Administrative Responses to Allegations of Employee to Student Sexual Misconduct: A Gender Comparison

Charol Shakeshaft, Ph.D.
Professor
Virginia Commonwealth University
School Employee Sexual Misconduct

• Nearly 10% of K-12 students report being a target of sexual misconduct by a school employee.

• Studies from the UK, Australia, and Canada also document employee sexual misconduct.

• Studies from the United Nations and the World Health Organization find similar abuse in several African countries, China, Hong Kong, and Thailand.

• This is an international problem.
School Employee Sexual Misconduct

• This presentation is a report one aspect of a larger study of 120 civil cases against public schools by victims of school employee sexual misconduct.

• I examined the areas where failures by school leaders and administrators create a culture in which school employee sexual misconduct can occur.
Data sources: Litigation Documents in Civil Trials

- 100 cases where a school employee was convicted of the crime of sexual abuse of a student and sentenced to prison.
- Civil cases are often brought against school districts for damages to the child because school district officials were negligent.
- I have access to all documents that were discoverable in these 100 litigated cases.
| Police investigation records, police interviews | These records provide details of the “crime” but also information on the prior behaviors of the offender |
| Depositions, both in transcript and video | Victim, abuser, administrators, assistant principal, principal, superintendent, HR representative, supervisor of abuser, teacher and staff bystanders, classmates, parents, medical/mental health experts, detectives |
| Handbooks | School, district, student, parent, staff |
| Personnel file | Abuser |
| Student records | Victim |
| Medical records | Victim |
| Pictures, emails, texts | Abuser, victim, classmates, others |
| Memos, correspondence | Administrators, parents, teachers, abuser, victim |
| Policies and regulations | District and school |
| Building layout | Site specific |
| Training materials | School and district, training on educator sexual misconduct, sexual harassment, and mandated reporting |
District Negligence

• Hiring: screening, didn’t check references
• Policies: lacked policies on school employee boundaries with students
• Training: lacked training on boundaries, acceptable student interactions. Did not train employees, students, or parents
• Supervision: Did not supervise for misconduct, even when complaints had been made
• Response: Did not investigate red flags, allegations of inappropriate behavior by employee
Responses by Leader Gender

• No cases in which the school district was headed by a female superintendent.

• Women were more likely to believe abuse had occurred than were men, but did not act.

• Elementary female principals believed they knew their teachers and would have known if they had a sexual abuser on the staff.
Gender Stereotypes Guided District Responses

• Time spent with female students by male employees was often coded as “all the girls have crushes on him”

• Time spent with male students by female employees wasn’t acknowledged as anything unusual

• When sexual activity was discovered between male students and female employees, it was no coded as sexual misconduct, but rather “lucky guy”

• Mothers who had concerns about the attention being paid to children were labelled overprotective, hysterical, “crazy”.
Districts Respond: Parents’ (read mother’s) Fault

• Trusted employee was helping child
• Didn’t supervise child
• Didn’t check child’s phone/texts/emails/whereabouts
Districts Respond: Victim’s Fault

- Lured the employee (particularly if the employee was a teacher)
- Showed bad judgement; should have known better.
Contact

Charol Shakeshaft
Professor
Department of Educational Leadership
Virginia Commonwealth University
cshakeshaft@vcu.edu