents, and students. Principals were out and about looking in on classrooms, the media center, or the lunchroom. Others were meeting with parents, students, teachers, or other school personnel. One interview was briefly postponed while the participant went outside to investigate a report concerning an individual that was across the street from school grounds using binoculars to watch students in physical education classes. Whether a veteran administrator or a beginning principal, participants appeared committed and dedicated to their school community. Administrators were confident in their leadership, and they

made it clear that it was their responsibility to protect their students, faculty, and staff from educator sexual misconduct or any other tragedy that may occur at their school site.

The researcher always received a positive reception from the principals she was scheduled to interview. The administrators questioned were forthcoming in their thinking regarding sexual misconduct against students by school personnel, displaying confidence in their leadership abilities. Neither gender nor ethnic group was an issue with the school leaders who responded objectively to the interview questions. Many participants stated that they felt the researcher's study was important. The majority of the interviews lasted longer than the researcher had anticipated, and one secondary administrator called the week after the interview to offer some additional information that he wanted to share. When asked, school leaders indicated that they did not prepare for the author's interview. Once analysis was completed, it was apparent that participants did not need to prepare beforehand. Administrators rarely hesitated before responding to the interview questions, leaving the researcher with the impression that they were well informed should such an incidence occur at their school site.

Yet, it appears that principals are dedicated and caring but are often constrained or restricted by policy or lack of policy. School leaders are guarded and controlled because they are forced to follow district policy. They are restricted because they have to hand everything over to professional standards, and may only begin a limited investigation regarding a reported occurrence of educator sexual misconduct, thereby making them feel responsible to make sure educators do not make themselves vulnerable. In addition, administrators are inhibited because they have no training to offer parents and their children. Respondents are committed to and involved in education, but they are bound to what the district tells them. One interviewee admitted:

I work at the mercy of the school board, so it's my job to follow the policies and procedures they put forth because that's the standard upon which I'll be judged, and if I deviate from that at all then I open myself up to liability. So whatever the school board tells me to do I do, because then I'm protected.

Administrators Preferred the Term Educator Sexual Misconduct

The Florida school district in question listed its sexual misconduct policy under the heading of sexual harassment. The author researched five additional school district websites within Florida and discovered their anti-misconduct policies were also listed under the heading of sexual harassment. Yet, most of the participants interviewed suggested that sexual harassment fell under the umbrella of sexual misconduct just as Shakeshaft did in her synthesis of existing literature regarding educator sexual misconduct (U.S. Department of Education, 2004).

The majority of school leaders also preferred the term *sexual misconduct* because it covers a larger spectrum than the term *sexual harassment*. One administrator indicated that when speaking with students, she uses sexual misconduct rather than sexual harassment even though the county trains administrators to use the term *sexual harassment*.

The researcher returned to Shakeshaft's concerns stating that relevant terminology is key to the clarification of educator sexual misconduct. Investigators, journalists, attorneys, authors, and others use the terms *sexual abuse*, *sexual harassment*, *sexual exploitation*, and *sexual misconduct* interchangeably to describe adult-to-student sexual misconduct in schools. Shakeshaft (cited in U.S. Department of Education, 2004) prefers the term *educator sexual misconduct* because the phrase includes a larger set of unacceptable and unprofessional behaviors. She believes her definition is vital to the progress of future research because it includes criminal, civil, and professional codes of conduct and investigates elements lacking in much of the literature on child sexual abuse.

Almost every administrator included within this study felt at ease discussing educator sexual misconduct. School leaders claimed the subject was here and that you cannot turn on the television without seeing it. Most mentioned sexual misconduct would not be tolerated at their school and were clear on what protective preventive measures to take and what procedures to follow to bring resolution should such an incidence occur. Many school leaders echoed one

participant's comment, "We, in the education profession, are held to a higher standard. Parents send their children to us, their babies. They trust us to take care of them no matter what the situation."

As mentioned in chapter 4, the researcher did speak with three school leaders who had recently experienced or dealt with the negative effects of sexual misconduct at their school site, and they were unwilling or reluctant to speak with the investigator. Considering the media onslaught principals have suggested takes place when an incidence of sexual misconduct occurs, it is understandable that an administrator would choose not to participate in the research study.

What Principals Know and Understand about Educator Sexual Misconduct

When the author questioned school leaders about what they felt school principals should know and understand about educator sexual misconduct, participants felt school leaders should know what is and is not acceptable behavior regarding sexual misconduct. Respondents also asserted that school administrators should be able to recognize the signs of educator sexual misconduct and that they should be aware that individuals' perceptions of a situation involving alleged sexual misconduct may differ. One elementary principal mentioned common sense: "By the time you reach the principalship, you should have common sense and know what is right and what is not and how to proactively handle it on your campus." A secondary administrator mirrored this response:

Principals are at area director meetings and at meetings at the beginning of the year where we are cautioned about making sure we work with our faculty, so it's a constant reminder. From the area director, we get the book, and then we talk about those things. So, as a principal, I think those reminders are there for you; although, if you're doing your job right, it's there all of the time. It's common sense.

She continued explaining that teachers also express their concerns:

And teachers are also concerned. If they see something that doesn't look right, if you've got a good faculty, and I think most of us do, they'll notice something. Last year I had teachers come to me because there was a student, who was supposedly going to another teacher for help—but the help didn't seem to be at appropriate times and it seemed to be too long. So, these huge red flags were popping up with them, so they came to me, and I looked at the situation and rearranged it. I don't know that anything was going on that

was wrong, but we dealt with it. I changed the circumstances, so whether it was right or wrong, it did not have the appearances of being wrong. You've got to take care of it—it's got to be up there on the top.

Another secondary administrator further explained:

As a principal, you have to take the framework that the district or the state has established, and you have to apply it. You cannot have something for everything that may occur, but you have to be able to apply the rules and the established procedure that the district has and generalize it somewhat. There is nothing in writing that says you don't go to the bathroom with the boys, but my female teachers know that they don't go in the gang bathroom when there are boys in there. They stand at the door and yell, 'Who is in there? Come on out!' But they don't go in. No one said that in writing, but administrators and teachers have to make some common sense decisions.

A school leader was able to spot warning signs even though a child tried to hide the fact that she was a victim of sexual misconduct, as one participant explained:

I worry about abuse coming from family members and friends and also have to deal with that. Two girls [were] living with another family, and they were routinely being signed in late and out early by the man of the house. He was a lawyer, and one of the girls made a comment that opened the door for us. We dug and found that the man was sexually active with the girls, especially one of them. That's why they weren't in school all day. We knew it wasn't right, and we talked to the mother about it. But she justified it, and it took us months. The girls had never had a nice home, they never had decent clothes, [and] they had never had a lot of things they [now] had. The older girl was not happy when it came to a screeching halt.

Interviewees also indicated that school leaders need to be aware that individuals' perceptions of a situation involving alleged sexual misconduct may differ. An elementary administrator provided an example of conflicting views:

There was an incidence at this school. I was not here yet. I will tell you today, nothing happened to this child. This child is very manipulative, very difficult, and she told her parents that the clinic aide touched her. But nothing happened to her. The police were involved—everything. That kid would not back down. Guidance, social work, psychologist, law enforcement—nobody got to this child. How we handle it now is that if that child needs anything, she comes to me or my AP and that's it. And that way, we're the ones that make the calls to the parents, we're the ones that look out for her, and we don't subject our people to her because you can't trust her. Now she's telling everyone in class when she has her period. How many people broadcast it when they get their period? Something is wrong there. How often are people accused? Usually, where there's smoke there's fire—but every now and again.

The administrator provided another example:

[The previous principal] is now the principal at [another] elementary school. She has this

sweet child who never had a problem, sweetest kid you'd ever meet in your whole life—she was delightful—comes to school in a whirlwind one day [stating] that somebody had tried to kidnap her. She had this story; she went on with the cops. They had everybody and their uncle involved listening to her. She gave descriptions. They tried to find a car and a person that matched her description. On and on and on and there was just nothing that jelled—like nothing matched. And then 3 weeks later, she said she made it all up.

The administrator concluded:

So there's that issue I think that is one of the reasons that people are so concerned about it. I do think [it] is a very important topic, and I think teachers want to be protected; they want to know how to protect themselves because there is that other side of the coin. Children do get abused, and we need to stop that. But we also have to be cognizant that there are children who are very, very, bright and they know how to manipulate a situation. And they know how to get people in trouble. So that's another issue that I think scares people.

Sexual Misconduct Policies: Development, Dissemination, and Enforcement

All participants in the study population indicated that they follow their school district's anti-misconduct policy that can be found in the student, faculty, principal, and district policy handbooks as well as in their crisis management binders and online (via the district website). Although principals said that they had no role in the development of such guidelines, they were committed to disseminating and enforcing their district's sexual harassment policy. While misconduct policies are discussed with middle and high school students and with school personnel before classes begin, misconduct policies are not discussed with parents or with their elementary-aged children.

Perhaps the most prevalent theme that emerged from the interview data was a need for the child to learn not to become a victim and that this concept should spiral through the student's education from kindergarten through high school. Some principals mentioned a concern over angry parents who feel it is their duty to teach their children about sexual misconduct, yet as one administrator asserted, "There are so many students or kids today whose parents feel it's their job, but in the same token, not every child has that. The sensitivity factor can easily be rectified."

A Principal's Professional Responsibility Should an Incident Occur

All of the participants indicated that sexual misconduct is an issue that is addressed at the district level. Administrators claimed that they would immediately contact the district's professional standards office. School leaders also expressed the urgency necessary to deal with such an incidence, and most administrators claimed they had a professional responsibility to investigate the accusation in order to protect the alleged perpetrator and victim. The majority of participants also talked about their responsibility to increase educators' awareness so that they do not put themselves into a vulnerable position. One secondary administrator stated:

...a new teacher coming in, brand new, never taught before in the classroom. When they do a new teacher training all beginning educators should be made aware of and their relationships with students, especially as the students get older. I remember when I was young coming in. I had a principal at the time who told all of us as new educators, male or female, always be sensitive to making sure when you have a one-on-one conversation with a student that you are in a location where others see you because you don't know what you could be accused of, and you certainly don't want to put yourself in a position to have any issue. And that stuck with me.

Another school leader also expressed her responsibility toward the school staff:

There have to be rules and regulations that you follow in the school that you make very, very clear to your staff about what you expect. I have two men who are tutors. And I have made it very clear to the men to never meet alone with a girl, and they are never to close the door. Both of these men are gentlemen, and they're wonderful teachers. And they didn't do anything that would provoke that kind of response in me, but I just think it's a wise move. I also have a gifted male teacher; he knows that. He knows what is right and what's expected.

An elementary principal shared an instance when she increased a teacher's awareness so that he no longer put himself at risk:

We verbalize with our faculty what's good practice because not everyone knows. For example, I walk by a kids' bathroom, and I see these big feet in a stall. I almost had a heart attack; he comes out of the kids' bathroom. I told him do not use the kid's bathroom ever. Your bathroom is right there; that is totally unacceptable and inappropriate. You cannot do that. I had to tell him that, and that surprised me. I am very surprised that I would have to say to somebody that has taught school for many years that you do not use the boy's room, and I wrote him up. That bothered me. This was a gang bathroom. The stall is out in the open; you're not behind a closed door. This is a room that has a urinal and two toilets. I called my area director. I made it known, and wrote him a formal note that that was inappropriate and that we take it very seriously. He should have known better.

Awareness and Prevention Strategies

The overwhelming majority of school leaders felt that their university classes did not adequately prepare them to deal with sexual misconduct and suggested the need for awareness and prevention strategies. In a study conducted by researchers Mullen and Cairns (2001), administrators expressed similar concerns stating that school leaders lacked training that held practical implications. Conversely, almost every study participant felt that their school district's new leadership orientation programs provided them with ample training to help them successfully cope with educator sexual misconduct should it ever occur at their school site.

As mentioned previously, parents are not provided with misconduct training, but they are given a copy of the student handbook that displays the district's anti-misconduct policy. Educators do not discuss the handbook with elementary-aged children, but they do discuss it with middle and high school students through different means such as assemblies and presentations on the morning show. Elementary principals appear to rely heavily on their guidance counselors who arrange individually tailored lessons for students or classrooms experiencing misconduct in addition to scheduling presentations that teach about sexual misconduct.

