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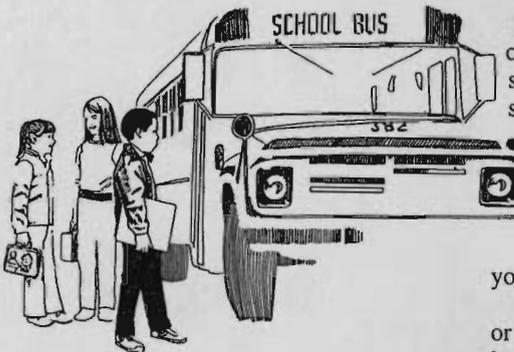
Phil Grayson, MFA

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Sexual Abuse by Educators and School Staff



School is usually a safe haven and a place where learning is fun. Teachers can offer students significant support in areas of social and emotional development in addition to helping them learn academic material. Teachers become well acquainted with their students and are often crucial in detecting and reporting child maltreatment.

Cynthia Cave, Ph.D., Director of Student Services for the Virginia Department of Education, remarks, "Research has shown that linkages and bonding with school create protective factors for at-risk youth. A positive relationship with a teacher is an effective protective factor."

In contrast to the supportive environment that is often available from a school, imagine instead the anguish of a child who finds school threatening and degrading. Imagine being exploited by an educator, a trusted teacher, a coach, or someone on the school's staff.

- An elementary teacher invites a student to eat lunch in the classroom while the other students are in the cafeteria. While the two are alone, the teacher molests the student.
- A bus driver fondles a student leaving the bus on the pretext of checking for contraband.
- A sports coach selects a student from each incoming class to be a sexual partner.

These examples and others reveal the range of sexual exploitation of children while in school. Often the teacher is very well respected. The young student is impressionable and wants attention from adults. Thus the abuse may start with extra attention, before or after school tutoring, or closed-door meetings. The sexual contact starts gradually and often the youngster complies.

Children and youth who are sexually abused or exploited by educators suffer effects similar to victims of sexual abuse by family members. These negative effects include lowered academic performance, a wide range of emotional symptoms, physical ramifications, and behavioral changes. *VCPN* has reported in detail about effects of sexual exploitation and abuse in prior issues (in particular, volumes 29, 31, 40, 41, and 63).

Readers should appreciate that there are few empirical studies on educator sexual misconduct. The U.S. Department of Education contracted with Hofstra University professor Charol Shakeshaft to perform a comprehensive literature search on educator sexual misconduct. The report was published in 2004. Shakeshaft found nearly 900 citations in the literature that discussed educator sexual misconduct in some format. However, there were only 14 U.S. empirical studies and five Canadian or UK empirical studies that examined the topic.

Definitions

Most schools reference criminal codes or laws (such as the 1981 Civil Rights Act or Title IX) when defining sexual abuse or sexual harassment (Hyman et al., 1997; Shakeshaft & Cohan, 1995; Shoop, 2004). Legal definitions can vary state to state, making it difficult to compare the little data that exist.

The definitions provided by Shoop (2004) are useful. He describes sexual abuse by educators as "criminal sexual conduct that in-

volves physical contact between the abuser and victim, and a significant age difference between the parties" (p. 3). Others might argue that contact is not necessary for sexual abuse to occur.

Several authors stress that any sexual activity between adult and youth is exploitative, regardless of the intention of the adult or the "consent" of the youth (Bithell, 1991; Shakeshaft & Cohan, 1995; Shoop 2004). "Age of consent" for sexual activity varies from state to state. In over 20 states, it is not a crime for educators and school employees to have sex with students 16 and older. In 23 states, sexual relations between school employees and students are legal if the student is age 17 or older and in 45 states, sexual relations are legal if the student is 18 or older (NCAS, 2005). However, even if the student is above the "age of consent", sexual activity between student and school staff can be seen as exploitative.

Sexual harassment can be defined as "unwanted sexual attention from administrators, teachers, peers, or school staff" (Hyman et al., 1997, p. 318). Shoop offers the following definition: "non-criminal but offensive conduct, such as comments about a student's physical characteristics, sexually suggestive or offensive remarks, propositions of physi-

continued on page 2





Sexual Abuse by Educators

continued from page 1

cal intimacy, and other behavior that is unwelcome, is sexual in nature, and interferes with the youngster's ability to benefit from school." (2004, p. 3).

The range of behaviors in sexual harassment is broad. The list includes "leering, pinching, grabbing, suggestive verbal comments, pressure for sexual activity, spreading sexual rumors, making sexual or sexist jokes, pulling at a student's clothing, cornering or brushing up against a student in a sexual way, insulting comments referring to students' sexual orientation, date rape, sexual graffiti about a student, or engaging in any other actions of a sexual manner that might create a hostile learning environment" (Hyman et al., 1997, p. 318). A hostile environment means that the unwanted and unwelcome verbal or physical contact of a sexual nature is sufficiently severe, persistent or pervasive so as to limit a student's ability to participate in or benefit from an educational program or activity (Goorian, 1999).

Incidence

There appear to be few sources of data available to those who ask about the incidence of educator sexual abuse (Skinner, 2001; U.S. Department of Education, 2004). VCPN staff searched for national or state records of complaints but could find no advocacy group or government agency that was tracking complaints or convictions. According to Shakeshaft, none of the federally-funded data sets or reports on child sexual abuse contained questions that would enable an analysis of educator sexual misconduct and there are no national government-funded studies that document the prevalence of educator sexual abuse (U.S. Department of Education, 2004). In state and national data, incidents of educator sexual abuse might be placed in a category of "acquaintances" or "nonfamily caretaker" or "out-of-home abuse" rather than listed as abuse by a teacher or school staff.

Canada, in contrast, has national data bases. An analysis of two Canadian data bases of suspected child abuse cases found that less than 3 percent of child protection investigations and less than 4 percent of police investigations involved allegations against school or recreational staff (Trocmé & Schumaker, 1999). The low percentage is thought due, in part, to under-reporting.

In 1990, Sugar, examining sexual abuse in schools, writes, "sexual abuse of students by teachers is not an uncommon event and may occur at any grade level and any school setting, even the most devoutly religious" (p. 489). A 1991 survey of high school graduates in North Carolina (Wishnietsky, 1991) found 17.7 percent of males and 82.2 percent of females reported sexual harassment by faculty or staff during their school career and 13.5 percent of those surveyed said they had engaged in sexual intercourse with a teacher.

Education Week, a magazine for school administrators, found 244 active investigations of sexual misconduct by school employees during a 6-month time span in 1998. Eighty percent of the alleged abusers were men and one-third of the victims were boys. Most cases (two-thirds) involved students ages 14 to 18. Seventy percent of suspects were teachers. The remainder included principals, janitors, bus drivers, and librarians. In nearly half the cases, more than one victim was identified. Only two cases were determined to be false allegations.

According to data cited by Shakeshaft & Cohan (1995), between .04 to 5 percent of teachers sexually abuse students and about one-fourth of school districts will receive complaints. Bithell (1991) says one percent of elementary students and three percent of secondary students will experience sexual advances from school staff. Bithell also estimates that one in 20 teachers has engaged in sexual misconduct with students ranging from obscene comments to sexual intercourse.

Surveys by the American Association of University Women (AAUW) (1993; 2001) are frequently cited. The first study surveyed 1,632 students in grades 8 through 11. In 2000, the AAUW survey was repeated, using a sample of 1,559 public school students in grades 8 through 11. Fewer students in 2000 say teachers or other school employees sexually harass students (38 percent in 2000 versus 44 percent in 1993) and 7 percent report they have experienced physical sexual harassment by a teacher. Translating the percentages into numbers, Shakeshaft (2003) estimates that of children currently in grades K-12 nationwide, nearly 4.5 million children have been the recipient of sexual harassment or sexual misconduct from an adult employed by the school.

Statistics about general sexual harassment in schools are much higher and indicate widespread occurrence. For example, the American Association of University Women (AAUW, 1993; 2001) reported that 66 percent of both boys and girls said they had been the target of

unwanted sexual comments, jokes, gestures, or looks. Additionally, about half of students reported having been touched, pinched, or grabbed. Student-to-student sexual harassment was the most common, accounting for about 80 percent of incidents. Teachers, custodians and coaches were about 20 percent of the incidents.

Shakeshaft compiled estimates of prevalence of educator sexual misconduct from her comprehensive review of studies (U.S. Department of Education, 2004). Rates of educator sexual misconduct that involved physical contact ranged from a high of 17.5 percent of students to a low of 4.1 percent of students. Study ranges for noncontact sexual abuse or harassment from a teacher were between 43 percent and 8.7 percent of students. The most accurate estimate was thought to be drawn from the AAUW reports which estimate that 9.6 percent of all students are targets of educator sexual abuse sometime during their school career.

The rate of false complaints or complaints without enough substance to trigger action is also unknown. Shakeshaft & Cohan (1995) report that 7.5 percent of superintendents in their study said that some allegations were untrue or unfounded or not serious enough to warrant action. Anderson and Levine sent 3000 questionnaires to a random sample of New York state teachers. A large percentage of the 515 teachers responding (56 percent) were aware of false allegations made within the last few years against a teacher in their school district. It was not clear how many separate incidents were represented however. About a third of the responding teachers expressed worry that allegations could be made against them.

False allegations are thought to be less likely than under-reporting. The AAUW study (1993) found that only 7 percent of affected students reported sexual harassment to school authorities and only 23 percent reported it to parents. In 2000, 20 percent said they reported to a teacher or school employee while 22 percent reported the harassment to parents (AAUW, 2001).

Patterns/Types of Sexual Abuse

Researchers have proposed various classification systems. Since sexual exploitation covers a wide range of circumstances and behaviors, some grouping would enhance efforts to study cases.

Shakeshaft and Cohan (1995) propose dividing cases into "noncontact sexual abuse" and "contact sexual abuse" with two levels in each category. Examples of their classification include:

- Level I noncontact (visual) – showing pornographic material; exposing sexual body parts; obscene gestures.
- Level II non-contact (verbal) – remarks about a student's body such as telling a student she has "nice legs"

or calling girls "boobies"; asking if a boyfriend "is giving you enough."

- Level I contact – pinching; fondling; tickling; placing hands on genital areas; drawing on a child's chest.
- Level II contact – oral or genital sexual contact; intercourse.

Timmerman (2003) notes that verbal harassment occurs most frequently in a classroom setting (69% of incidents) while physical and visual sexual abuse is more likely to occur outside of school facilities, perhaps in a teacher's home or during extracurricular activities.

Shoop (2004) suggests grouping cases by the modality of exploitation. He proposes two modalities – Intimate Exploitation and Coercive Exploitation. Within each, he makes subdivisions.

Intimate exploitation involves the educator leading the youngster to believe that there is a desire for a mutually committed intimate relationship. In the "True Love" subtype, the educator is "in love" with the student and has a relationship with only one student. The relationship is exposed by others and often continues in spite of exposure and sanction. In the manipulative subtype, the youth is led to believe the relationship will be continuous but the educator often has multiple sequential relationships. The educator is centered upon his or her own gratification. The relationship may be exposed by the youth (especially if the educator has "moved on" to other youth). This relationship ends with the discovery.

In Coercive Exploitation, the educator may or may not pretend to be sincerely interested in the youth. The use of Subtle Coercion involves the use of reward or privilege and the youth is manipulated into silence. Overt Coercion involves direct instruction not to tell, threats, withholding something the youth wants or needs, force, or retaliation.

Some question the proportion of pedophilia versus "romantic/bad judgment" sexual contact. Pedophiles are attracted primarily to children and choose to work in settings where they have ready access to children. Their victims are primarily prepubescent (elementary or early middle school children). Pedophiles plan offenses and target vulnerable children. They "groom" their victims and often spend considerable time developing relationships with them. In contrast, abusers of the "romantic/bad judgment" type are not fixated upon children. They generally abuse older youth, elevating the victim to adult status. These

abusers view their victims as "consenting" and their actions as "affairs."

Who are the Abusers?

Researchers agree that those abusing students are often among the best and most popular teachers (Bithell, 1991; Shakeshaft & Cohan, 1995; Shoop, 2004). Shoop summarizes: "The majority of educator exploiters are highly respected by their colleagues, supervisors, and parents. Perhaps most important, they often are adored by their students. Educators, parents, and students find it difficult to believe their favorite teacher could molest a youngster" (p. 19).

Several studies suggest that teachers and staff who sexually abuse children and youth are likely to work with students individually and/or in extracurricular activities (such as sports; clubs; field trips; drama; music; art; gym). For example, a Texas study found that 25 percent of over 600 Texas educators disciplined for sexual infractions with students were either coaches or music teachers (Jennings & Tharp 2003, reported in U. S. Department of Education, 2004). Some authors note that a number of educators who sexually abuse children had been awarded prizes for outstanding teaching (Bithell, 1991; Shakeshaft & Cohan, 1995; Shoop, 2004).

Research on the sex of abusers differs, depending upon the data source. Studies that examine official reports such as arrest records, prosecution reports, or official counts from school administrators indicate that the majority of abusers are male. For instance, a study of cases of physical sexual misconduct by teachers that had been reported to superintendents found that 96 percent of the abusers were male (Shakeshaft & Cohan, 1995). The U. S. Department of Education 2004 review of cases reported through official channels found male educators were between 80 and 96 percent of the documented cases. Shakeshaft & Cohen report that the male offenders abused mainly female students (76 percent of victims were female) and for female offenders, the trend was the same (86 percent of victims were female). Timmerman's data is similar. Timmerman (2003) found that perpetrators were overwhelmingly male. Female students were the most frequent targets of sexual harassment and were also the victims of more severe forms of unwanted sexual behavior.

In contrast, studies that ask students about their experiences report a much higher percentage of female abusers and male targets. The Harris Poll survey for the AAUW found that approximately 40 percent of the abusers were female and 40 percent of the targets were male. Shakeshaft comments, "The numbers change depending upon who is providing the data. In official reports, the majority of abusers are males who target females. But when youth respond to questions about what has happened to them, a much higher percent of women are abusers and males are abused."

EXAMPLES OF SEXUAL HARASSMENT

- Sexual comments, jokes, gestures, or looks
 - Unwanted exposure to sexual pictures, photographs, messages, or notes
 - Graffiti on walls
 - Spreading sexual rumors
 - Name-calling
 - Leering
 - Spying when students are undressed, showering, or using the bathroom
 - "Flashing" or "mooning"
 - Touching, grabbing, or pinching sexual body parts
 - "Brushing up against" a student in a sexual way
 - Pulling clothing in order to expose private parts
 - Unwanted kissing
- (Source: AAUW, 2001)

Predictable Patterns

Shoop (2004) outlines what he terms as "predictable patterns" for educators who abuse. First, they select a vulnerable student. Students who are taught about appropriate boundaries are less vulnerable. Second, a period of "testing" follows. The teacher or staff engages in "accidental touching" and begins to move conversations to sexual issues and jokes. Children who respond positively or who at least don't react negatively may then be exposed to "grooming" behaviors. "Grooming" crosses boundaries into clearly inappropriate behaviors such as highly sexualized talk, sharing of sexualized materials, and beginning sexualized activity.

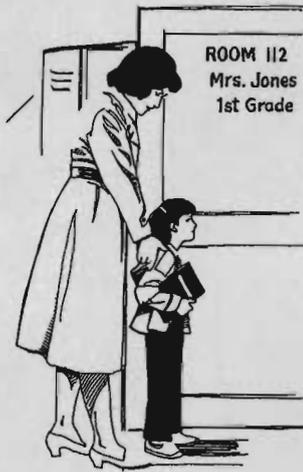
Shakeshaft (2004) found that educators who target younger children for sexual abuse showed different patterns than those who abused or exploited adolescents. The educators who target younger children were often professionally accomplished and likely to have a disproportionate number of awards or commendations. For some of these individuals, being a good educator is a method to access children. In contrast, at the high school level, initial acts are less premeditated and more opportunistic and can be the result of poor judgment or a misplaced sense of privilege (Shakeshaft & Cohan, 1995).

While most children respond to attention from a teacher, those who are estranged from their parents, who have low self-esteem, who are engaged in risky behavior or whose parents are engaged in risky behaviors are more vulnerable. These children are more likely to respond to a sexual approach and are more likely to remain silent about sexual contact. Target children are more likely to be students of color (African decent, Native American, or

continued on page 4

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Sexual Abuse by Educators

continued from page 3

Latino) rather than Caucasian or Asian. For example, the Shakeshaft (2004) reanalysis of the AAUW data found students of color as 44 percent of targets but only 33.2 percent of the sample.

Effects

Effects of sexual abuse or harassment range from mild to severe. In the AAUW study (1993), a third of girls and 12 percent of boys did not want to attend school due to sexual harassment or abuse. A similar percentage (28 percent of girls and 13 percent of boys) found it hard to pay attention to lessons because of the harassment, and 23 percent of girls and 9 percent of boys reported lower test grades because of the incidents. About 17 percent of girls and 6 percent of boys reported thinking about changing schools due to the sexual abuse or harassment.

Why Students Don't Report

Shoop (2004) discusses several reasons why students fail to report sexual abuse or harassment by educators. First is the balance of power. Students fear retaliation and are sometimes threatened by the abuser. The perpetrator may also threaten to harm him/herself or make the child feel guilty by saying that reporting will ruin the abuser's life.

Abused students may believe the responsibility lies in part with them due to failure to protest or say no. If the educator has given the student alcohol or drugs, the student may fear being in trouble for having broken laws by partaking.

Often a sexual relationship between a teacher and a student is based on or facilitated by the student's "crush" on the teacher. The student may have pursued the teacher and the relationship may appear to be the result of mutual desires.

Younger children may have no frame of reference to realize that the behaviors are wrong. Some children are taught to not talk about sexual matters at all. A student may feel "special" and not want to lose the special relationship. Others are embarrassed to tell.

Some children who are targeted by teachers for sexual activity have been abused before. They are vulnerable youngsters with limited family support. Prior victimization may have established patterns of relating and patterns of silence that make disclosure less likely.

Teachers Fail to Report

Many teachers have difficulty believing that a trusted colleague could sexually exploit a student. While not every case is detectable, often signs are unrecognized or unreported. Shoop (2004) catalogued the most common reasons for failure to report:

- Concern about the school's reputation.
- Stereotyped ideas about perpetrators.
- Fear of falsely accusing someone.
- Fear of being sued.
- Disbelief that a colleague could harm a child.
- Lack of knowledge about reporting laws.