School administrators, faculty, and staff are required to complete a district inservice that follows ethical guidelines outlined by the Florida Education Standards Commission. The training covers sexual harassment and other ethical issues. For the 2005-2006 school year, the district updated the training and provided a curriculum that was presented to school personnel by district-trained people. One example used to describe possible ethical violations is an exercise, *Ms. Smith and Her Relationships*, in which Ms. Smith is a young widow that develops a relationship with a student whose family approves of the relationship.

In addition to such exercises, the curriculum discusses the following components of sexual misconduct: (a) heterosexual romantic – hugs, kisses, and comments; (b) heterosexual lewd and lascivious—fondling and proposition; (c) heterosexual batter—intercourse and oral sex;

(d) homosexual lewd and lascivious with minors; and (e) adult sexual misconduct—exposure, solicitation for sex, and sexual harassment of employees. In addition, the curriculum discusses how to use common sense and professional judgment to avoid legal complications in teaching and how to maintain a professional reputation in the community.

When school leaders were asked if they used any prevention strategies or had recommendations for training to protect children against educator sexual misconduct, two themes emerged:

1. Teach the child to not be a victim.
2. Repeat anti-misconduct information yearly, spiraling it through the K-12 curriculum.

One administrator stressed the importance of teaching children to tell an adult they trust if an incidence of misconduct occurs:

What scares me is what's happened in the past. Now it's coming out; there's more awareness. How many people have really been abused? And we've got to tell our little ones that they can come to us. I remember I had this friend, and she comes up the street with a bag of candy. Now, kids in my neighborhood didn't have a bag of candy—and I mean nobody—and I wanted to know where she got this candy. We weren't that little; we were like 10 years old, and I wanted her to take me to get some candy. And I was really mad because she would not take me. And she finally told me this other girl who was like 13, an older girl, and that she took her to this old man's house, and this old man had them sitting on his lap and would put his hands down their pants and then gave them candy. Now that 13-year-old brought her there. She had been there before. My friend never went there again, but we didn't tell our parents. We told nobody because we were afraid she'd get in trouble because she had gone around and walked a couple of blocks away from home. So, we didn't tell anybody....Because we came from a time you were respectful of adults, and you didn't squeal because you were going to get into trouble because you weren't doing what you were supposed to do. We have to let kids know they can talk to us even if they think they've done something wrong.

Another participant offered a different response when discussing preventative measures, and talked about consistency:

The one thing I don't like about how we operate with a lot of things is that we're all reinventing the wheel. Our district has gotten a lot better about it. Like if there's some information everybody needs, they send us what we need. Like if the parents need to know something, they give it to us—don't make us all write a letter. First of all, the wording is correct—because sometimes you can put something in you didn't mean to. Trainings, even like the Code of Ethics that we had to do the update on—they provided us with scripts, a video, and discussion questions—so I think that, especially with a topic

as crucial as sexual misconduct, maybe some consistency between the programs would be important. However it's done, it needs to be consistent [so that we] know that everybody is getting the same message and the same quality.

When the researcher asked participants if there was something they wished to add before closing, almost all of the school leaders wanted to express their thoughts about the highly publicized case of a Florida middle school teacher that was charged with lewd and lascivious exhibition for allegedly having sex with her 14-year-old student. In one county, the Judge warned that accepting a plea deal would undermine the court's credibility and erode confidence in schools. Yet, prosecutors in another county dismissed the charges against the educator because the victim's mother complained that publicity had already damaged the family and that a trial would make the situation even worse (BayNews9.com, 2006a).

Implications for Practice and Research

In the following sections, the researcher presents possible strategies to help school leaders' prevent educator sexual misconduct. The following topics are explored: (a) Harassment Versus Misconduct, (b) Prevention Strategies, and (c) Implications for Parent Training. Future directions for educational leadership training and research are also discussed.

Harassment Versus Misconduct

Throughout this dissertation, the author has struggled with the terms *sexual harassment* and *sexual misconduct*. Peer reviewers, the author's major professor, and dissertation committee members also questioned what an appropriate term would be. Committee members and the investigator settled on the term *sexual misconduct*. After this study was completed, analysis showed that, not only do the majority of principals prefer the term *sexual misconduct*, some of the participants also mentioned that they view harassment as verbal, not physical. One school leader stated, "Kids calling each other names—that's harassment. Sexual intercourse is not harassment. In my mind, that's abuse or misconduct." The researcher agrees with the aforementioned administrators and suggests school leaders use the term *misconduct* and follow Shakeshaft's lead

(U.S. Department of Education, 2004) who prefers the term *educator sexual misconduct*, defining it as behavior of a sexual nature that may constitute professional misconduct, including:

1. Any conduct that would amount to sexual harassment under Title IX of the U.S. Education Amendments of 1972.
2. Any conduct that would amount to sexual abuse of a minor person under state criminal codes.
3. Any sexual relationship by an educator with a student (regardless of the student's age), with a former student under 18, or with a former student (regardless of age) who suffers from a disability that would prevent consent in a relationship. All students enrolled in the school and in any organization in which the educator holds a position of trust and responsibility are included.
4. Any activity directed toward establishing a sexual relationship such as sending intimate letters; engaging in sexual dialogue in person via the Internet, in writing, or by phone; making suggestive comments; or dating a student (U.S. Department of Education, 2004). Using consistent terminology to define and describe educator sexual misconduct would allow better communication between school leaders and school personnel as well as parents and students when discussing sexual misconduct against students by school personnel.

Prevention Strategies

Administrators are prime individuals to help students when help is needed most. School leaders have the ability to implement sexual misconduct prevention training in their schools to help children avoid becoming a victim. A middle school principal sums up the importance of an ounce of prevention:

My stance here is I really work the prevention. I don't like the cure end. I'd much rather prevent, so we tell the kids things upfront. We don't ever surprise you with anything. We make sure that you understand whatever the issue is, and we make sure that we've given you an opportunity to do whatever it is your supposed to do. And we also let them know what's going to happen if they don't. So, we really try to talk to the kids. You want the faulty and kids to be successful, so if you plan for it, if you provide the structure, provide the resources, provide everything that needs to happen for it to go right, it's going to go right more of the time than if you didn't have all of that stuff in place. So, we really try to

make sure that we've got things organized and planned to provide the best opportunity for success and then monitor it and get the little kiddies and adults that don't do right.

Educators that are accused of molesting students are sometimes the subject of a media firestorm that forces professionals in the educational leadership field to seek resolution. There has never been a better time or more welcome opportunity for school leaders to promote awareness of educator sexual misconduct by educating parents, students, and school personnel.

Implications for Elementary Student Training

The parents of students receive the student handbook, which includes the school district's anti-misconduct policy. Middle and high school students in the district studied review the handbooks in class or receive the information through presentations or by other means. However, elementary students are not taught this critical information, and it is elementary-age girls that experience the most educator sexual misconduct.

The American Psychiatric Association defines *pedophile* (see chapter 2) as a powerful sexual attraction to prepubescent children, generally 13 years of age or younger (Hendrie, 1998a). In its *Diagnostic and Statistical Manual of Mental Disorders*, the American Psychiatric Association stated pedophiles are commonly attracted to children in a specific age range (e.g., girls 8 to 10 years old is the most common with boys typically older). Predators frequently rationalize their sexual misconduct as educational or sexually enjoyable for the victim, and they more often target girls than boys (Hendrie, 1998e). Eight- to 10-year-old girls are still in elementary school, the very schooling level that does not actively discuss sexual misconduct. Here, the author returns to two overriding themes that emerged from the transcribed texts:

1. Teach the child to not be a victim.
2. Repeat anti-misconduct information yearly, beginning as early as kindergarten.

Education is the best prevention against educator sexual misconduct. Students should be taught to respect their bodies and understand that inappropriate touching by anyone is wrong.

Children need to learn to trust their instincts. If a situation does not feel right to them, they need to remove themselves. Students need to realize that they can say no to school personnel and that they should never be alone in a shut room with a grown-up. Children can easily blame themselves if they experience educator sexual misconduct; therefore, educators should let students know they are not at fault and that, if they do experience sexual misconduct, they need to tell a trusted adult immediately. If that adult does not help, they need to find another trusted adult who will believe and help them.

All of the participants felt it was important for youngsters to learn how to take care of themselves. As previously mentioned in chapter 4, one participant indicated the school district may be currently creating some type of guidance curriculum that addresses sexual misconduct—something that is educational and that they feel is every child’s right to watch. Another administrator commented:

It would help if we had some type of curriculum, however some of those are so expensive that and I’d hate for them to spend a lot of money. Time is precious here. I feel if we could just get a little bit in... a whole curriculum would be a waste of money, but kids need to be aware of it.

Some type of K-12 sexual misconduct prevention program needs to be established within the district. If children understand that they have the right to say no to an adult that they feel is in power, misconduct may be thwarted.

Implications for Secondary Student Training

A secondary school principal made the following comment, “I think in high school you might find more educator sexual misconduct—just because I think the girls are more like young women, maybe more enticing, same thing with men.” Whether in high school or middle school, secondary students do not receive sufficient training as to what educator sexual misconduct is. Respondents from middle and high schools stated students received limited training regarding sexual misconduct. One period in a school day, an assembly, or a morning show presentation is

not sufficient for adolescents to understand educator sexual misconduct and the role of power and control. A high school administrator admitted that students are told what topics are covered in the handbook and that the handbook is where their resources are located. It is probably foolish to think that a middle or high student would take the time to read their student handbook. Speaking as a former teacher, they are no more likely to read their student handbook than are their parents or guardians.

Implications for Parent Training

School leaders can further help children not to be victims by overtly addressing the issue of educator sexual misconduct with parents. The researcher's findings raise the issue that schools and school districts need to do a better job of parent education as to what educator sexual misconduct looks like, sounds like, feels like, and what parents can do about it in terms of preparing their children at home to understand. This needs to be done in partnership with the school because simply handing out a student handbook and assuming parents have read it is not sufficient. School principals seem to have an understanding of educator sexual misconduct. They seem to know their responsibility in terms of what they are supposed to do if such an incidence surfaces, and they seem to know there are district policies and where they are located. However, it appears that principals depend heavily on the school district and its written policies to take care of such occurrences rather than actually discussing the issue of sexual misconduct against students by school personnel. Good communication between home and school is essential for a child's success. Many schools (elementary and secondary) have newspapers and/or newsletters that go home weekly to parents. This is an excellent form of communication where parents could regularly be made aware of such critical issues as educator sexual misconduct. One middle school principal mentioned an evening in the spring where parents are invited to ask questions that they may have about school policy. Parents would have a better understanding of the district's policy if they were allowed to ask questions at the beginning of the school year and throughout.

Implications for School Personnel Training

Principals meet during the summer to discuss policies, go over any new legislation, and to update their crisis management binders. Administrators also attend other school meetings that increase their awareness of educator sexual misconduct. A middle school principal claims:

As a principal we meet with the folks downtown and at the beginning of the year we are cautioned about making sure we work with our faculty so it's a constant reminder. From the area director we get the book, and then we talk about those things. So as a principal, I think those reminders are there for you, although if you're doing your job right it's there all of the time.

In addition, school leaders, along with the rest of school personnel, complete the program, *Professionalism through Integrity: The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida* (brought by the Florida Education Standards Commission). When the researcher asked questions regarding this training, some respondents mentioned that all school personnel received an overhauled Code of Ethics training for the 2005-2006 school year, but previous to that time, the workshop was only held approximately every 3 years. Several other administrators were unsure how often such training had taken place, even at their school site. Therefore, the researcher recommends that such training be conducted for the entire faculty and staff yearly. Such critical information may also be better discussed not only during preplanning when faculty and staff is busy visiting, coordinating schedules, and establishing rules and regulations but also revisited again later in the school year.

School leaders could take the opportunity to further increase school personnel's awareness of educator sexual misconduct during a faculty meeting or a succession of meetings by providing additional information as to what sexual misconduct is than the aforementioned Code of Ethics training. Statistics on educator sexual misconduct and perpetrator and victim characteristics should be discussed to increase awareness. Discussing the law and ethics and the legal ramifications for offenders should they molest a student may actually help deter the abusers themselves. The custodial staff, secretarial staff, food service workers, teachers' aides, and parent

volunteers should also be included in such training. Lastly, school leaders should stay abreast of current developments in legislation that may affect educator sexual misconduct, while making themselves visible and accessible as they perform their role as moral keeper of the school.