School Responses to Complaints

In 1995, Shakeshaft & Cohen reported that only a few school districts of those they had examined had policies for reporting and handling allegations of sexual abuse by staff. Police and child protective services rarely were contacted. Investigations by the superintendent "tended to be poorly carried out" (p. 516). This corresponds to findings of others (Bithell, 1991). However, by 2000 when the AAUW conducted a survey, almost 70 percent of students (compared to just 26 percent in 1993) said their school had a policy about sexual harassment.

Problems noted by Shakeshaft & Cohen with internal school investigations were numerous. Superintendents were described as feeling ambivalent and having "divided loyalties." They reacted to allegations with disbelief. School staff typically rallied behind the accused teacher. The victims were intimidated by other teachers and asked to retract their statements. Teachers were anxious about the allegations and focused on harm that might befall them (Shakeshaft & Cohan, 1995).

In the 225-case study by Shakeshaft & Cohan (1995), there were several outcomes for cases where the charges were founded or thought to be true. The most frequent outcome for accused teachers (39.7 percent) was that the teacher resigned, left the district or retired. An additional 15 percent were terminated or not rehired. Some of these teachers obtained positions in other districts. The remainder had various penalties. About 8 percent were indef-

initely suspended but later resumed teaching. About 11 percent received verbal or written reprimands. Some cases (17.5 percent) were handled informally. A few of the accusations (7.5 percent) were later determined to have been false and 1.9 percent were unresolved.

In total, nearly 37 percent of teachers believed to have sexually abused students continued to work in their district. Shakeshaft & Cohan (1995) cite one case in New York state where the teacher was found guilty in criminal court of sexual abuse. The school tried to terminate the teacher, spending thousands of dollars and hundreds of hours of time. However, the 3020-A hearing panel recommended a suspension for two years, counseling, then reinstatement as a teacher.

Legal Responses

Karen Weiss (2002) investigated recent trends in both state legislation and judicial precedent to sexual abuse of children by persons in a position of authority such as teachers, sports coaches, camp counselors, or relatives. She reports that there are currently 35 states that have statutes specifically addressing the perpetrator's position of authority in cases of sexual contact with children. The Commonwealth of Virginia is one of the 35. Virginia code 18.2-370.1 references taking indecent liberties of a child by a person in a custodial or supervisory relationship. Weiss notes that an additional three states incorporate "position of authority" into sexual assault statutes without reference to the age of the victim.

Of the remaining 13 states that do not have "position of authority" statutes which are likely to impact upon child victimization, at least nine have allowed the issue of "position of authority" to influence judicial decisions. Weiss (2000) found that the only states that appear not to have any "position of authority" legislation or case law affecting child victims are Georgia, Hawaii, Oregon, Rhode Island and the District of Columbia.

The states that do have "position of authority" as an important factor in addressing sexual contact with minors incorporate the concept into statute in different ways. For some it is an aggravating factor; in others it can serve as a separate offense. Some statutes define or name the positions of authority while others use the phrase broadly or simply give examples. In some states, simply being in the position of authority is sufficient for the statute to apply while other laws require that the position of authority be used as an intimidating factor in eliciting the child's participation in the sexual activity. Some states have different legislation for different ages of children.

Each state, according to Weiss (2000), has interpreted their statutes differently through the development of precedent. Common questions are "Who is a person in a position of authority?" and "How does the perpetrator use the authority position to coerce?" Weiss' analysis concludes that the predominant trend in the courts has been towards inclusion, with

Sexual Exploitation in Schools

How to Spot It and Stop It

Robert J. Shoop

Sexual Exploitation in Schools, by Robert J. Shoop, 2004, 138 pages, (Hard) \$65.95, (ISBN # 0761938451) (Soft) \$29.95 (ISBN #0761938443).

Available from: Corwin Press, A Sage Publications Company, 2455 Teller Road, Thousand Oaks, California, 91320 (805) 410-7117, Fax: (805) 499-2692 Website: www.corwinpress.com.

This book was written to assist educators in developing and implementing comprehensive sexual exploitation prevention plans. A plan for preventing sexual exploitation should be integrated into the school's existing violence prevention programs and risk management plans.

The book details forms of sexual harassment and exploitation. Patterns of exploitation and their context are considered and consequences for youth are explored. Legal issues are examined as well. These sections provide background for the discussions about standard of care for a safe school, district and employee rights and responsibilities, conducting investigations and action steps for school districts. The book is enhanced by model sexual exploitation prevention policy and a comprehensive resource list.

The author, Robert J. Shoop, is a Professor of Educational Law and a Senior Scholar in the Leadership Studies Program at Kansas State University. This volume would be helpful to school administrators and others who are concerned about protecting children in the school environment.

more types of authority figures and more of their behavior falling under the dictates of the laws. Thus, she says, "there is a national trend towards both criminalizing sexual misconduct by a 'person in a position of authority,' and broadening such legislation through judicial precedent" (p. 42).

Actions to Protect Students

Schools can adopt policies and procedures that protect students, although no set of policies will guarantee safety. Some possibilities are discussed below.

First, educators must acknowledge that sexual harassment or abuse has a potential to exist in any school system (Wishnietsky, 1991). Careful screening of prospective employees is the first line of defense. A comprehensive screening protocol will send a very clear message to both prospective and current staff members (Shoop, 2004). Because some school districts allow those accused of sexual harassment or exploitation to resign, each candidate should be asked if he or she has ever been the subject of any unresolved investigations as well as asked about convictions. Fingerprinting and criminal records checks, as well as searches of child protective services complaints are needed. A more efficient system for fingerprint and records checks is needed. These can take 4 to 10 weeks (Zemel, 1999).

Although there are limitations as to the effectiveness of rule books or handbooks, having a clearly articulated policy on sexual harassment and abuse is seen as one important component to student protection (Shoop, 2004). The school handbook should define sexual exploitation, specify how victims or concerned persons should report it, detail how the complaint will be handled, and should specify what disciplinary actions can result if the complaint is found to be valid. The policy should deal with retaliatory actions, privacy concerns, and when reports to outside agencies (police; child protective services) will be made. A particular person should be designated to receive complaints. Reports are more likely if the school designates a person

or office with the responsibility of receiving complaints.

Shakeshaft & Cohan (1995) recommend that all charges and complaints be investigated by a trained investigator (such as police or CPS). Acting quickly, they say, is also important. If parents are not involved in lodging the complaint, they should be informed promptly. The accused employee should be removed from contact with children during the investigation. The accuser, the alleged abuser, and witnesses should be interviewed.

Students who accuse teachers of abuse are likely to be harassed by other students, teachers, and community members, according to findings by Bithell (1991) and Shakeshaft & Cohan (1995). In addition, some students may have little support at home. School officials need to provide support to child victims and protect them from further abuse or harassment.

Shoop (2004) recommends that states establish centralized record-keeping for complaints. Record-keeping might allow officials to notice patterns earlier and intervene prior to students being molested.

Training for all employees and for all students is essential (Shoop, 2004). The training can be part of a more comprehensive effort to address bullying, teen dating violence and sexual assault. The training should review the school's discipline policies.

Administrators and school boards that acknowledge that exploitation exists can structure the school environment to reduce the likelihood of incidents. For example, classrooms should be designed to have windows so that "natural supervision" can occur. Surveillance cameras can be installed in public areas that are difficult to supervise. Administrators can take complaints seriously and be aware of bias.

Support staff (cafeteria workers, bus drivers, cleaning staff, secretaries, teacher aides, volunteers) all should be trained in the district's policies. All staff as well as all students should be aware of reporting responsibilities as well as be informed about acceptable and unacceptable behaviors.

Administrators should also stay up-to-date

on legal issues. There are several ways to accomplish this education. One is by being an active member of one or more professional associations that update members on issues of importance. A second method is attending workshops or conferences that train participants about sexual exploitation, harassment, and legal issues. A third method is to subscribe to publications that focus on school legal issues.

Administrators should partner with parents. For example, many school divisions have established acceptable use policies for students and staff at school who are using the internet. Parents should be encouraged to supervise youth and to monitor internet activities. Parents should be provided with copies of school policy and should know how to report complaints.

Personal safety training and specific training in child sexual assault prevention is advisable. *VCPN* devoted a recent issue (Volume 65) to this topic. Programs to train children are new and evaluation studies are ongoing but initial results are promising, showing a decrease in victimization rates for children who experience training.

continued on page 6

Best Practices in Preventing Sexual Abuse by School Staff

- Offer sexual abuse prevention training to students and to educators
- Have a clear protocol for handling complaints by students or parents
- Check job applicants for prior sexual offenses
- Have clear guidelines for after-hours contact between students and teachers
- Foster a climate that encourages those with concerns to report them.

Source: (Bithell, 1991)

Sexual Abuse by Educators

continued from page 5

Actions to Protect Educators

Shoop (2004) and Wisnietsky (1991) suggest that elements of a prevention program can assist in protecting educators. Suggestions include:

Implementing a code of conduct: The behavior code should state explicitly that all romantic or sexual relationships between students and educators are prohibited, regardless of the ages of the parties. Clearly defined policies that specify what is acceptable and what is not desirable. The policy should be disseminated widely.

Establish grievance procedures for harassment victims: The policies and procedures should be written and distributed to students, staff and faculty.

Include protection against false complaints: Students need to understand that a false complaint can damage an innocent educator. Shoop (2004) recommends substantial punishments for false complaints. Every effort should be made while investigating to keep the identities of the student and educator confidential.

Policies should be followed impartially and consistently: Due process should be given to all parties.

Provide training: Teachers should receive training in ways to avoid false allegations.

Actions That Teacher Training Programs Can Consider

- Create clear statements in guidelines for clinical experiences that no behavior that might be construed as dangerous or predatory toward children will be tolerated.
- Implement rigorous screening early in teacher education programs. Require background checks.
- Educate cooperating teachers in the schools about indicators of inappropriate interest in children. Establish protocols for teachers to report concerns.
- Monitor all teaching experiences carefully.
- Conduct frank discussions about the appropriate boundaries between teachers and students.

—Excerpted from Berson, Berson, Karges-Bone, & Parker, 1999.

There are many actions educators can take to protect themselves from complaints. Teachers and staff can avoid actions that can be misconstrued. Educators can avoid being alone with a student, either in the school or outside of the school. Transporting students in a personal vehicle can be problematic, so if this is done, it should be known to school administration. It is good practice to avoid sexual comments, sexual jokes, or conversations about student's romantic relationships. Teachers should avoid counseling students about non-academic matters, but instead refer the student to the guidance counselor or an outside professional. Unless it is a school-sponsored event, educators shouldn't entertain students at home. Teachers should also avoid any physical contact that could be misconstrued.

Interstate New Teacher Assessment and Support Consortium

INTASC is a consortium of state education agencies and national education organizations dedicated to the reform of the preparation, licensing, and on-going professional development of teachers. Created in 1987, INTASC is guided by one basic premise: An effective teacher must be able to integrate content knowledge with the specific strengths and needs of students to assure that all students learn and perform at high levels. The organization has developed Model State Teacher Policy and standards that include assessing character development of prospective teachers.

More information is available from the Council of Chief State School Officers, One Massachusetts Avenue, NW, Suite 700, Washington, DC 20001-1431 (202) 336-7000, Fax: (202) 408-8072, Web site: www.ccsso.org/projects/InterstateNewTeacherAssessmentandSupportConsortium/

Stop Educator Sexual Abuse, Misconduct and Exploitation

S.E.S.A.M.E. works to increase public awareness, foster recovery of victims, encourage reporting, and promote the adoption of professional standards.

For more information, contact Terri Miller, S.E.S.A.M.E., PO Box 94601, Las Vegas, Nevada 89193-4601 (702) 371-1290, E-mail: Babe4justice@aol.com
Website:
<http://ncweb.com/org/rapecrisis/sesamehome.html>

Training Programs

Preservice education students are not typically subjected to background screenings. A strong base of college and university administrators favor protecting student privacy rights. As a result, college and university faculty are unaware if a preservice teacher has engaged in misconduct with a minor (Berson et al., 1999).

Standards by the Interstate New Teacher Assessment and Support Consortium (INTASC) allow teacher educators to assess character elements in preservice teachers. Enz, Kimer, and Freeman (1997) suggest that schools and universities don't take this obligation seriously. They write "most schools and colleges of education passed poorly performing student teachers with weak letters of recommendation. Unfortunately, this approach still allows less than competent teachers to become certified and endorses their credentials as teachers who are capable of working with children" (p. 62).

Training programs can assist with prevention of child sexual abuse. Suggested actions include:

- Clear statements in handbooks and guidelines for clinical experiences that no predatory or dangerous behavior towards children will be tolerated.
- Rigorous screening in early stages of training such as an FBI background check.
- Informing cooperating/supervising teachers to be alert for inappropriate behaviors and establishing procedures for reporting concerns.
- Monitoring all clinical experiences with direct observation.
- Conducting frank discussions and training about boundary issues and the requirements to report suspected sexual abuse.

Summary

Allegations of sexual abuse by educators are a small percentage of the total investigations of suspected sexual abuse. The percentage, however, may be inconsequential. Teachers involved in sexual abuse or unethical relationships should not be ignored. The sexual contact is not between two mature consenting adults but rather between an adult and a minor. There can be considerable emotional, physical, and mental damage.

Allegations of educator abuse are very upsetting to both the community and the educational system. Hard-working, conscientious teachers are concerned about the possibility of false allegations and about the negative reactions when a valid situation is detected. Parents want to feel their children are safe in schools. While no policies will guarantee safety to all children, communities and schools can take proactive steps to avoid children and youth being victimized in schools.

References Available Upon Request



Virginia Legislative Changes for Investigating Teachers Suspected of Abuse

Due to lobbying by the Virginia Education Association, the Virginia Code was changed effective July 2005. The change concerns teachers, principals, or other personnel employed by a local school board or employed in a school operated by the Commonwealth (but not other out-of-home caretakers). Effective July 2005, if actions or omissions of school personnel are within the scope of employment and are taken in good faith in the course of supervision, care or discipline of students, then the standard in determining if a report of abuse or neglect is founded is whether such acts or omissions constituted gross negligence or willful misconduct. Prior to this, the standard was to determine whether or not the actions met Virginia's definitions of abuse or neglect.

Since 2001, school personnel have not been permitted to subject students to corporal punishment. However, the law also provided for the ability of teachers to maintain order, quell a disturbance, or protect property. The law excluded reasonable and necessary force to maintain order and control from the definition of corporal punishment. It also excluded participation in practice or competition in sports, physical education, or extra curricular activity.

Kerthy Hearn of the Chesterfield Education Association says the change was needed. "Complaints of abuse against teachers is a big problem. It puts teachers in a bind because they are required to maintain order and to discipline students," Hearn explained. She continued, "Virginia is one of very few states that allows Child Protective Services to investigate complaints against teachers. Most have police investigate." Ms. Hearn's opinion is that when police investigate, teachers have more rights. Readers should note that in Virginia, CPS and police frequently perform a joint investigation.

Ms. Hearn said there were 312 complaints of abuse, neglect or sexual abuse against teachers last year. (VCPN staff found a record of 319 complaints for the time period July 1, 2003 to June 30, 2004. Statistics for 2004-05 were not available.) Of the complaints for 2003-2004, 52 (16 percent) were founded.

Ms. Hearn feels that many of the complaints do not reach a level of seriousness needed to warrant an investigation. She cited examples of a preschool child wandering from the group or a behaviorally-disordered

student continually disrupting a class. "We are hoping that any charges against teachers will be very serious incidents. We are looking for a decrease in investigations," she said.

Ms. Hearn notes that the Virginia General Assembly "agreed overwhelmingly" with the Virginia Education Association. "We got all but two votes in the Senate and all but three in the House," she declared. "It was a sensible thing to bring the statute into compliance with the intent of the law," she concluded.

The resulting statute places teachers in a different position than all other citizens of the Commonwealth. School personnel now have more latitude than any other out-of-home provider or parent or caretaker. The change weakens the code, because unless the conduct can be proven to be "willful," it will not be considered abuse.

Maria Timoney, Chair of the Child Protective Services Out-of-Family Advisory Group comments, "It seems to me that school personnel have a history of being treated differently (civil immunity from damage claims, the right to use physical contact for stated purposes) from other citizen caretakers and this is an acknowledgement of the challenges they face daily in the school setting rather than 'latitude'."

Betty Jo Zarris, Family Services Curriculum Development Specialist, works with the VCU-VISSTA training project. VISSTA trains child protective service workers throughout the Commonwealth. She related that the training for CPS workers has been modified to reflect the two areas of the Code and policy that contribute to making investigations of school personnel special and that require additional consideration. First allegations are "screened out" when the teacher or school employee was attempting to do any of the following: prevent a fight; quell a disturbance; remove a student from a scene of a disturbance that threatens physical injury to person or property; protect him or herself (self-defense); or obtain or control weapons. Once these situations are excluded, then the CPS worker must investigate whether the incident involved "willful misconduct" or "gross negligence".

For "willful misconduct" the worker should ask questions such as: "did the teacher have knowledge that the actions would result in injury?"; "was there reckless disregard for possible consequences?"; "did the teacher deliberately fail to discharge a duty related

to safety?" Willful actions are disobedient, intentional and lawless. Misconduct means misbehavior, mismanagement or wrongdoing.

"Gross negligence" connotes failure to use even the slightest amount of care in a way that shows recklessness or willful disregard for the safety of others. It is serious unconcern, neglect, laxness, mismanagement or inattention.

Zarris noted that there is no case law applying to the new code to guide the training, nor are there opinions from the attorney general's office. "We explore the concepts and how the terms are applied in other settings," explained Zarris. "We talk about what the terms might mean and familiarize the workers with the terms. It will be important for the workers to staff cases with their agency attorney."

Virginia has a legislatively-mandated standing committee that monitors out-of-family child abuse. The Child Protective Services Out of Family Advisory Group reports to the State Board of Social Services. The twelve-person committee is chaired by Maria Timoney of the Southwest Virginia Legal Aid Society in Marion, Virginia. Other members include representatives from: a religious organization with programs for children; Prevent Child Abuse Virginia; a Children's Hospital; a school; a juvenile detention facility; a residential facility for children; a local department of social services; a family day care home; a licensed child care center; and two members-at-large. They meet four times a year.