Implications for Future Research

Throughout the literature, individuals have called for more research regarding sexual misconduct against students by school personnel (e.g., U.S. Department of Education, 2004). This exploratory study also supports the need to further address educator sexual misconduct. Because of the qualitative methodology of this study and its use of a small number of participants, generalizability is limited. Expanding the number of participants by including more school districts within the state of Florida or within other state's school districts could increase universality. In addition, the boundaries of this research project could also be expanded to include private educational institutions. Yet, regardless of the study's limitations, this dissertation may help to continue dialogue leading to future research regarding educator sexual misconduct. In the following paragraphs, the author discusses implications for educational leadership training and implications for future educational leadership research.

What Principals Know and What They Do

An emerging theme within this dissertation's data was the principals' preparedness to deal with the topic of educator sexual misconduct. Interviewees knew what determined appropriate and inappropriate behavior. Participants were able to recognize the signs of educator sexual misconduct and were aware that individuals' perceptions of a situation involving alleged sexual misconduct may differ. All of the administrators followed the same anti-misconduct policy and were well informed as to what to do if an incidence of educator sexual misconduct occurred at their school. As one participant indicated:

There are policies in place for when something happens at your school. There are people in human resources you can talk to as well as my area director. There are avenues established when something is going on at the school. How to talk to the parents, who to talk to, who not to talk to, who to call downtown, how to get public relations help—like

here is a TV news van in front of my school—what do I do? There's a procedure to follow, and I think that's what is critical. You follow procedure. Just like that incident I mentioned. Now there's nothing in the handbook that says if there's a teacher peeing in the bathroom with the boys what to do, but common sense prevails.

Although administrators are able to recognize educator sexual misconduct, it would benefit school leaders if they could better identify a potential offender. In Shakeshaft's synthesis of existing literature regarding educator sexual misconduct, she stated that there are no profile data on sexual offenders and proposed a study of educators convicted of sexual misconduct with students. This researcher recommended a random sample of educators, using court files and newspaper articles to identify perpetrators. Shakeshaft suggested telephone, face to face, and paper and pencil surveys to profile predators and also called for a representative sample of educators to determine false accusations (U.S. Department of Education, 2004).

The author has mentioned the highly publicized Florida case of a female middle school teacher. Most recently, this individual said her biggest regret was the pain she caused her victim. This former educator, sentenced to 3 years of house arrest and 7 years of probation, has been undergoing extensive therapy. In an ideal world without legal constraints, an offender's profile could be developed while he or she was being treated therapeutically, and such profiles could be publicly released for further study. Although such study is not legally possible, it is worth mentioning that, because records are public due to state law, Florida is an excellent location for such studies concerning educator sexual misconduct.

Implications for Educational Leadership Training

This study's findings may also have implications for educational leadership training. As previously mentioned, Mullen and Cairns (2001) discovered a need for practical implications when they were questioning school administrators. In this research project, when principals were asked about their graduate school program of study, 8 of the 10 participants stated that their training in regard to educator sexual misconduct was inadequate. One secondary school leader

explained that not just law cases but also the realities of the world and what administrators should do in those types of situations need to be discussed. Another administrator suggested, “An awareness piece, not a 3-credit course, but sexual misconduct should be addressed in ethics and in school law—there is a place you could fit it in.” The researcher suggests the need for practical implications to help school leaders deal with the complexities that arise during such an incidence.

From the transcribed texts, it appears that leadership programs did not prepare administrators for this kind of scenario and that the school districts did prepare them well. The question arises: should leadership programs prepare them for this scenario, and if so, can they? The University of South Florida serves 10 school districts; therefore, on which district’s policies should they concentrate? Leadership preparation programs simply prepare aspiring candidates for entry-level practice and to apply for licensure. One may ask what partnership between leadership preparation programs and school district training programs may be more useful for principals, particularly in an area such as sexual misconduct where what they need to learn is not just practical? School districts and students may assume that what any preparation program does is prepare aspiring leaders to be experienced professionals, but that is simply not the case. From what the respondents conveyed, it appears that it is the integration of the two that they need. Partnerships could be developed to address that need.

Implications for Future Educational Leadership Research

As mentioned in chapter 3, when the researcher spoke with principals that had just recently experienced educator sexual misconduct or its aftermath at their site, her study was not welcomed. One school leader declined to be interviewed having “heard enough” of sexual misconduct, while another administrator was absent from school on the day of the scheduled interview. One individual, his voice sounding forlorn, told the researcher an interview would be granted, but only if it was absolutely necessary to her study.

This research project’s results suggest that an individual in the leadership field needs to

pursue a study that involves principals that have actually experienced sexual misconduct at their school and how they handled the entirety of the situation from the point in time that it was revealed to how they dealt with the consequences and aftermath, no matter the outcome. An administrator does more than report an instance and deal with the legalities. It is how people who have experienced this have, in their own minds, made sense of what they saw, did not see, and what they acted on and what they did not act on. It is not just the legal steps they take—it is how they handle the case, the teachers and faculty, and the community as this case comes to light and even after that case is resolved, how they handle the aftermath of such a serious event long after the court decision. To date, only one such similar study exists, *The Forbidden Apple: Sex in the Schools*, in which two administrators share their experiences, provide an overview of the issues, and include advice on preventing educator sexual misconduct (Ross & Marlow, 1985).

Even after the case has been decided, anytime another crisis similar to it is brought up in the news again, it is relived in that school building. Recall the previously mentioned school principal that refused an interview. This individual is still encumbered by dealing with the aftermath of a sexual misconduct case that was revealed in June 2004.

Ross and Marlowe (1985) wrote about a superintendent who tells us of an instructor who was accused of taking liberties with a child. The charges turned out to be false once the student confessed that the story had been invented to gain revenge for an unfair grade. However, even after the problem was resolved, it persisted. Parents continued circulating rumors, and school board members demanded to know why the educator was still employed when it had been established that he was preying on students for sexual favors. After more than a year of disputing the irrationalities of the situation, the superintendent, still convinced of the teacher's innocence, counseled him to resign. It was a small community, and it was clear that the teacher would never overcome the circumstances. He resigned and moved away.

Just recently in a Florida school district, an elementary music teacher was acquitted of

charges that he had touched two girls inappropriately in his classroom. The 25-year veteran educator would like to return to work, but the superintendent and the instructor's school is questioning his effectiveness in the classroom. The principal complained that he was already receiving parent complaints saying they did not want their children at the school if the instructor was allowed to return and teach. The school board was scheduled to hold a hearing to determine if the teacher should be allowed to return to a classroom in their county. In 2006 the educator filed a lawsuit seeking compensation for his lost salary and legal fees (BayNews9.com, 2006b).

Individuals in the leadership field may help administrators and their schools cope with educator sexual misconduct by pursuing a single-case study where an investigator observes or examines and analyzes a phenomenon that has been inaccessible to scientific investigation. The study would be worthwhile since the descriptive data alone will be revelatory (Yin, 2003). For example, someone might deliberately pursue an individual who is willing to talk about educator sexual misconduct against students, either a perpetrator or principal who lived through a case. This is the kind of study where an *n* of 1 is permissible and where a phenomenological perspective and an ethnographic perspective can surface the internal and external worlds of someone living the phenomenon.

Summary

The researcher recommends the use of the term *sexual misconduct* versus *sexual harassment*. *Misconduct* covers a larger spectrum, was the term preferred by the majority of interviewees, and is also the term favored by Shakeshaft, an authority on educator sexual misconduct (U.S. Department of Education, 2004). The investigator also recommends studies to develop predator profiles. Such studies would benefit school leaders by helping them to better identify potential offenders. In addition, educational leadership training could better prepare aspiring school leaders by offering practical implications as they relate to educator sexual misconduct. Administrators can further help children by addressing the issue of educator sexual

misconduct with parents. Most importantly would be the addition of some type of curriculum that teaches the child to not be a victim, with such anti-misconduct information repeated yearly beginning as early as kindergarten.

Lastly, the author returned once again to Shakeshaft's synthesis of literature regarding educator sexual misconduct. There are no empirical data from schools in which educator sexual misconduct has occurred. There are no data on the effect of misconduct on other students, other teachers, administrators, or parents. There are also no data on the financial effects or the reputation of the school. In addition, there are little data on prevention strategies and what is different in schools and districts without educator sexual misconduct versus those with substantial sexual misconduct (U.S. Department of Education, 2004). Due to the lack of data, the researcher recommends future studies that will explore the effects of educator sexual misconduct on students and their parents, faculty and staff, administrators, and the school itself by studying school leaders and the schools in which educator sexual misconduct has occurred.

Researcher's Final Thoughts

While writing this dissertation detailing school leaders' responses regarding the topic of educator sexual misconduct, the author's own thoughts and emotions emerged. Since the research project's beginning in 2002, there has been an increased awareness and acceptance of the importance of combating educator sexual misconduct. Child molesters are often the subject of a media firestorm, which not only increases awareness but also forces the nation to seek resolution. The school district in the research study updated its Code of Ethics training for the 2005-2006 school year. Perhaps this update is partly due to the onslaught of media attention forced upon sexual predators. Legislation is being passed, and hopefully, future studies will be conducted to help prevent sexual misconduct against students by school personnel.

The Jessica Lunsford Act that was passed by the 2005 Florida Legislature following the assault and murder of Jessica Lunsford in Homosassa Springs, Florida, focuses primarily on

increasing measures used to monitor sexual offenders or predators. The crime was allegedly committed by an individual who had at one time worked as a subcontracted mason at Jessica's school. Part of the Act specifically relates to individuals with access to school district campuses when students are present. The responsibility to ensure that campuses are accessed by properly screened and approved individuals remains with each school district. Florida school districts must conduct fingerprinting and background checks of noninstructional or contractual personnel to determine whether the individual has been convicted of a crime of moral turpitude.

On March 8, 2006, the House of Representatives approved a broad public safety bill that would allow school leaders in all states to check the backgrounds of prospective educators and other school staff members or volunteers against the national criminal database maintained by the FBI. The majority of school leaders use crime databases in their home states, but school administrators in 21 states do not have access to the federal crime database because their state does not participate in a special compact that allows the sharing of criminal records among states. California, for example, has not joined the National Crime Prevention and Privacy Compact due to privacy rights concerns. Currently, the Children's Safety and Violent Crime Reduction Act of 2005 awaits action in the Senate. If passed by the Senate, it will then be signed by the President and become law (Women's Policy, Inc., 2006).

The bill may serve as another tool to help school administrators who are responsible for hiring faculty and staff. Teachers and staff, particularly those that are child molesters, move across state lines (U.S. Department of Education, 2004). If school administrators are not restricted to using only their state crime databases, they may gain a wealth of information about prospective school employees. This would be particularly helpful for school leaders who are located in quickly expanding areas and who are hiring educators and other school personnel.

The researcher would like to end with a note of appreciation for the school administrators that took part in this study and the county district that trained them. The Florida

county used for this study has selected and produced competent school leaders. The administrators interviewed were well informed, knowledgeable, and informative. They provided the researcher with honest answers and helpful insights. By empowering intelligent school leaders with misconduct prevention strategies and tools such as the federal crime database, the education community will steadily progress forward in its battle against educator sexual misconduct.