According to Ms. Timoney, the group discusses issues related to out-of-home care and advises the State Board of Social Services. For the past two years, the focus of the committee has been learning from representatives of public schools around the state about the child protective services investigative process in order to educate themselves and learn about perceptions of how complaints are handled.

"There was so much variation!" Timoney explained. "Some school systems have excellent relationships with social services and the handling of complaints is smooth. For others there is much tension." Timoney said the committee made recommendations at the conclusion of the process. "We felt that complaints

continued on page 15

Sexual Abuse of Children and Teens in School

Children and teens in schools can experience sexual abuse or sexual harassment from school staff or from other children. Sexual abuse is defined as sexual acts in violation of the law. Sexual harassment is defined as "unwanted sexual attention from administrators, teachers, peers, or school staff" (Hyman et al., 1997, p. 318).

The range of behaviors in sexual harassment is broad. The list includes "leering, pinching, grabbing, suggestive verbal comments, pressure for sexual activity, spreading sexual rumors, making sexual or sexist jokes, pulling at another student's clothing, cornering or brushing up against a student in a sexual way, insulting comments referring to students' sexual orientation, date rape, sexual graffiti about a student, or engaging in any other actions of a sexual manner that might create a hostile learning environment" (Hyman et al., 1997, p. 318).

Incidence

Reliable statistics about the extent of sexual abuse in schools seem difficult to obtain. One source (Bithell, 1991) says one percent of elementary students and three percent of secondary students will experience sexual advances from school staff. For more information about sexual abuse by teachers and staff, see *Sexual Abuse by Educators*, this issue.

Statistics about sexual harassment are much higher and indicate widespread occurrence. For example, the American Association of University Women (AAUW, 1993) reported that more than 75 percent of boys said they had been the target of unwanted sexual comments, jokes, gestures, or looks. Additionally, 66 percent of girls and 42 percent of boys reported having been touched, pinched, or grabbed. Student-to-student sexual harassment was the most common, accounting for about 80 percent of incidents. Teachers, custodians and coaches were about 20 percent of the incidents.

A student's first experience of sexual harassment is most likely to occur in middle school years, but a significant number, about a third, were sexually harassed prior to the seventh grade. Four in 10 African-American girls (42 percent) and Hispanic girls (40 percent) have been targeted this early, compared to 31 percent of Caucasian girls. A few students (6 percent overall) and 10 percent of Hispanic girls experienced unwanted advances before the third grade (AAUW, 1993).

There are different types and varying degrees of sexual harassment. The AAUW survey categorized 14 forms of harassment, half of which were physical (grabbing, pinching, forced kissing, for example) and half that involved no physical contact (sexual comments, sexual rumors, flashing, for example).



The most common forms of harassment are being the target of sexual comments, jokes, gestures or looks (76 percent of girls and 56 percent of boys). The second most common form of sexual harassment involves touching, grabbing or pinching in a sexual way (reported by 65 percent of girls and 42 percent of boys). There is also a gender gap in the 46 percent of students who have been brushed up against in a sexual way with 57 percent of girls and 37 percent of boys reporting this experience. Experiencing "mooning" and "flashing" is about equally common for boys (41 percent) and girls (49 percent).

More than a third of students (37 percent) report that they have been the target of sexual rumors, the fifth most common form of sexual harassment. About a third have experienced the sixth most common form of sexual harassment, having one's clothes pulled in a sexual way, although girls (38 percent) are more likely than boys (28 percent) to report this form of harassment. Slightly less than a third of both genders have received or been shown unwanted sexual pictures or notes.

About one in four students report they have been blocked or cornered in a sexual way with more than twice as many girls (38 percent) reporting this as boys (17 percent). More boys (23 percent) than girls (10 percent) have been called "gay" or "lesbian". About twenty percent of both genders report having been the target of sexual graffiti or written sexual messages on bathroom walls or lockers. More girls (23 percent) than boys

(14 percent) have been forced to kiss someone against their will.

At the extreme end of the spectrum, 11 percent of students report being forced to do something sexual other than kissing and 7 percent report they have been spied on while they dressed or showered at school (AAUW, 1993).

Perpetrators

VCPN staff were unable to locate any studies of school staff examining why they used sexual harassment with students or why they sexually abused students. Staff accounts for about 20 percent of the incidence of sexual harassment in schools, according to the AAUW (1993) study. The study did inquire of students about their own behaviors. Two-thirds (66 percent) of all boys surveyed and more than half (52 percent) of girls admitted to having sexually harassed someone in the school setting. Most of the sexual harassment was directed at peers but 4 percent of students said they had harassed an adult at the school.

Reasons for the sexual harassment were varied. The most common reason given (37 percent) was "It's just a part of school life"/"It's no big deal." About 25 percent of perpetrators said "I thought the person liked it" and 22 percent said they wanted a date with the person. About a fifth of perpetrators said their friends encouraged or "pushed" them into the sexually harassing behaviors.

Why Youth Don't Report

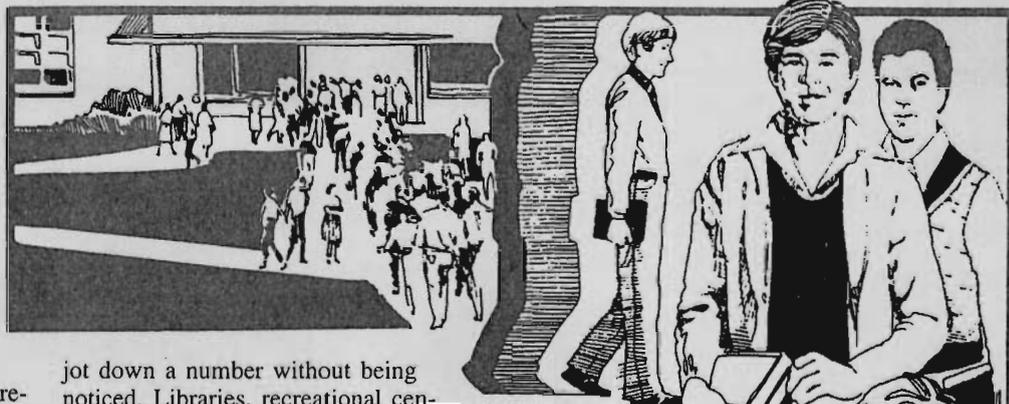
According to the National Crime Prevention Council (Whitman, 2006), teens have four typical reactions to becoming a crime victim of any sort. These are:

- Isolation- A victimized teen might feel different from others in their peer group. Due to sexual harassment, the teen may drop the group of friends or find that the friends have dropped him or her.
- Helplessness- The teen feels that nothing can be done to change the situation or that there is no one to help.
- Hopelessness- The teen feels that life will never return to normal.
- Powerlessness- The teen feels lack of control.

It rarely occurs to teens to ask victim service providers for help. Teens see the teasing and harassment as normal behaviors and regard their reactions as oversensitivity or abnormal. Since adolescents may be experiencing isolation and feelings of helplessness, hopelessness, and powerlessness as a part of adolescence, the victimization experience only intensifies and authenticates these feelings.

Effects

Effects of sexual abuse or harassment range from mild to severe. In the AAUW study (1993), a third of girls and 12 percent of boys did not want to attend school due to sexual harassment or abuse. A similar percentage (28 percent of girls and 13 percent of boys) found it hard to pay attention to lessons because of the harassment, and 23 percent of girls and 9 percent of boys reported lower test grades because of the incidents. About 17 percent of girls and 6 percent of boys reported thinking about changing schools due to the sexual abuse or harassment. While the impact of sexual harassment or abuse in schools is significant for all students, girls appear to suffer greater negative effects than boys (AAUW, 1993).



Intervention

Most authors consulted agree that multiple strategies and efforts are needed in order to combat sexual abuse or sexual harassment. Any single or isolated effort is likely to be insufficient. Some of the effective methods when used in combination are:

- Education – Teachers and students alike need awareness of the policies of the school regarding unwanted sexual attention or behaviors.
- Reporting – Reporting of incidents is more likely if schools designate a person or office to receive complaints and offer intervention.
- Positive school climate – If a school promotes an atmosphere of caring and concern, sexual harassment is less likely to occur.
- Youth who persist in harassment should be evaluated in a comprehensive fashion.

Those who are designing programs or prevention efforts can be guided by some general principles that have proved effective. These are youth-led outreach, strategic placement, teen-friendly language, diverse images, and in-person outreach (Whitman, 2006).

Youth-led outreach means involving youth in the design and delivery of the prevention program. Youth are experts on their peers. They can decide what approach, language, messages, designs and colors are most appealing. Many youth are also enthusiastic presenters. Youth-led skits and presentations often have more impact than similar efforts by adults.

Outreach efforts should be made in the places where youth gather. In addition to schools, good choices are recreational programs, movie theatres, county fairs, shopping malls, parks, or during special community events and celebrations. Since adolescents may be sensitive about privacy, materials should be distributed in schools and available in places where a youth can take a flyer or

jot down a number without being noticed. Libraries, recreational centers and doctor's offices often have racks of pamphlets. They can also be placed in fitting rooms or bathrooms. The Internet is another possibility because teens spend large amounts of time online and some privacy is possible.

Language is important. Sexual abuse, sexual assault or sexual harassment prevention materials should be geared towards the age range targeted. For example, "dating" may be an outmoded term for some teenagers. Always check the language with groups of youth to see if it is understandable and if it is language the target population can relate to.

If the program materials are using images, be certain the images reflect the diversity in the community. Children and teens can be diverse in dress, hair styles, culture, skin tone, and body type. Remember to include images of youth with disabilities, as well. Staff offering the program should, if possible, reflect the diversity of the community.

Youth who are repeated or chronic victims of sexual harassment and/or abuse are in great need of intervention but often trust intervention the least. Guidance counselors and teachers should try to identify youth who have ongoing needs and reach out through personal contact.

Virginia's Picture

The Code of Virginia (22.1-279.3:1) requires school divisions statewide to submit data annually to the Virginia Department of Education (VDOE) on incidents of discipline, crime and violence perpetrated by students. Incidents include those on school property, on a school bus, or at a school-sponsored activity. All data that comes to VDOE is self-reported from 132 public school divisions.

The definition of an "incident" is "the event itself that may involve one or more student offenders and one to three offenses." Thus, the data is based on number of incidents rather than number of students who are victimized. In 2004-05, there were 15,544 incidents by students against other students. These were: Physical assaults with no weapons: 6454 (41.52 %); Threats or intimidation: 5293 (34.05%); Bullying 3738 (24.05%); Physical assaults with weapons: 57 (0.37%); Attempted sexual assault: 1 (0.01%); and forcible sexual assault: 1 (0.01%). Offenses by students

against staff numbered 4,077. These were: Threats or intimidation: 2689 (65.96%); Physical assaults with no weapons: 1379 (33.82%); Physical assaults with weapons: 9 (0.22%).

The "School Report Card" is a separate report from the Discipline, Crime and Violence Report. The data collected from the DOE report is used to create one phase of the School Report Card involving safety. There are 24 identified offenses in four categories of "serious incidents," "fights," "firearms," and "other weapons." Sexual offenses are reported in eight categories. The 2003-2004 report lists one attempted rape; 6 incidents of aggravated sexual battery; 1437 incidents of sexual touching; and 414 sexual offenses without force.

The Department of Education data is only offenses of students. It does not include data on offenses by teachers and staff.

A second source of data is the reports of suspected child abuse made to the Department of Social Services. In 2003-2004, there were a total of 32,148 reports of suspected child abuse or neglect. Of these, 319 (about 1 percent) were cases where the suspected perpetrator was a school employee. Another 106 complaints involved staff of institutions or residential facilities and an additional 35 involved staff of group homes. Daycare providers were 283 of the complaints and other organizations or facilities were 26 complaints.



continued on page 10



Sexual Abuse of Children and Teens

continued from page 9

The total child abuse and neglect complaints from out-of-family settings was 769 (a little over 2 percent of the total complaints).

Readers should note that the Virginia data on out-of-home caretakers, teachers and school staff is not divided into subtypes of maltreatment. Thus, it is not known how many or what percentages of the complaints involve suspected physical maltreatment, suspected neglect, or suspected sexual abuse.

After investigation, a total of 4057 reports (14 percent of the total Virginia complaints) were considered "founded". This figure include reports of all types of abuse and neglect. Of the 319 complaints about school staff, 52 reports (16 percent) were "founded". Of the total of 769 out-of-family reports, 150 (20 percent) were "founded".

VCPN staff members were unable to find any national agency or professional group that keeps statistics or tracks cases of educator abuse. Thus, it is not known whether the limited Virginia data is similar or different than the national picture. Virginia cases of educator sexual abuse appearing in the media are varied. Some examples are:

- February, 2006- A private music teacher in Rockingham County, awaiting trial on charges that he made sexual advances towards one of his students was indicted on 40 counts of possessing child pornography.

- January, 2006- A 49-year-old woman who taught chorus in an Augusta County middle school was found guilty of sexually abusing a student she had taught 10 years earlier.

- November, 2005- A former Bridgewater College professor pleaded no contest to two felony charges in connection with an Internet relationship with a high school student. One count was enticing a minor to be the subject of pornography and the other was distributing pornography that depicted the image of a minor.

- July, 2003 – The Virginian-Pilot reported a substitute teacher and basketball coach was sentenced to 10 days and three weekends in jail for a sexual relationship with a 17-year old girl he coached.

- January, 2003 – A former Stafford County teacher pleaded guilty to molesting four male students on school-related outings.

- March, 2001 – A Floyd County high school teacher and coach was indicted on charges of sexually abusing a female student who played on a softball team he coached.

- February, 1999- A former teacher from Staunton pleaded guilty to a felony charge of taking indecent liberties with a minor, a 13-year-old former student.

- December, 1998- A former Alexandria elementary school principal and teacher was sentenced to 30 years in prison for sexually abusing four male students.

- October, 1998- A Christiansburg high school teacher pleaded guilty to six felony and seven misdemeanor charges of having sex with three teenage girls. He also pleaded guilty to similar charges in Smyth and Wythe counties.

- September, 1998- A former Norfolk high school English teacher and track coach accused of having an intimate relationship with a student and fathering her baby was found guilty of taking indecent liberties with a minor.

The last issue of VCPN reported on Virginia's efforts to prevent bullying. The term bullying includes sexual harassment in its definition. The changes to Virginia's code enacted in February 2005 (code sections 22.1-208.01,

22.1-29.3:1, and 22.1-279.6) relate to bullying, harassment and intimidation. These laws were signed by Governor Mark Warner and became effective July 1, 2005.

The code changes requires schools to address bullying, harassment and intimidation and outline which acts must be reported to the principal and the division superintendent. Responsibilities for establishing guidelines and codes of conduct for students are included. There is also civil immunity for public school employees and volunteers who report alleged acts of harassment as long as the reporter follows the procedures outlined in the school policy. These legislative changes allow and encourage schools to develop strong supports for children and youth and for employees who teach and serve in the school system.

As Nan Stein noted in 1993 in a paper presented to the American Psychological Association, sexual harassment must become a public concern before it will be obliterated from educational settings. Schools need to offer a safe learning and working environment for all students and staff. Sexual abuse and harassment contaminate the school environment and affect many in addition to the actual or intended target. Even though the absolute numbers of cases of educator abuse may be low, and even though these cases are a very small percentage of the total number of child maltreatment cases, it is important for schools and communities to be proactive in preventing educator sexual abuse and harassment as well as student-to-student sexual abuse and harassment.

References Available Upon Request

Annual Report on Discipline, Crime, and Violence, School Year 2003-2004, Virginia Department of Education, 92 pages, free of charge.

Available on line at:

[http://www.pen.k12.va.us/VDOE/publications/discipline/datacill/03 annual report.pdf](http://www.pen.k12.va.us/VDOE/publications/discipline/datacill/03%20annual%20report.pdf)

The Code of Virginia requires school divisions statewide to submit annually to the Virginia Department of Education data on the incidents of discipline, crime, and violence occurring on school property, on a school bus, or at a school-sponsored activity. A total of 321,534 incidents of discipline, crime and violence were reported for the 2003-2004 school year. The report contains regional and individual county/city data as well as appendices with definitions.

Reports of suspected Child Abuse and Neglect in Designated Out of Family Settings Virginia, July 1, 2003 - June 30, 2004

Setting	Total Reports	Founded Reports	Percent Founded
School	319	52	16%
Daycare center	214	49	23%
Daycare home	69	15	22%
Institutional/residential facility	106	22	21%
Group home	35	6	17%
Other organization/facility	26	6	23%
Total	769	150	20%

For Teachers of Psychology in Secondary Schools An Introduction to Child Maltreatment

This five-unit curriculum provides teachers of Psychology in secondary schools with information about how to teach the topic of child maltreatment. It is important for teachers of Psychology to cover this topic in order to further prevention efforts and to reduce the impact of maltreatment that has already occurred. The curriculum is designed for Psychology courses or could be used in courses on health, sex education, safety, or related issues. Detailed content outlines and suggested activities are provided for five topics: Definitions and Rates of Child Maltreatment; Factors Associated with Child Maltreatment; Effects Associated with Child Maltreatment; Responding to Child Maltreatment, and; Preventing Child Maltreatment. A list of films and videos, a bibliography, and an online resource list are also included.

Available free from Cindy L. Miller-Perrin, Ph.D. Pepperdine University, Social Science Division, Malibu, CA 90263 or e-mail her at: cindy.perrin@pepperdine.edu

Sexual, Physical, and Emotional Abuse in Out-of-Home Care: Prevention Skills for At-Risk Children, 1997, Toni Cavanagh Johnson, Ph.D. and Associates, 118 pages, \$39.95 (hard), \$17.95 (soft), ISBN: 0-7890-0193-4

Available from: The Haworth Maltreatment Press, 10 Alice Street, Binghamton, New York 13904-1580, (800) HAWORTH, Fax: (800) 895 0582, E-mail: getinfo@haworth.com

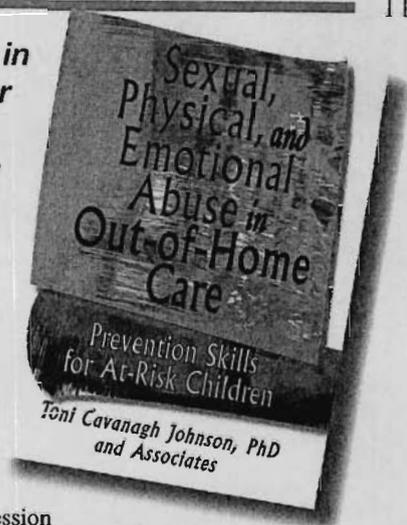
The major focus of this curriculum is to prevent victimization and bring to light current or past sexual, physical, or emotional abuse between children or between children and caretakers. The second focus is to increase respectful and nurturing interactions between caregivers and children. It is intended to be used mainly in facilities such as foster homes, group homes or residential centers. The 20-session curriculum can be completed in order or the modules can be switched around or used separately.