References

- Alachua County Sheriff's Office. (2005). *News release: Teacher assistant arrested for lewd and lascivious battery*. Retrieved January 3, 2005, from <http://www.alachuasheriff.org>
- Alexander, K., & Alexander, M. D. (2001). *American public school law* (5th ed.), Belmont, CA: Wadsworth Group.
- Aquila, F. D., & Petzke, J. J. (2000). Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992). *Education Law* (pp. 7-9). Santa Monica, CA: Casenotes Publishing.
- Arndorfer, B. (2005, January 1). Eastside teaching aide is arrested. *The Gainesville Sun*. Retrieved January 19, 2005, from <http://www.gainesville.com/apps/pbcs.dll/article?AID=200541231035>
- Ary, D., Jacobs, L. C., & Razaviech, A. (2002). *Introduction to research in education*. Belmont, CA: Wadsworth Group.
- Associated Press. (2005, September 14). House bill expands monitoring of sex offenders. Retrieved October 3, 2005, from http://www.truescreen.com/content/TRUE_ExpMon.htm
- Bainbridge, W. L. (1999, January 20). Our children deserve safer schools. *Education Week*, 18(19), 35.
- Barber, M., & Juarez, A. (2005, January 27). School official on leave over allegations. *Bradenton Herald*. Retrieved February 22, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=82836878855b16fd25e1
- Bass, A. (1990). *Background checks on school personnel*. Eugene, OR: Clearinghouse on Educational Management. (ERIC Document Reproduction Service No. ED324767). Retrieved September 1, 2003, from http://www.ed.gov/databases/ERIC_Digests/ed324767.html
- BayNews9.com. (2005a). *Manatee County dance instructor arrested*. Retrieved February 8, 2005, from <http://www.baynews9.com/content/36/2005/2/8/70824.html>
- BayNews9.com. (2005b). *Bay area sexual abuse case is the latest in a series*. Retrieved January 28, 2005, from <http://www.baynews9.com/content/36/2005/1/28/69649.html>
- BayNews9.com. (2005c). *Letourneau and Fuallau are married*. Retrieved May 21, 2005, from <http://www.baynews9.com/content/36/2005/5/21/82081.html>
- BayNews9.com (2005d). *Citrus teacher's aid gets 3 years in prison*. Retrieved July 6, 2005, from <http://www.baynews9.com/content/36/2005/7/6/106982.html>

BayNews9.com. (2005e). *Sex offender registry up and running*. Retrieved July 25, 2005, from <http://www.baynews9.com/content/36/2005/7/24/109827.html>

BayNews9.com. (2005f). *Governor signs Jessica Lunsford Act*. Retrieved September 30, 2005, from <http://www.baynews9.com/content/36/2005/5/2/80121.html>

BayNews9.com. (2005g). *Protecting Bay area students from sexual predators*. Retrieved September 30, 2005, from <http://www.baynews9.com/content/36/2005/6/5/86136.html>

BayNews9.com. (2005h). *Expanding the scope of sexual offender laws*. Retrieved September 30, 2005, from <http://www.baynews9.com/content/36/2005/4/21/78839.html>

BayNews9.com. (2005i). *Keeping children safe at school*. Retrieved October 4, 2005, from <http://www.baynews9.com/content/36/2005/10/4/121703.html>

BayNews9.com. (2005j). *Technology pays off*. Retrieved September 30, 2005, from <http://www.baynews9.com/content/36/2005/9/23/119903.html>

BayNews9.com. (2005k). *Fronczak found not guilty*. Retrieved July 2, 2005, from <http://www.baynews9.com/content/36/2005/7/1/104389.html>

BayNews9.com. (2006a). *Lafave expresses remorse*. Retrieved March 22, 2006, from <http://www.baynews9.com/content/36/2006/3/21/149788.html>

BayNews9.com. (2006b). *Still up in the air*. Retrieved May 11, 2006, from <http://www.baynews9.com/content/36/2006/5/10/158177.html>

Beckner, W. (2004). *Ethics for educational leaders*. Boston, MA: Pearson Education.

Behrendt, B. (2005a, April 13). Predators to be barred from school construction sites. *St. Petersburg Times*. Retrieved May 4, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=54aaad7bb6c995168e5e5f

Behrendt, B. (2005b, March 24). Schools to seek ban on ex-cons. *St. Petersburg Times*. Retrieved March 29, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=419c2ae0ce4ad3883919

Bithell, S. B. (1991). *Educator sexual abuse: A guide for prevention in the schools*. Boise, ID: Tudor House Publishing.

Blair, J. (2003, April 23). American Indians sue federal government over abuse allegations. *Education Week*, 22(32), 10.

Blair, R. (2005, February 2). Lacochee school cook suspended. *Tampa Tribune*. Retrieved February 22, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=24c587587fb250c16064

Blair, R., & Burr W. (2005, February 5) Celebrated student, 17, accused of molestation. *Tampa Tribune*. Retrieved February 22, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=2f6f6603a567847ccac24.

Brown, S. (2005, April 6). Alleged victim sues Faerber's estate, school district. *ABC News Online*. Retrieved April 10, 2005, from <http://www.abc-7.com/articles/readnews.asp?articleid=2997&z=2&9=>

Bryant, G. F., Casey, J. J., Jackson, B. K., Jefferson, W. B., & Risetto, H. A. (2000). *Sexual harassment in the schools: avoiding liability*. Wayne, PA: Oakstone Legal & Business Publishing.

Catalanello, R. (2005, February 3). Abuse claim brings school official's suspension. *St. Petersburg Times*. Retrieved February 22, 2005 from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=82836878855b16fd25e1

Cbs2chicago.com. (2004). *Mary Kay Letourneau, former pupil to marry?* Retrieved October 12, 2004, from http://cbs2chicagocom/topstories/topstories_sotry_254_220650.html

Chaika, G. (1999). Is the teacher in the classroom next door a convicted felon? *Education World*. Retrieved September 8, 2003, from http://www.education-world.com/a_admin/admin129.shtml

CNN.com (1999, January 12). *Child's play or sexual harassment?* Retrieved November 3, 2003, from <http://www.cnn.com/US/9901/12/scotus.sex.01>

CNN.com. (2004, October 12). *CNN Larry King Live: Interview with Mary Kay Letourneau*. Retrieved October 12, 2004, from <http://www.cnn.com/2004/US/10/12/letourneau.king>

Conner, C., & Behrendt, B. (2005, March 22). Suspect worked at Jessica's school. *St. Petersburg Times*. Retrieved March 29, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=419c2ae0ce4ad3883919

Cooper, Jr., W. (2005, January 13). Teacher wants sex case settlement unsealed. *Palm Beach Post*. Retrieved March 9, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=41255d17b68947cd01f4f

Creswell, J. (1998). *Qualitative inquiry and research design*. Thousand Oaks, CA: Sage Publications.

DeNardo, C. (2005, February 17). Former coach accused of assault: Venice High School's assistant athletic director retires after learning that he's being investigated. *Sarasota Herald-Tribune*. Retrieved March 2, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=0fee0a3ec99b5c4a60aeda

Denzin, N. K., & Lincoln, Y. S. (2000). *Handbook of Qualitative Research* (2nd ed.). Thousand Oaks, CA: Sage.

Dougherty, J. E. (2004). *Sex abuse by teachers said worse than Catholic church*. Retrieved April 27, 2005, from <http://www.newsmax.com/scripts>

Dowling-Sendor, B. (1998). When teachers harass students. *The American School Board Journal: August 1998 School Law*. Retrieved September 30, 2003, from <http://www.asbj.com/199810/1098schoollaw.html>

Dowling-Sendor, B. (1999). Beyond teasing—districts could be liable for student sexual Harassment. *The American School Board Journal: August 1999 School Law*. Retrieved September 30, 2003, from <http://www.asbj.com/199908/0899schoollaw.html>

Dowling-Sendor, B. (2002). What did they know? *The American School Board Journal: August 2002 School Law*. Retrieved September 30, 2003, from <http://www.asbj.com/2002/08/0802schoollaw.html>

Drake, T. L., & Roe, W. H. (2003). *The principalship*. Upper Saddle River, NJ: Merrill Prentice Hall.

Florida Department of Law Enforcement. (2005). *Florida sexual offenders and predators*. Retrieved May 3, 2005, from <http://www.3.fdle.state.fl.us>

Fossey, R. (1991). Child abuse investigations in the public schools: A practical guide for school administrators. *West's Education Law Reporter*, 69, 991-1008.

Garner, B. A. (2004). *Black's law dictionary* (8th ed.). St. Paul, MN: West, a Thomson business.

Geary, J. (2005, December 16). Man Gets Prison for Sex with Girl. *The Ledger*. Retrieved May 7, 2006, from <http://www.theledger.com/apps/pbcs.dll/article?Date=20051216&Category=NEWS&ArtNo>

George, J., & Sanchez, J. (2005, March 22). Couey sex list status not told. *St. Petersburg Times*. Retrieved March 29, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=419c2ae0ce4ad3883919

Glenn, L. (2005a, February 19). Legal statute spares ex-coach from sex charge. *Sarasota Herald-Tribune*. Retrieved March 2, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=5eb660c68e6e48f3adffaaf

Glenn, L. (2005b, February 26). Former student claims abuse: A 1991 graduate of Venice High School says James LaMorte Sr. fondled him. *Sarasota Herald-Tribune*. Retrieved March 2, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=0fee0a3ec99b5c4a60aeda

Glenn, L. (2005c, February 18). Police: Ex-coach has admitted abuse: Detectives say they have learned of statements made by James LaMorte Sr., Venice High's ex-athletic director. *Sarasota Herald-Tribune*. Retrieved March 2, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=0fee0a3ec99b5c4a60aeda

Glenn, L. (2005d, February 27). For abuse claims, justice has its limits: Allegations against a former Venice High coach show time isn't always on the side of an accuser. *Sarasota Herald-Tribune*. Retrieved March 2, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=0fee0a3ec99b5c4a60aeda

Glenn, L. (2005e, July 6). Former coach LaZMorte surrenders at county jail. *Sarasota Herald-Tribune*. Retrieved July 6, 2005, from <http://www.heraldtribune.com/apps/pbcs.dll/article?AID=/20050610/NEWS?506100447/10>

Glesne, C., & Peshkin A. (1992). *Becoming qualitative researchers: An introduction*. White Plains, NY: Longman Publishing Group.

Goorian, B. (1999). *Sexual misconduct by school employees*. Eugene, OR: Clearinghouse on Educational Management. (Eric Document Reproduction Service No. ED436816). Retrieved October 2, 2003, from <http://eric.uoregon.edu/publications/digests/digest134.html>

Goorian, B., & Brown, K. (2002). *School law: Trends and issues*. Eugene, OR: Clearinghouse on Educational Management. (Eric Document Reproduction Service No.ED4595 2). Retrieved September 1, 2003, from http://www.eric.uoregon.edu/trends_issues/law/index.html

Graves, B. (1994). When the abuser is an educator—Dealing with sex abuse allegations becomes an all-too-common task for school leaders. *The School Administrator Web Edition*. Retrieved September 1, 2003, from http://www.aasa.org/publications/sa/1994_10/graves.htm

Greenwalt, D. (Writer), & Green, B., S. (Director). (1997). I only have eyes for you [Television series episode]. In J. Whedon (Producer), *Buffy the Vampire Slayer*. Hollywood, CA: Twentieth Century Fox.

Hardy, L. (2002). Trust betrayed. *American School Board Journal*, 189(6), 14-16.

Hendrie, C. (1998a, November 25). Sex with students: When employees cross the line. *Education Week*, 18(14), 1, 12-14

Hendrie, C. (1998b November 25). Passing the trash by school districts frees sexual predators to hunt again. *Education Week*, 18(15), 16-17.

Hendrie, C. (1998c, November 25). Living through a teacher's nightmare: False accusation. *Education Week*, 18(15), 19.

Hendrie, C. (1998d, November 25). In youth's tender emotions, abusers find easy pickings. *Education Week*, 18(14), 17.

Hendrie, C. (1998e, November 25). Labels like 'pedophile' don't explain the many faces of child sexual abuse. *Education Week*, 18(14), 16.

Hendrie, C. (1998f, November 25). Abuse by women raises its own set of problems. *Education Week*, 18(14), 1, 14-15, 17.