The volume is more than a curriculum however. It includes sections about how to structure the intervention, receive supervision and give feedback to caretakers. It contains suggestions for behavior management within the group, how to structure the group and the group time, and ways to facilitate group process. Useful games, activities, books and resources are included.

The curriculum begins with exploring communication and defining hurtful communication then offers units on touch. Boundaries and personal space are topics. Children learn how to be alert and to identify grooming behaviors.

The volume is enhanced by an appendix discussing healthy versus problematic child sexual behaviors. A second appendix discusses and demonstrates how to use behavioral charts. A third appendix offers worksheets to accompany the lessons.

The systematic approach is specific and detailed. Clinicians and child advocates can follow the lessons as presented or modify them to suit a particular group. The lessons could even be used by a clinician during individual sessions. This practical guide fills an unmet need for those who work with children in out-of-home care.



Recognizing Child Abuse and Neglect: A Guide for School Employees

This brochure was a joint effort by the Child Protective Services (CPS) Out of Family Advisory Committee and the Virginia Department of Social Services. It is a colorful, attractive 8-section fold out. It gives the definitions for child maltreatment and lists physical and behavioral indicators. It outlines the requirements of school employees to report suspected maltreatment whether it occurs within the home or within the school perpetrated by other school faculty and staff. It gives suggestions for talking with children or youth in response to a disclosure of abuse, neglect, or sexual abuse. It also explains the local department of social services response. This brochure is available free of charge from:

Virginia Department of Social Services, 7 North 8th Street, Richmond, VA 23219
Web site: www.dss.virginia.gov

Teacher Training now Available On-line

The Virginia Department of Social Services Child Protective Services Unit, in conjunction with Virginia Commonwealth University's VISSTA eLearning Center has been offering online training for teachers since January 2004. All Virginia teachers are required to complete training in how to recognize and report child abuse and neglect. The online format is only one of the possible ways teachers can acquire the training.

The free online course can be accessed at: www.vcu.edu/vissta/training/va_teachers. The course is user-friendly and takes about 1.5 hours to complete. The training includes modules on recognizing physical abuse, neglect, sexual abuse and other conditions that

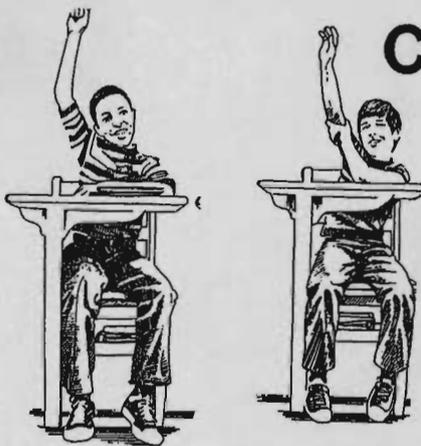
teachers are required to report to Child Protective Services. The course instructs teachers in how to report suspicious circumstances and what to expect from Child Protective Services after a complaint is made. Hints for supporting children who have reported abuse or who are suspected of having experienced maltreatment are included.

Betty Jo Zarris from the VCU-VISSTA comments, "The online option has been very popular. We initially thought it would be chosen infrequently and that school districts would prefer instructor-led curricula. But the opposite is true." Zarris believes that the online option is more flexible and teachers can complete it when it is convenient. "People are

more likely to benefit if they are rested and choosing a time that suits them as opposed to being required to attend a seminar at a particular time," she says.

Over 97,000 teachers have received certificates of completion since January 2004. Some quotes from participants are: "Everyone dealing with the youth of today should be willing to take this course" and "The online format meets the needs and is convenient for busy teachers."

More information is available from the VCU VISSTA eLearning Center, e-mail: elarning@vcu.edu



A child is slapped in the face by a cafeteria worker.

Forty to 50 children are lined up and individually paddled in front of each other for being tardy.

A child is elbowed in the neck by a coach and knocked to the ground for yelling

A teacher orders students to use his paddle to hit other students.

A 10-year-old passes in a paper in the wrong direction. For this rule infraction, her head is slammed six times into her desk, damaging her inner ear.

A child who is slow to line up at recess is forced to run a gantlet where children line up and hit him as he runs between the lines.

In Staten Island, N. Y. a community is described as "stunned" when a coach and father of 3 is arrested and charged with second-degree attempted assault, fourth-degree possession of a weapon, 23 counts of forcible touching, 23 counts of third-degree sexual abuse and two counts of endangering the welfare of a child. This man was said to have pulled down pants of basketball players who missed shots and paddled them.

Corporal punishment – the intentional infliction of pain in an effort to change behavior – is allowed in schools in 22 states. Estimates are that 2 to 3 million incidents of corporal punishment occur each year. While various definitions of corporal punishment are used, the one offered by Straus is frequently cited, "Corporal punishment is the use of physical

Corporal Punishment in Schools

force with the intension of causing a child to experience pain but not injury for the purposes of correction or control of the child's behavior" (Straus & Donnelly, 1994, p. 4).

Research about corporal punishment is criticized because non-abusive corporal punishment can be confounded by the inclusion of harmful and abusive behaviors. The majority of researchers view corporal punishment as a continuum of physical acts towards children and there is no consensus about what is acceptable and what is dangerous (Gershoff, 2002). Rather, corporal punishment is deemed abusive when it is "excessive" or "cruel" or "unlawful" or "unreasonable" or "extreme."

A wide variety of types of corporal punishment exist. Methods of corporal punishment include: hitting; slapping; spanking; shaking; punching; kicking; choking; use of electric shock; confinement in closets or other small spaces; excessive exercise; forcing children to assume fixed postures for unreasonable periods; being forced to eat something; being prevented from going to the bathroom; and psychological maltreatment that causes emotional pain. Instruments used for corporal punishment are also varied. They include leather straps, switches, baseball bats, and fists (Hyman, 1996).

Cases where a teacher is using force to quell a disturbance (such as a fight between two students) or is reacting in self-defense (for example, to an assault by a student) are not considered to be corporal punishment. Teacher reactions to students who are endangering themselves are also excluded from the definition of corporal punishment.

Corporal punishment is not meant to damage children. Yet, each year, between 10,000 and 20,000 students need medical treatment as a result of an action of corporal punishment by a teacher (Society for Adolescent Medicine, 2003). Nadine Block, Executive Director of the Center for Effective Discipline and co-chair of EPOCH-USA feels that this estimate is a bit high. She comments, "We estimate about 2 percent of students who experience corporal punishment need medical treatment. That is roughly 6000 per year using 2003 statistics. However, if bruises and bleeding are standards, then 10,000 to 20,000 cases is probably a good guess. It may be higher. There's really no way to know for certain."

Corporal punishment in schools has been banned in every industrialized country except the United States, Canada, and one state in Australia (Center for Effective Discipline, 2005). Poland was the first country to ban corporal punishment in 1783. By 1900, they were joined by the Netherlands, Luxembourg, Italy,

Belgium, Austria, France, Finland, and Japan. By 1950, additional countries were added to the list – Russia, Turkey, Norway, China, and Portugal. By 2002, 17 additional countries (including the United Kingdom comprised of England, Scotland, Wales, and Northern Ireland) had joined the list. It is interesting that 10 countries have banned the use of corporal punishment by parents as well as by teachers. These countries are Austria, Croatia, Cyprus, Denmark, Finland, Germany, Israel, Italy, Latvia, Norway, and Sweden.

The United Nations Committee on The Rights of the Child (1998) has maintained that "corporal punishment of children is incompatible with the Convention" (p. 63). Although the president of the United States signed The Convention of the Child in 1995, Congress has not ratified it, thus the U.S. is not a party to the Convention (Bitendki, 1998 in Gershoff, 2002). The United States and Somalia are the only countries that have not ratified The Convention.

Data for the 1999-2000 school year (released in February 2003 by the Center for Effective Discipline) show a U.S. public school enrollment of 46,306,355 students with 342,038 subjected to corporal punishment that year. In states allowing corporal punishment, the percentage of affected students ranges from highs of 9.8 percent (Mississippi) and 9.1 percent (Arkansas) to less than 0.1 percent (Wyoming, Pennsylvania, Arizona, Colorado, Idaho, Kansas).

Public opinion about corporal punishment has undergone change over the last several decades. In 1968 there was consensus within the general population that parents could/should use corporal punishment. Surveys showed that 94 percent of parents approved of spanking and corporal punishment as a discipline technique (Straus & Mathur, 1996). Since 1968, national surveys conducted in 1986, 1987, 1988, 1990, 1991, and 1994 about approval of corporal punishment show a steady decline to a 68 percent approval rate. Moreover, the decline is evident within all socio-economic groups (although those in the South, those with limited education, and African-Americans showed less of a decrease).