Hendrie, C. (2003, April 30). A trust betrayed: An update of sexual misconduct in schools. Part I: States target sexual abuse by educators. Part II: Family heals after teacher-student relationship. *Education Week*. Retrieved November 12, 2003 from http://www.edweek.org/sreports/special_reports_article.cfm

- Huff, D. J. (1997). *To live heroically: institutional racism and American Indian education*. Albany, NY: State University of New York Press.
- Imber, M., & van Geel, T. (2000). *Education Law* (2nd ed.). Mahwah, NJ: Erlbaum.
- Jones, C. (2005, February 11). Abuse cases face double standard. *USA Today*. Retrieved February 22, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=b55ca499fe1264a40f306
- Koch, N., Catalanello, R., & Leary, A. (2005, February 4). Student accused of molesting 7-year-old. *St. Petersburg Times*. Retrieved February 22, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=2f6f6603a567847ccac24
- Lankes, T. (2005). Sheriff arrests man for sex with underage girl. *Herald-Tribune*. Retrieved February 14, 2005, from <http://www.heraldtribune.com/apps/pbcs.dll/article?Date=20050208&Category=NEWS>
- Lashway, L. (1996). *Ethical leadership*. Eugene, OR: Clearinghouse on Educational Management. (Eric Document Reproduction Service No. ED397463). Retrieved March 3, 2005, from http://eric.uoregon.edu/trends_issues/rolelead/index.html
- Lashway, L. (2003). *Role of the school leader: Trends and issues*. Eugene, OR: Clearinghouse on Educational Management. (Eric Document Reproduction Service No. (ED479933)). Retrieved January 27, 2005, from http://eric.uoregon.edu/trends_issues/rolelead/index.html
- Locke, L. F., Spirduso, W. W., & Silverman, S. J. (2000). *Proposals that work: A guide for planning dissertations and grant proposal* (24th ed.). Thousand Oaks: Sage.
- Logan, J. P. (1999). An educational leadership challenge: Refocusing gender equity strategies. *The AASA Professor*. Retrieved February 14, 2005, from <http://www.aasa.org/publications/tap/2000summer/logan.htm>
- Lumsden, L. S. (1991). *The role of schools in sexual abuse prevention and intervention*. Eugene, OR: Clearinghouse on Educational Management. (Eric Document Reproduction Service No. ED331152). Retrieved September 27, 2002, from http://www.ed.gov/databases/ERIC_Digests/ed331152.html
- McGrath, M. (1994). The psychodynamics of school sexual abuse investigations. *The School Administrator Web Edition*. Retrieved September 9, 2003, from http://www.aasa.org/publications/sa/1994_10/mcgrath.htm
- McIntyre, T. (1990). The teacher's role in cases of suspected child abuse. *Education and Urban Society*, 22(3), 300-306.
- Meenan, K. (2005, January 5). Sex charges against teacher's aid could multiply. *First Coast News*. Retrieved January 20, 2005, from <http://www.firstcoastnews.com/news/topstories/news-article.aspx?storyid=30310>
- Merriam, S. B. (1998). *Qualitative research and case study applications in education*. San Francisco, CA: Jossey-Bass.

Miles, M., & Huberman, A. (1994). *Qualitative data analysis: An expanded handbook* (2nd ed.). Newbury Park, CA: Sage.

Mullen, C. A., & Cairns, S. S. (2001). The principal's apprentice: Mentoring aspiring school administrators through relevant preparation. *Mentoring & Tutoring: Partnership in Learning*, 9(2), 125-52.

National School Boards Association. (1998). *School leaders focus on standards and achievement*. Retrieved February 14, 2005, from <http://www.asbj.com/evs/98/leadership.html>

NBC10.com. (2005, February 4). *Teacher charged with propositioning teens for sex*. Retrieved May 12, 2006, from <http://www.nbc10.com/print/4165056.detail.html>

NBC10.com. (2005, April 6). *Teacher accused of sexual abuse involving student*. Retrieved May 12, 2006, from <http://www.nbc10.com/print/4354183/detail.html>

News4Jax.com. (2005, January 13). *Hernando teacher's aide charged with having sex with teen*. Retrieved January 16, 2005, from <http://www.news4jax.com/print/4079105/detail.html>

Office for Civil Rights. (1997). *Sexual harassment: It's not academic*. Retrieved September 2, 2003, from <http://www.ed.gov/about/offices/list/ocr/docs/ocrshpam.html>

Office for Civil Rights. (2001). *Revised sexual harassment of students by school employees, other students, or third parties*. Retrieved September 2, 2003, from <http://www.ed.gov/about/offices/list/ocr/docs/sexhar01.html>

Parks, J. (2003, April 30). State policies on sexual misconduct between educators and students. *Education Week*, 22(13). Retrieved January 5, 2004, from <http://www.edweek.org/ew/vol-22/gallery/17wehtable.pdf>

Patton, M. Q. (2002). *Qualitative research and evaluation methods* (3rd ed.). Thousand Oaks, CA: Sage.

Rebore, R. W. (2001). *Human resources administration in education: A management approach*. Needham Heights, MA: Allyn and Bacon.

Rosenhall, L. (2005, February 24). Teacher sex case has school abuzz. *Sacramento Bee*. Retrieved March 2, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=db2f2ca2f4a4da2f92f364

Ross, V. J., & Marlowe, J. (1985). *The forbidden apple: Sex in the schools*. Palm Springs, CA: ETC Publications.

Sanchez, J., & Behrendt, B. (2005). Teacher's aide faces new sex charge. *St. Petersburg Times Online Tampa Bay*. Retrieved January 16, 2005, from http://sptimes.com/2005/01/14/news_pf/Citrus/Teacher_s_aide_faces_.shtml

Schimmel, D. (1996). *Research that makes a difference: Complementary methods for examining legal issues in education*. Topeka, KS: National Organization of Legal Problems of Education.

Schouten, C., & Lankes, T. (2005, January 27). Assistant principal at Haile suspended: An advocacy group claims he abused boys in the Northeast in the '60s: The district will investigate. *Sarasota Herald-Tribune*. Retrieved February 22, 2005 from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=82836878855b16fd25 el

Shakeshaft, C. (1994). Responding to complaints of sexual abuse: New study examines how school districts are handling allegations. *The School Administrator Web Edition*, 51(9), 22-27.

Shakeshaft, C. (2003). Educator sexual abuse: A synthesis of existing literature. Retrieved January 3, 2005, from http://www.specialeducationmuckraker.com/Shakeshaft_SchoolSexualAbuse.pdf

Shakeshaft, C., & Cohan, A. (1995). Sexual abuse of students by school personnel. *Phi Delta Kappan*, 76, 512-520.

Shannon, A. (2005). CHS aide arrested for battery. *Citrus County Chronicle Online*. Retrieved January 16, 2005, from <http://www.chronicleonline.com/articles/2005/01/13/news/news02.txt>

Shoop, R. J. (1999). See no evil: Sexual abuse of children by teachers. *The High School Magazine*, 6(7), 8-12.

Shoop, R. J. (2000). The principal's dilemma. *Principal Leadership*, 1(1), 22-27. Retrieved October 2, 2002, from <http://80-newfirstsearch.oclc.org.ezproxy.lib.usf.edu>

Simonds, R. (Producer), Davis, T. (Director), Herlihy, T. (Writer), & Sandler, A. (Writer). (1995). *Billy Madison* [Motion Picture]. Hollywood, CA: Universal City Studios.

Stein, N. (1999, February 10). Public/Private rules. *Education Week*, 18(22), 36.

Susteren, G., & Estrich, S. (2005). *Legal analysis of teacher-student sex cases*. Retrieved March 2, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=5a2c85d64c2b58ae39a29

The Tampa Tribune. (2005, February 6). Student volunteer accused of molestation. *Tampa Tribune-Metro*, p. 4.

Tashakkori, C., & Teddlie, A. (2003). (Eds.), *Handbook of mixed methods in social and behavioral research*. Thousand Oaks, CA: Sage.

Thompson, S. (2005). Custodian accused of possessing child porn. *St. Petersburg Times Online*. Retrieved January 31, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=24c587587fb250c16064

Times staff writer. (2005, March 19). Student faces charges for child porn at school. *St. Petersburg Times*. Retrieved March 19, 2005, from http://web.lexis-nexis.com.proxy.usf.edu/universe/document?_m=3b052332aa54794902f2

U.S. Department of Education. (2004). *Educator sexual misconduct: A synthesis of existing literature*. Washington, DC: U.S. Department of Education, Office of the Under Secretary.

U.S. Senate and House of Representatives. (2002). *No Child Left Behind Act of 2001*. Retrieved May 01, 2004, from <http://www.ed.gov/policy/elsec/leg/esea02/107-110.pdf>

U.S. House of Representatives. (2005). *H.R. 3132: Children's Safety Act of 2005*. Retrieved on August 15, 2005, from <http://www.govtrack.us/congress/billtext.xpd?bill=h109-3132>

Walsh, M. (1999, April 21). Districts should improve background checks, lawyers advise. *Education Week*, 18(32), 7.

Wishnietsky, D. H. (1991). Reported and unreported teacher-student sexual harassment. *Journal of Educational Research*, 3, 164-169.

Women's Policy, Inc. (2006, March 10). *House approves Children's Safety and Violent Crime Reduction Act*. Retrieved March 23, 2006, from <http://www.womenspolicy.org/thesource/article.cfm?ArticleID=1958>

Yin, R. K. (2003). *Case study research: Design and methods* (3rd ed.). Thousand Oaks, CA: Sage.

Appendices

Appendix A

Table A-1

Empirical Studies of Educator Sexual Misconduct

Study	Description
Abuse and Disability Project. (1992). Edmonton, Canada: University of Alberta.	Analysis of 162 cases of sexual abuse of children/adults with disabilities in Canada by transportation workers.
American Association of University Women. (1993). <i>Hostile Hallways</i> , Washington, DC: AAUW Educational Foundation.	1,632 field surveys of U.S. public school students in Grades 8 to 11 in 79 schools. Students were asked questions about physical, verbal, and visual sexual harassment.
American Association of University Women. (2001). <i>Hostile Hallways</i> , Washington, DC: AAUW Educational Foundation.	Replication of 1993 study; 2,063 field surveys.
Cameron, Coburn, Jr., Larson, Proctor, Forde, & 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 returned equaling a 45.5% response rate.
Cawson, Wattam, Brooker, & Kelly. (2000). <i>Child Maltreatment in the United Kingdom: A Study of Prevalence of Child Abuse and Neglect</i> . London, England: NSPCC.	Interviews of UK national random sample of 2,869 people ages 18-24 on incidences of sexual abuse as children.
Corbett, Gentry, & Pearson, Jr. (1993). Sexual Harassment in High School. <i>Youth and Society</i> , 25(1), 93-103.	Survey of 185 college students asking them to estimate sexual harassment of a student in high school by a teacher, both about other students and themselves.
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 incidences of sexual abuse as children.
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 for eight English and Welsh regions. Descriptions of reports of child sexual abuse by a worker in the institution.
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 district investigators between March and August of 1998. Survey of officials from each of the 50 states on their laws and policies on sexual relations with students and the reporting of alleged misconduct by school personnel.
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.
Jennings & Tharp. (May 4, 5, 6, 2003). Betrayal of Trust. <i>The Dallas Morning News</i> .	Three-part series examined 606 cases of educator sexual misconduct in Texas from records about disciplined educators maintained by the State Board of Educator Certification.

Appendix A (Continued)

(Study)	(Description)
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.
SESAME. (1997). http://www.sesamenet.org	Survey of 100 survivors (74 girls and 26 boys) of educator sexual misconduct in the U.S.
Shakeshaft & Cohan. (1995, March). Sexual Abuse of Students by School Personnel. <i>Phi Delta Kappan</i> , 76(7), 513-520. (1994). In <i>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 incidents 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.
Shakeshaft. (2003, Spring). <i>Educator Sexual Abuse</i> . Hofstra Horizons, 10-13.	Secondary reanalysis of AAUW Hostile Hallways data to focus on educator sexual misconduct.
Stein, Marshall, & Tropp. (1993). <i>Secrets in Public: Sexual Harassment in Our Schools</i> . Wellesley, MA: Wellesley Centers for Women.	Survey in Seventeen Magazine on sexual harassment with 4,200 girls in Grades 2 through 12 responding.
Willmsen, & O'Hagan. (Dec. 14-16, 2003). Coaches Who Prey. <i>The Seattle Times</i> .	Series on coaches in Washington state. Analysis of district records that identified 159 coaches that had been reprimanded or fired for sexual misconduct between 1993 and 2003.
Wishnietsky. (1991). Reported and Unreported Teacher-Student Sexual Harassment. <i>Journal of Educational Research</i> , 84(3), 164-169.	Survey reports from 300 graduates of North Carolina high schools asking their experiences with educator sexual misconduct.
Zernel, & Twedt. (Oct. 31 to Nov. 2, 1999). Dirty Secrets. <i>Pittsburgh Post-Gazette</i> .	Three-part series on educator sexual misconduct. Results from survey of state education departments on reasons for revocation of teacher licenses. Data from 45 states and the D.C. public schools.

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

Appendix B

Table A-2

Propositional Studies of Educator Sexual Misconduct

Subject	Available Studies	Suggestions for Future Studies
Prevalence	Limited national data	Nationwide study: 12 and older. Questions on prevalence, patterns, outcomes, descriptions of predators and victims, effects on academic performance and social interactions.
Predators	No profile data	Study of convicted educators. Random sample using media and court file for identification. Telephone, face-to-face, paper-and-pencil surveys. Sample of teachers to determine false accusations.
Victims	Little data on profile, patterns, effects	Study of students that have been victims. Questions on patterns, experiences with schools, law enforcement and parent involvement.
Patterns	Limited data	Content analysis of court documents; survey data from households.
Effects on victims	Limited data	Longitudinal and retrospective studies of victims
Effects on others	No data	Study of schools where misconduct has occurred. Effects on students, teachers, parents, reputation of school, administrators.
School and district responses	Little data on prevention strategies	Study of prevention strategies
Consequences for predators	Little data on gravity of legal consequences	Examining of sentencing records of offenders
Public reactions	Little data	Survey of households; response to accusations
Professional organizations	Little data on support	Survey studies.
Investigative practices	Little data	Observational, interview, survey.
Legal examination	No analyses of the development of legal arguments, policies, regulations, and laws	Compare Title VII, Title VI, Title IX decisions, comparison of state laws, efficacy of federal and state responses.

Source: U.S. Department of Education. (2004). Educator sexual misconduct: A synthesis of existing literature.

Appendix C

Questions for Principal Interview

Instructions: Please take a few moments to look over the interview questions before we begin.

I am a USF doctoral candidate under the supervision of Carol A. Mullen, Ph.D., Associate Professor of Leadership Studies at USF.

This interview is for a study I am conducting entitled: School Principals' Knowledge and Understanding of Educator Sexual Misconduct Against Students. The results will be reported anonymously in a doctoral dissertation. At no time will your name, your school's name, or any recognizing information be identified.

Your willingness to participate is greatly needed and appreciated. Should you have any questions, I may be reached at sscairns1@tampabay.rr.com or (727) 812-6961 or (813) 318-2519.

Sylvia Sonja Cairns
Doctoral Candidate
University of South Florida
Department of Educational Leadership & Policy Studies

Years in Rank

1. How many years did you serve as a teacher? An assistant principal? A principal?
2. Did you do anything to prepare for this interview?

Definition of Educator Sexual Misconduct

3. I'd like to explore the topic of sexual misconduct against students by school personnel with you. When I say *sexual misconduct*, what associations come to mind?

Potential Probes and Prompts

- Sexual harassment, sexual abuse, educator sexual misconduct—how do you define it?
- Tell me how you feel about this question?

What do Principals Know and Understand about Educator Sexual Misconduct

4. What is your understanding of sexual misconduct against students by school personnel?

Potential Probes and Prompts

- What do you think school principals should know and understand about educator sexual misconduct?

Sexual Harassment Policies

5. Is the anti-misconduct policy you follow at the district level or do you have a school level policy as well?

Appendix C (Continued)

Potential Probes and Prompts

- Please describe. Where can these policies be found (e.g., faculty handbook, student handbook)?
- Describe what you perceive is your legal role in the development, dissemination, and enforcement of policies dealing with educator sexual misconduct.

What Should a Principal Do in Response to Educator Sexual Misconduct

6. What do you think a principal should do if an incidence of educator sexual misconduct occurs at his or her school?

Potential Probes and Prompts

- What do you see is a principal's professional responsibility in relation to educator sexual misconduct?

Awareness and Prevention Strategies

7. In which way did your graduate school program of study prepare you to deal with the issue of educator sexual misconduct, and in which way did it not?

Potential Probes and Prompts

- What could be included in the preparation program at the university level (e.g., training, classes, and experiences) that would help aspiring leaders should the issue of educator sexual misconduct ever be encountered?
8. Did you receive any inservice training as a beginning assistant principal or principal that helped prepare you to deal with the issue of educator sexual misconduct? If so, please describe.
 9. Does your school or school district have sexual misconduct training in place for administrators, parents, students, faculty, or staff? If so, please describe.

Potential Probes and Prompts

- What do you perceive that principals, parents, students, faculty, and staff need to know about educator sexual misconduct?
 - Do you have any recommendations for training?
10. Before we end, is there anything you would like to add?

Appendix D

List of Codes

Question 1: Years as teacher/assistant principal/principal

RK: Years in rank
LG: Long hours

Question 2: Anything to prepare for interview

P: Prepare for interview

Question 3: Define educator sexual misconduct/how do you feel about question

DEF: Define educator sexual misconduct
MIS: Misconduct versus harassment
SAB: Sexual abuse
FEL: How do you feel about Question 3

Question 4: What principals should know and understand about educator sexual misconduct

KNO: What should principals know and understand about EDS?
AC: Acceptable behavior
REC: Recognize misconduct
PP: Perceptions

Question 5: Policy at district/school level/Role in development/dissemination/enforcement

PD: Policy from district
PF: Where policy found
DEV: Development of policy
DIS: Dissemination of policy
DISE: Elementary-policy not discussed with students
DISS: Policy discussed with secondary students
DISP: Policy not discussed with parents
DISF: Policy reviewed with faculty/staff
ENF: Enforcement of policy

Question 6: Professional responsibility should an incidence occur

PR: Professional responsibility should an incidence occur
PS: Professional standards

Appendix D (Continued)

UG: Urgency to deal with situation
IV: Investigate
PRO: Protect the accused/coach teachers

Question 7: Graduate school program of study

UPY: University preparation, yes
UPN: University preparation, no
UPR: University preparation, recommendations

Question 8: Inservice Training

BPY: Beginning principal program, yes
BPN: Beginning principal program, no

Question 9: District training administrators, parents, students, faculty, or staff

PT: Parent training
ELT: Elementary student training
MT: Middle school student training
HT: High school student training
ADT: Administrator training
FT: Faculty training
GC: Guidance counselor
ET: Ethics training
VC: Child/victim
REP: Repeat anti-misconduct information yearly

Question 10: Anything you would like to add

DV: Deviancy

Appendix E

Display of Question 1

How many years did you serve as a teacher, an assistant principal, and a principal?

Table A-3

Display of Question 1

Principal	Teacher	Assistant Principal	Principal	Long Hours
A	6	6	5	
B	7	20	9	I work a lot, but I do take a few days off every now and then so I don't have to retire
C	16	4.5	2	I work my [fanny] off; nights, weekends
D	10	6	22	This is a way of life
E	26	3	9	This is not just a job, it's your life
F	8	10	10	I put in about 100 hours a week
G	15	7	7	10-12 hour days; I attend at least one evening function weekly
H	11	3.5	1.5	I always do work in the evenings after I put my kids to bed
I	20	3	8	I usually do paperwork after dinner
J	3	4.5	4 Guidance 7.5	I go home when I'm supposed to—just look at my desk

Appendix F

Display of Question 2

Did you do anything to prepare for this interview?

Table A-4

Display of Question 2

Principal	Anything to Prepare	Other
A	No	
B	No	
C	No	
D	No, nothing	Glanced through handbook after answering question
E	No	
F	Nothing	
G	No, nothing	
H	Nope	
I	No, nothing	[The district] gives us a lot of training
J	No	

Appendix G

Display of Question 3

I'd like to explore the topic of sexual misconduct against students by school personnel with you. When I say sexual misconduct, what associations come to mind? Sexual harassment, sexual abuse—how do you define educator sexual misconduct?

Table A-5

Display of Question 3

Principal	Harassment or Misconduct	How Do You Feel About Question 3
A	When I think of sexual misconduct, I think of sexual harassment and sexual abuse. It goes from one side of the spectrum to the other.	It's been discussed and re-discussed.
B	Sexual misconduct covers everything verbal and physical.	We have to talk about it. Reality is that, in society, there are bad people.
C	Harassment would be intimidation and taking advantage, proximity—whereas sexual abuse would actually be physical touching and inappropriate touching of body parts.	Openness is critical; kids need a safe place where they can talk.
D	I see a little difference between sexual harassment and misconduct. Sexual harassment to me is more personal. Sexual misconduct you could be doing something out on the street that could be misconduct, like exposing yourself.	It's uncomfortable to have to approach people, especially those you respect, but if you're not guilty, you'll be protected.
E	I think misconduct is a really good word. Verbal comments and physical contact is all misconduct to me.	We didn't talk about sex education 20 to 30 years ago either, and so now it's time to talk about sexual misconduct against students. Our profession has been ruined with the cases, and for it to move ahead, we need to say what we believe—but we are all afraid to say anything.
F	When I see harassment, I see it under the umbrella of misconduct. You can have misconduct with or without actual touching. I think inappropriate statements, isolating a student in a room alone, intimately touching the student, or anything beyond the scope of education could be considered misconduct.	I'm okay discussing it because we have to create a safe, caring environment for kids, but most people are afraid to say anything because they're afraid that, if they say a name or something, they'll get sued.
G	I see sexual harassment as it could be—a verbal advancement, unwanted and inappropriate—and sexual misconduct I see as a physical gesture or activity. Misconduct seems to cover more.	The workplace is supposed to educate their workforce about sexual misconduct.

Appendix G (Continued)

(Principal)	(Harassment or Misconduct)	(How Do You Feel About Question 3)
H	<i>Misconduct</i> is the term I like. Educator sexual misconduct could be showing a preference perhaps of girls over boys or boys over girls.	Fortunately, I haven't had this come up at my school, I'm happy to say.
I	We've been trained to say sexual harassment, but in many cases I would say the term <i>sexual misconduct</i> when talking to a student.	I don't have a problem talking about it. I want my students and the adults associated with this campus to feel safe.
J	Making comments to students would be classified as sexual harassment. If there were actual physical contact, sexual in nature, I'd call it sexual abuse. The term <i>misconduct</i> is not black and white, and I wouldn't use it. Misconduct says not really here, not really there.	It's a sensitive topic, but it needs to be addressed.

Appendix H

Display of Question 4

What is your understanding of sexual misconduct against students by school personnel? In other words, what do you think school principals should know and understand about educator sexual misconduct?

Table A-6

Display of Question 4

Principal	Acceptable Behavior	Recognize Misconduct	Perceptions May Differ
A	I know what's right and what's wrong.	But there were those red flags, my gut instinct.	What teachers do which is very innocent can be taken as non-innocent.
B	Principals had better know what is appropriate and what is not appropriate, what is in the realm of sexual misconduct. They better know what's appropriate or inappropriate conversation; physical contact.	Last year I had teachers come to me because there was a student who was supposedly going to another teacher for help, but the help didn't seem to be at appropriate times and it seemed to be too long. So these huge red flags were popping up with them, so they came to me and [I] looked at the situation and rearranged it.	I had a student who was spending a lot of time with a teacher, and even though it wasn't out of sight of folks, it still didn't look good. If it looks like duck, quacks like a duck . . . well, it wasn't walking or quacking like a duck, but it was looking like a duck. So let's change the environment, the timing, and the circumstances so that it can't go to the other—quacking and walking like a duck.
C	By the time you reach the principalship you should have common sense and know what is right and what is not and how to proactively handle it on your campus.	I keep going back to common sense, but you can't have all these years of training and not apply it. We are trusted to be able to recognize sexual misconduct.	In our culture, people think he's a young guy with a woman, and isn't this like, Wow! He's so lucky.

Appendix H (Continued)

(Principal)	(Acceptable Behavior)	(Recognize Misconduct)	(Perceptions May Differ)
D	I think the principal should know what is acceptable behavior on the part of the teachers, on the part of all educators. They should have that engrained in them intrinsically.		<p>There needs to be a clear perception as to what is being said because perception is not necessarily reality; sometimes there are extenuating circumstances like consenting behaviors on both parts which are not related, and you can have hard data that sit there that tell you there is some mixed communication going on there.</p> <p>This person is saying they have been sexually harassed, but yet this person is seeking this person out from that person's area and then, at that point, got upset about what was going on.</p>
E	Principals need to know what is inappropriate and unacceptable behavior.	To provide a safe learning environment, I need to be able to recognize the signs of inappropriate behavior.	Look who is interested in him!
F	Training does involve what is appropriate and what is not appropriate and how to handle those things.		Mrs. Robinson fantasy—he's such a lucky guy.
G	It is a principal's duty to know what is acceptable and unacceptable behavior.	Awareness is key in recognizing signs of misconduct.	You've got to be around other kids and other people—make sure you're visible so somebody can see you—doubt should be in no one's mind.

Appendix H (Continued)

(Principal)	(Acceptable Behavior)	(Recognize Misconduct)	(Perceptions May Differ)
H	As educators, we're trained to know what's right and wrong. Apply common sense and what you've learned. Both beginning administrator programs discuss what's appropriate and what's inappropriate and what you should be doing.	I think they should be able to recognize the signs of it and (primarily from my standpoint) is how to deal with it when it does occur, how to put a stop to it, how to address it, investigate it, report it.	Some of those situations are from innocence and naivety and teachers want to help, but what are others thinking?
I	You are a professional and therefore, you know if someone is crossing the line.		Just dealing with the student's perspective is the main thing, and they want to see whether or not someone is actually paying attention to what they say or if they can get the eyebrows to rise.
J		You've got to be able to recognize the warning signs.	Student feels a comment a teacher made was sexual in nature, but on the teacher's side, there is nothing to it, and after interviewing other kids in class, they didn't take it that way either, so it was a student's misperception of sexual misconduct.

Appendix I

Display of Question 5A

Is the anti-misconduct policy you follow at the district level or do you have a school level policy as well?

Table A-7

Display of Question 5A

Principal	District and/or School Anti-Misconduct Policy	Where Policies Can Be Found
A	I follow the district's policy.	We have the faculty and student handbook.
B	It's not just a district level; it comes from the state to the district to the school. I don't know that I've done anything besides what comes to us from the district providing us the information that we are expected from the state.	They have student and faculty handbooks. Faculty has access to faculty handbook; they have one in their teacher's manual—everyone has their own.
C	We use the district policy.	Policies can be found in the faculty and student handbooks and our CMP (crisis management folders). And we take it a step further, we verbalize with our faculty that it's not a good practice because not everyone knows.
D	District level because whatever the policies are everyone is informed. We have to talk about it at the beginning of each year.	Policies are found in the handbook.
E	District, that applies to the school level.	We have the faculty, handbook, student handbook, and principal's handbook/packet and school handbook. Everyone has his or her own individual handbook. Whenever somebody comes in, I make sure that they know about that handbook.
F	We follow the district level ... our guidelines are the district's levels.	Student handbook, faculty handbook is available.
G	These are district policies that we follow.	District policy is found in the handbooks.

Appendix I (Continued)

(Principal)	(District and/or School Anti-Misconduct Policy)	(Where Policies Can Be Found)
H	I don't have a school policy.	It is in our principal's handbook, I believe, that the district guidelines for sexual harassment are described in there. So that is something to share with folks.
I	We follow the district policy (all schools do)—it's enforced at the district level.	We've got the student handbook, faculty handbook, crisis management binders.
J	District policy.	Policy is both in the principal's handbook/packet and school district policy handbook—it's now online. The school board policy manual is now online.

Appendix J

Display of Question 5B

Describe what you perceive is your legal role in the development, dissemination, and enforcement of policies dealing with educator sexual misconduct.

Table A-8

Display of Question 5B

Principal	Development of Policy	Enforcement of Policy	Dissemination of Policy
A		I enforce the policy of the district.	Sexual harassment is addressed with the faculty at the beginning of the year. In elementary, we don't go over the handbook with students. It does go home to the parents.
B		The enforcement of policies definitely, whether I want to be or not I get held responsible for anything that happens on this campus.	At the beginning of the year, we refer to the handbook a lot, and we do talk about sexual misconduct. With sixth graders, we spend 2 weeks talking about what is right and wrong and what someone should never do. With seventh and eighth graders we go over the topic in homeroom, do a morning show presentation, and talk about the fact that there are student and faculty restrooms, use your own. Our custodians have a manual that includes the student and faculty handbooks. They are not written in Spanish, but we have a translator.

Appendix J (Continued)

(Principal)	(Development of Policy)	(Enforcement of Policy)	(Dissemination of Policy)
C	We don't have input, but there's a procedure to follow, and I think that's what is critical.	You follow procedure.	<p>We rely on the parents to go over the handbook with their children.</p> <p>During preplanning, all faculty and staff are made aware of county policy.</p>
D	We interpret our personal feelings into it.	Legally I need to enforce policies and procedures.	The handbook is put in place for good communication, clear expectations, and so that parents, teachers and students have a guide which to live by, and my role is to support that handbook and put into that handbook the passion and caring of an administrator both from the student's perspective, the teacher's perspective and the fellow administrator's perspective.
E	It's been developed.		<p>In elementary school, we don't go over the handbook as part of our rules and procedures.</p> <p>We discuss the handbook with faculty and staff members before the school year begins.</p>

Appendix J (Continued)

(Principal)	(Development of Policy)	(Enforcement of Policy)	(Dissemination of Policy)
F		I take sexual misconduct as extremely serious—it involves law enforcement in my opinion. Those kinds of things are not tolerated by the school board, by the law, by society because teachers are placed in a position of trust with kids, and kids do not need to experience harassment or any type of misconduct by a teacher.	No, we don't train parents, and the students know the material because it's in their handbook. The parents are supposed to read the handbook. First day of school we talk about students' rights and what's expected of them. Per county policy, after we go over the handbook, students and their parents must sign that they received a handbook.
G	I don't feel like I have any role in the development except to make sure that the faculty and the staff who work here understand those policies as they fit this campus.	The principal is the workforce supervisor, the overseer, and it is the principal's responsibility to enforce the policies of the work arena.	At start of the school year, we distribute student handbooks at the classroom level. The teachers go over it, and the students are told that, whether they read it page by page or not, these are the topics, and this is where your resources are. Students sign a card that they have received a handbook and that they understand that they are responsible for knowing the content.
H		With regards to my legal role, I need to inform people of that policy, and when it's broken, I need to deal with it. I need to enforce it.	We might go over pieces of the student handbook, but I've never taken the sexual misconduct part and gone over it. Not with parents, either.

Appendix J (Continued)

(Principal)	(Development of Policy)	(Enforcement of Policy)	(Dissemination of Policy)
I	No part in the development. That has come from the county.	Enforcement is that I need to—it's my job to see that everybody is safe. I have not hesitated that if I thought that something did not go right between an adult and a student that I didn't hesitate to call professional standards. Then call the parents and talk with the parent and tell them what their child has told us and go from there.	We break up the assemblies into sixth, seventh, and eighth grade and then go over the entire handbook. In the springtime, kids want to be hugging and kissing, touching more, so we discuss it again to remind them. Principals are at area director meetings and at meetings at the beginning of the year where we are cautioned about making sure we work with our faculty.
J	I don't have any role in the development of the district's policy.	I work at the mercy of the school board, so it's my job to follow the policies and procedures they put forth, now, because that's the standard upon which I'll be judged, and if I deviate from that at all then I open myself up to liability, so whatever the school board tells me to do I do, because then I'm protected.	It's my job to inform teachers and staff that these are the policies and procedures; however, by state law, it's the teacher's responsibility to know the law. We dedicate the first 2 days of school to procedures. Period by period—it's scripted for all the teachers, so there's one period, one day that we talk about sexual harassment.

Appendix K

Display of Question 6

What do you think a principal should do if an incidence of educator sexual misconduct occurs at his or her school? In other words, what do you see is a principal’s professional responsibility in relation to educator sexual misconduct?

Table A-9

Display of Question 6

Principal	Professional Standards	Urgency of the Situation	Responsibility to Investigate	False Accusations
A	The principal’s professional responsibility is to immediately call professional standards.	This would be my top priority.		Using the children’s bathroom is a lack of awareness—don’t put yourself in a situation where people would give you a second look. We also have to be cautious because we don’t want a witch-hunt.
B	I call professional standards if someone is being accused of touching someone because it becomes a criminal issue.		I would always make sure I investigate it.	I do a lot of talking about age appropriate restrooms. There is nothing in writing that says you don’t go to the bathroom with the boys, but administrators and teachers have to make some common sense decisions.

Appendix K (Continued)

(Principal)	(Professional Standards)	(Urgency of the Situation)	(Responsibility to Investigate)	(False Accusations)
C	Report it—professional standards right away.	Everything I was engaged in would stop.	You would do the best you can to gather up all the information and statements to assist the investigators from professional standards.	<p>You have to remember children have rights, but so does the alleged perpetrator.</p> <p>There was an incidence at this school, and I will tell you today nothing happened. This child is very manipulative and difficult. The AP and I look out for her, and we don't subject our people to her because you can't trust her.</p> <p>The principal at [another] elementary school has this sweet child who never had a problem—she was delightful—comes to school in a whirlwind one day that somebody tried to kidnap her. Three weeks later, she said she made it all up.</p>

Appendix K (Continued)

(Principal)	(Professional Standards)	(Urgency of the Situation)	(Responsibility to Investigate)	(False Accusations)
D			It goes through the investigation to the point where you as the principal feel that it should stop or continue.	<p>You have a responsibility for those people that teach for you day in and day out. Too often, teachers are on the front line, and they get shot at—and they're not fair shots.</p> <p>You need to be clear on what went on and don't speculate. Don't put a teacher or student in that position. It's a double-edged sword. The administrator is put in a very difficult situation because sometimes he has to make a very difficult gut decision—do I take it a step further?</p>
E	The first thing I would do is contact professional standards and my area director.	You would stop what you're doing and deal exclusively with this. It would be on the top burner for sure.		<p>We talk about never ever putting yourself in a position.</p> <p>We verbalize with our faculty what's good practice because not everyone knows.</p>

Appendix K (Continued)

(Principal)	(Professional Standards)	(Urgency of the Situation)	(Responsibility to Investigate)	(False Accusations)
F	I can't imagine a principal in this county that would have a sexual misconduct situation and not know what to do.	You need to be working on FCAT skills... and then you're spending all of your time dealing with this misconduct.	If a situation occurred we would immediately investigate that at the building level.	It really destroys the image of the teacher. There's one bad teacher out there that does something like that, and society will call them all a group of perverts.
G	My professional responsibility is to speak with the victim, then let the accused know that this is what has been alleged and then call professional standards and go from there.			There needs to be a clear perception as to what is being said because perception is not necessarily reality. Be in a location where others see you because you don't know what you could be accused of, and you certainly don't want to put yourself in a position to have any issue.
H	Whenever I had a question on what to do next, they were right there with me. I've never had that feeling that I was in the fire by myself.		My professional responsibility is that I have to investigate it.	We warn individuals to be careful, to not fall into a pitfall by the manipulation of kids... you never want to be in a situation where a claim can be made that some misconduct occurred.

Appendix K (Continued)

(Principal)	(Professional Standards)	(Urgency of the Situation)	(Responsibility to Investigate)	(False Accusations)
I	We know all the parameters that, even if we have a doubt, we are to call professional standards.			I'm not the judge. Obviously, in a situation like that I would not have been there, so how do I know who is right and who is wrong and what those details are . . . and let's remember, teachers are on the front line—they need to know that I'm in their corner.
J	I would call professional standards and share with them the allegations and the teacher take and get directions from them.	You would drop everything and concentrate on that.	I need to be real clear on what the accusations are...that what is perceived is actually what happened. I don't leave any stones unturned, and if there were any witnesses to the issue, I question them—I don't rely on just one person.	What if what the student says doesn't match with what the accused says? I need to make sure everything is clear. Everything may be harmless and innocent, but all it takes is one kid to get mad at you and say something happened, and then you have to prove it different.

Appendix L

Display of Question 7

In which way did your graduate school program of study prepare you to deal with the issue of educator sexual misconduct, and in which way did it not? And what could be included in the preparation program at the university level that would help aspiring leaders should the issue of educator sexual misconduct ever be encountered?

Table A-10

Display of Question 7

Principal	Graduate School Program Prepared	Graduate Program Did Not Prepare	Principals' Recommendations
A		Everything was solely school law; they never addressed sexual harassment.	With school law, they could include a code of ethics training.
B	There were a lot of discussions, applications, current issues.		Offering aspiring administrators the opportunity to lead.
C		Little time devoted to sexual misconduct.	An awareness piece in school law, not a 3-credit course.
D		Nothing about how to handle it.	Aspiring leaders need to experience real life applications.
E		I had school law, but they never addressed sexual harassment.	Let's talk about some realities of the real world.
F		[Nothing] that would help at the building level.	You're held to higher standard than someone else, ethics training.
G		Graduate program did not prepare me for topics like sexual harassment or misconduct.	It's a practical, necessary topic to have an understanding of how to handle.
H	It was covered adequately.		Not enough time, add another course or a seminar course on special topics.
I		I think it was something that was just glossed over.	University program should be stepped up even just for it being in your community.
J		We may have discussed it.	We need more practical implications.

Appendix M

Display of Question 8

Did you receive any inservice training as a beginning assistant principal or principal that helped prepare you to deal with the issue of educator sexual misconduct? If so, please describe.

Table A-11

Display of Question 8

Principal	Administrator Orientation Program Prepared	Administrator Orientation Program Did Not Prepare
A	We had to do the Code of Ethics training as an AP.	There's a program called Preparing New Principals, and I can't remember if it was in that.
B		As a beginning AP in 1977, no other than my experience as a teacher and knowing what we were told as faculty and our code of ethics training, whatever it was back in those days.
C	The training we have is more than adequate. We've learned through years of training and experience how to deal with 'what if' issues like sexual harassment.	
D	Yes, we receive that all the time. The beginning principal program—there were 21 competencies when I went through the beginning principal's thing that they did talk about. They did put you in experiences, and they had a person documenting you.	Now they've changed that since then, and they've gone to 8 or 9, but they're not concerned with everything they should be. They're more concerned with flexibility, instructional leadership of the school, a safe and orderly operation, and on and on and on. A good listener, those kinds of things.
E	A classroom teacher has already had training about ethics. When you go on to become assistant principal, the training intensifies. As they go through the county program to become a principal, training is further intensified. The staff development in this county is really very good.	

Appendix M (Continued)

(Principal)	(Administrator Orientation Program Prepared)	(Administrator Orientation Program Did Not Prepare)
F	<p>The principal's internship program is very intensive. When people hit that first year as principal, they're not lost; they know what the expectations are and what the procedures are if misconduct occurs.</p> <p>We have a crisis management plan that prepares us for every possible scenario...here it is—indexed—sexual harassment.</p>	
G	<p>I feel that this information is brought to us through both beginning administrator programs. They discuss what's appropriate and what's inappropriate and what you should be doing if something is going on that's not appropriate at your school and you need to get some solutions.</p>	
H		<p>It may have been mentioned, but nothing was done in depth. Our beginning principal program is a 2-year program with specific training, and we had speakers from the district give an overview of the area—but not much was covered.</p>
I	<p>Yes, we did. It goes back to the ethics and so forth.</p>	
J		<p>Neither program touched on sexual misconduct against students by a teacher. One Saturday was on personnel, but again, just talking about employee misconduct overall, not focused on sexual misconduct.</p>

Appendix N

Display of Question 9A

Does your school or school district have sexual misconduct training in place for administrators, parents, students, faculty, or staff? If so, please describe.

Table A-12

Display of Question 9A

Principal	Training for Parents	Training for Students	Code of Ethics Training for Administrators, Faculty and Staff
A	We really don't have training for the parents. The handbook goes home to them.	<p>We're constantly modeling good behavior.</p> <p>According to the county, guidance counselors are responsible for making sure kids know about sexual harassment and child abuse, so our counselor takes the county guidelines and goes into fifth grade in September and specifically tells the kids what sexual harassment is.</p> <p>Basically, you do what you want with K-2, and most schools ask Kids on the Block to visit the school.</p>	You're sequestered, and you don't leave. It's not 'I'll be back in an hour.' If you do that, then you didn't attend the whole training, and you have to retake the whole thing. The district doesn't play with that
B	We expect the parents to read the student handbook that discusses sexual harassment, but I don't know that they really do.	<p>No special training other than going over the handbook.</p> <p>I think that soon there will be something that will come out from the district—they seem to be working on that right now.</p>	The county is strict on training. It's 3 hours, very dry, a DVD. They interlace some activities, but it's about stealing, sexual misconduct—everything that would get you fired as a teacher, and if something did occur, it explains you'd have to go through a course of action to not be fired.

Appendix N (Continued)

(Principal)	(Training for Parents)	(Training for Students)	(Code of Ethics Training for Administrators, Faculty and Staff)
C	Send home the handbook.	<p>We rely on the parents to go over the handbook with their children.</p> <p>Our guidance counselor doesn't touch on it too much in kindergarten because these kids are pretty, well, this is a nice area, and you have to be careful about how much you open up that can of worms.</p>	We have ethics training for staff and administrators. It was just updated this year.
D	The handbook is put in place for good communication and clear expectations so that parents have a guide with which to live by.	The handbook is put in place for good communication and clear expectations so that students have a guide with which to live by.	The video was awful. At least it's brief, and it does go over sexual harassment, but I still don't think there's enough of that. Teachers put themselves into a real predicament by what they say—a very fine line.
E	It's the parents' responsibility to read the handbook themselves.	<p>In elementary school, we don't go over the handbook as part of our rules and procedures.</p> <p>I rely on my guidance counselor and outside programs like Kids on the Block.</p>	We have training at least once a year. It covers everything that has to do with professional ethics. How the children should behave, how you should behave, it's a special program that everyone has to take. We have to make sure all teachers and faculty take this.
F	No, we don't train the parents. They are supposed to read the handbook, but who knows? They must sign a card stating that they have received a handbook.	We go over the handbook.	We updated and addressed the harassment issues....The bottom line is we have the training at the beginning of the year, and all the teachers are required to have that. And we give them inservice points for attending. We do it every year.

Appendix N (Continued)

(Principal)	(Training for Parents)	(Training for Students)	(Code of Ethics Training for Administrators, Faculty and Staff)
G	No training for parents.	<p>Teachers go over the handbook, and the students are told that, whether they read it or not, these are the topics, and this is where your resources are.</p> <p>Students sign a card that they have received a handbook and that they understand that they are responsible for knowing the content.</p>	<p>We hear on the news that people are guilty, but they haven't gotten their due process yet. And sometimes, working with children, things are said that may not be true; so it's alleged. They have to know where to turn. They get inservice points for that ethics training. If they miss it, they have to take it somewhere else.</p>
H	No discussion with parents.	<p>What we do have at our school is a guidance counselor who will do small groups with kids if those issues come up, but as far as doing a blanket presentation to our students on it, no, we have not.</p>	<p>Ethics training for administrators and faculty, custodians, food workers...all were included in our training at our school.</p>
I	<p>Parents have the handbook, but I also put little blurbs in the student newspaper.</p> <p>In the spring, we do have a night where parents can come up and talk about the handbook and our policies.</p>	<p>Using assemblies, we go over the entire handbook.</p>	<p>Administrators, faculty and staff, custodians – all receive ethics training – they provided us with scripts, a video and discussion questions.</p>

Appendix N (Continued)

(Principal)	(Training for Parents)	(Training for Students)	(Code of Ethics Training for Administrators, Faculty and Staff)
J	In middle and high school, kids return a card with their signature and their parents' signature stating they've received the student handbook. Whether the parents actually read it is another question.	For one period, one day, we talk about sexual harassment—just that—one day, one period shot of sexual harassment.	<p>This is the thing, if there are sexual deviants in the professional ranks, videos or training like that would probably not detour them.</p> <p>And for the vast majority of teachers that are so called <i>normal</i>, they think the ethics training is a waste of time. It's something we're required to do, and we'll do it—but it doesn't really change things.</p>

Appendix O

Display of Question 9B

Any recommendations for training?

Table A-13

Display of Question 9B

Principal	Child Not Victim	Repeat Information Yearly, Beginning Early
A		Start in kindergarten—sexual misconduct could be an embedded thing that follows from year to year and builds on it, so it’s not a once in a lifetime deal.
B	It would help if children received training.	It needs to be addressed more than once.
C	We sort of think of it as middle or high school, but even in our own elementary programs we really need give more attention to it than we have. We’ve got to tell our little ones that they can come to us.	Start in kindergarten.
D		Make sure that the agencies that are already in place spiral that through their years in a school setting.
E	Awareness is the key.	Begin in kindergarten or first grade.
F	Training for students to say there’s something that continuously is said or done, so you need to inform us because really it’s communication.	
G	Teach the child to not be a victim.	Kids, even at the high school, need to have things repeated.
H	If there were an agency to come out to school and provide a program for children, great, but my concern is it can’t turn into a school-based initiative because we can’t do any more.	Start in kindergarten.
I	You want to teach them some skills so that they wouldn’t put themselves in a situation where they can be a potential victim.	

Appendix O (Continued)

(Principal)	(Child Not Victim)	(Repeat Information Yearly, Beginning Early)
J	We might need training for kids. I think it would be beneficial for the guidance arena, K-12, to incorporate awareness, making sure elementary, middle, and high all have that as a component.	They have to be exposed to information like 20 times before they get it; same thing with this.

Appendix P

Display of Question 10

Before we end, is there anything you would like to add?

Table A-14

Display of Question 10

Principal	Principals' Comments Regarding Convicted Florida Middle School Teacher
A	Even if we have all the training in place, if someone is deviant, how do we spot it ahead of time? Just like trying to identify a school shooter—they're everything.
B	It's a character issue, and it's a moral issue. There's a temptation that's there and they go with it.
C	
D	
E	Deviant behavior can't really change. Did she just lose her mind? Was she so infatuated with this young kid? And we hadn't seen anything before?
F	What makes a person—let's say some deviancy—what makes it manifest? Was it an impromptu attack, at the spur of the moment type of thing, or had it been building for some time?
G	Is this just something where she snapped? There are so many psychological reasons why someone would do that. Access is one piece of it, but I think that when it comes to someone with that mental illness, it could happen anywhere, at anytime, with anybody.
H	
I	We have instincts to know when there's a problem—but because of social issues, people suppress them. When I interview teachers, sometimes there's something's that's bothering me, but I can't put my thumb on it. That gut reaction says don't go there, but we still do.
J	How do you get to a person that's different from the rest of us? To become a teacher and sexually abuse a child—it is a sexual deviancy. Does that show up anywhere before graduation?

Appendix Q

Table A-15

Meta-Matrix of Themes Concerning Educator Sexual Misconduct

Theme	Subthemes	Codes	Frequency	
Principals are dedicated but often restricted by policy or lack of policy	Years in rank (career educators)	RK	10/10	
	Long hours	LG	9/10	
	Well-informed, prepared principals	P	10/10	
Administrators preferred the term <i>sexual misconduct</i>	Harassment falls under umbrella of sexual misconduct	DEF	8/10	
	Principals preferred term <i>sexual misconduct</i>	MIS	8/10	
	Principals comfortable with topic (never experienced)	FEL	10/10	
What principals know and understand about educator sexual misconduct	Acceptable and unacceptable behavior	AC	9/10	
	Recognize signs of sexual misconduct	REC	7/10	
	Individuals' perceptions of a situation may differ	PP	10/10	
Development, dissemination, and enforcement of policies	All schools follow district policy	PD	10/10	
	Policy found in student/faculty/principal handbooks	PF	10/10	
	Principals have no role in policy development	DEV	6/10	
	Principals must enforce district policy	ENF	9/10	
	Dissemination of policy:	Elementary-policy not discussed with students	DIS	4/4
		Policy discussed with secondary students	DISE	6/10
		Policy not discussed with parents	DISS	10/10
Policy reviewed with faculty/staff		DISP	10/10	
Professional responsibility should an incidence occur	Immediately contact professional standards	DISF	10/10	
	Urgency necessary to deal with such an incidence	PS	9/10	
	Responsibility to investigate	UG	5/10	
	Protect accused from false accusations/coach educators	IV	6/10	
		PRO	10/10	

Awareness and prevention strategies	University preparation not adequate	UPN	8/10
	Administrator orientation program adequate	BPY	7/10
	Training:		
	No training for parents	PT	10/10
	No specific training for elementary students	ELT, GC	4/4
	Training for secondary students	MT, HT	6/6
	Code of Ethics training for all school personnel	ADT, FT, ET	10/10
	Principal Recommendations:		
Teach child to not become a victim	VC	8/10	
Repeat sexual misconduct information yearly	REP	8/10	

About the Author

Sylvia Sonja Cairns earned her Bachelor of Arts degree at the University of Central Florida in Elementary Education. She spent the next 13 years teaching elementary school students in Tampa while beginning a family. She earned her Master's of Education in Educational Leadership (K-12) at the University of South Florida. Dr. Cairns continued with her schooling and graduated from the University of South Florida with a Doctorate of Education in Educational Leadership (K-12) in 2006.