The decline in public opinion has been accompanied by a decline in use of corporal punishment in schools. Hyman (1996) estimated 3 million instances of corporal punishment per year in the early 1980's and only half a million by the early 1990's.

In 1974, only New Jersey and Massachusetts forbade corporal punishment for school children (Hyman et al., 1997). Currently, 28 states, including Virginia, have banned corporal punishment in public schools.

Opposition to Corporal Punishment

As a result of corporal punishment, 10,000 to 20,000 students request/need medical treatment each year (Society for Adolescent Medicine, 2003). The catalogue of serious injury and long-term damage that can occur from hitting or spanking is large. For example, as early as 1982, practitioners of chiropractic warned that nerve damage, spinal cord damage, and dislocations of spinal segments could occur from spanking. The damage may not result in immediate symptoms, but could instead cause back problems as the person ages. Eliner Addington of Texas Chiropractic College notes that as little as two ounces of pressure allows a doctor to audibly reposition bones in a corrective manner. He writes, "Imagine, if you will, how much harm can be done by a full-grown man, with no practical knowledge of spinal and pelvic biomechanics, swinging a two-or-three pound paddle through several feet of arc to strike a child's buttocks" (Taylor & Maurer, 1985, p. 54).

Injuries most often resulting from corporal punishment in schools are welts and hematomas on the legs and buttocks. There can also be injuries to extremities, internal damage or even death (Hyman, 1996).

Children with disabilities are particularly vulnerable to maltreatment in schools, and students with learning difficulties, attention problems and emotional difficulties are high risk for maltreatment in any setting (see VCPN, volumes 17, 37, and 59). They are also less likely than average students to cease misbehavior when punished (Hyman, 1996).

Corporal punishment does not fall equally upon all students. It is more common for younger students, for boys, for children with learning disabilities, and for disadvantaged students of color (Fathman, 1991; Hyman et al., 1997; National PTA, 1991; Society for Adolescent Medicine, 2003). Children who are spanked or subjected to corporal punishment at home may arrive at school already programmed to be aggressive. These children, who may be maltreated at home, appear more likely to experience corporal punishment at school, perpetuating a cycle of violence (Society for Adolescent Medicine, 2003).

Many opponents of corporal punishment say that its use in schools promotes the message that violence by those in positions of authority is acceptable. If children witness authority figures using violence, some researchers believe that this "sanction" of violence will encourage children to be violent also (National PTA, 1991; Society for Adolescent Medicine, 2003).

Gershoff (2002) completed a comprehensive review of literature on corporal punishment. She analyzed 88 studies published over six decades (since 1938) that tracked short- and long-term effects of corporal punishment, mainly administered by parents. She found 10 negative behaviors linked to cor-

poral punishment. These included increased aggression, antisocial behaviors, and mental health problems, both during childhood and in adult years. Corporal punishment was also associated with decreased moral internalization, decreased quality of the relationship between parent and child, and an increased risk of being a victim of physical abuse. Readers should note that these studies examined a parent's use of corporal punishment, not a teacher's use of it. It is not known whether effects of corporal punishment by non-parents are similar to or different than effects of corporal punishment by parents. Also, Gershoff's analysis has been criticized because some studies included instances of extreme or excessive physical punishment rather than being limited only to "normative spanking" (Baumrind, Larzelere & Cowan, 2002) and therefore are not necessarily representative of effects of milder spanking.

Other arguments against corporal punishment are that the child may begin to fear and avoid the teacher and perhaps even try to avoid school. Avoidance can take the form of truancy, feigning illness, tardiness, or simply "tuning out." A child who avoids a teacher will not be free to learn, to be curious, or to enjoy seeking knowledge (Dubanoski et al., 1983). Some feel corporal punishment is, by its nature, degrading and psychologically damaging, eroding self confidence (Benatar, 2001).

Perhaps the strongest argument against the use of corporal punishment in schools is that the practice is ineffective. Some believe corporal punishment can even cause the development of counter-productive behaviors such as retaliation and aggression (perhaps displaced onto another student or evident in vandalism) (Dubanoski, Inaba & Gerkewicz, 1983).

Support for Corporal Punishment

In the area of school administration, few topics have generated more debate and controversy than the use of corporal punishment. While the development of student self-discipline is a shared goal, there is disagreement about whether or not corporal punishment is needed to achieve that goal. Although cultural norms supporting corporal punishment of children may be changing, there is considerable evidence that support for corporal punishment is strong and beliefs in its favor are pervasive (Straus & Mathur, 1996).

Supporters for punitive strategies offer several reasons for their position. Corporal punishment, supporters claim, can result in immediate decreases in negative behavior. Indeed, laboratory research on learning shows that corporal punishment is effective in securing short-term compliance, according to a review by Gershoff (2002). Corpo-

Position Statements 107 Organizations Call for End to Corporal Punishment in Schools

- The California Association for Health, Physical Education, Recreation and Dance has taken a position opposing the use of any form of physical activity as punishment in school and recreational programs. They cite examples as running laps or doing calisthenics for punishment.
- The American Academy of Pediatrics (which has about 55,000 members) recommends the abolishment of corporal punishment in schools. "Corporal punishment may affect adversely a student's self-image and school achievement and it may contribute to disruptive and violent student behavior."
- In a position statement in 1998, the National Association of School Psychologists reaffirmed its opposition to the use of corporal punishment in schools because of its harmful physical, educational, psychological and social effects on students. NASP actively supports removal of legal sanctions for its use and seeks its complete prohibition in schools.
- The American Medical Association supports the abolition of corporal punishment in schools. The AMA encourages universities that train teachers to emphasize alternative forms of discipline. It also encourages physicians, medical societies, parents, and school personnel to support legislation and policy abolishing corporal punishment.

Organizations with Position Statements include:

National Association of Elementary School Principals
Prevent Child Abuse America
American Psychiatric Association
The United Methodist Church
The American Academy of Child and Adolescent Psychiatry
The American School Counselor Association
The National Education Association
The National Association of School Nurses
American Psychological Association
American Humane Association

continued on page 14

Corporal Punishment in Schools

continued from page 13

ral punishment is swift and easy and requires minimal training. The community may expect corporal punishment to be employed. Finally, corporal punishment can generate a sense of power, control, or justice among those who use the practices (Bear, Cavalier & Manning, 2002).

Some authors question the negative effects of non-abusive spanking, at least by parents. Proponents of non-abusive corporal punishment for parents claim that studies document beneficial child outcomes when spanking is used judiciously on 2-to-6-year-old children by loving, sober parents who are in control of their anger (Larzelere, 1998; 1999). Readers should note that long-term effects of corporal punishment by teachers has not been studied.

Advocates for corporal punishment in schools believe that children and youth who receive it are better-controlled, learn appreciation for authority, develop better social skills, show improved moral character and learn better self-discipline (Society for Adolescent Medicine, 2003). Without corporal punishment, the fear is that children will run wild, be disruptive and become destructive (Dubanoski et al., 1983).

Legal Issues

In cases involving corporal punishment, attempts to expand students' common law rights through invoking the U.S. Constitution (such as the Eighth Amendment right to be free of cruel and unusual punishment) have met with limited and generally unsatisfactory results. Civil suits place the burden of proof on the minor to prove that the punishment was excessive rather than on the school official to show that it was reasonable.

Alternatives to Corporal Punishment

Alternatives to corporal punishment are numerous and a large number of positive corrective strategies have been shown effective "with some students in some settings and some circumstances" (Bear et al., 2002, p. 986). A comprehensive review of positive discipline strategies exceeds the page space of VCPN. Likewise, strategies for remediating and responding to chronic, serious behavioral problems are beyond the scope of this article. Some general principles have been offered concerning how to select among corrective strategies. These are reviewed below.

The first and one of the most important con-

The Center for Effective Discipline



This non-profit organization operates two programs for disseminating information about the effects of corporal punishment of children and alternatives to its use. EPOCH-USA (End Physi-

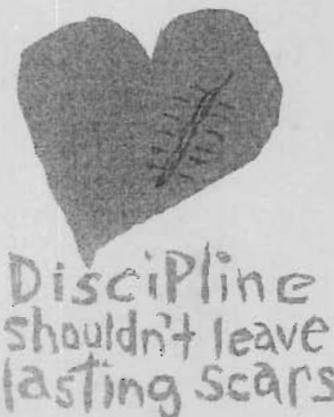
cal Punishment of Children) concentrates upon ending corporal punishment of children in families while NCACPS (National Coalition to Abolish Corporal Punishment in Schools) seeks a ban on school corporal punishment. They sponsor "Spank Out Day USA" (see separate block) and offer mini-grants to organizations that sponsor informational events on discipline. For more information, contact Nadine Block, M.Ed., Executive Director, Center for Effective Discipline and co-chair of EPOCH-USA, 155 W. Main Street, # 1603, Columbus, OH 43215 (614) 221-8829, E-mail: info@stophitting.org Website: <http://www.stophitting.com>.

EPOCH - USA NEWSLETTER

The newsletter contains information about efforts to end corporal punishment.

The newsletter can be found on the Child Rights Information Network (CRIN) website:

<http://www.crin.org/violence/search/closeup.usp?infoID=6429> or at <http://www.stophitting.org/disathome/>



Artist: K.T. Guerra

siderations is a school code of conduct. The code should outline expectations for parents, students and teachers. It should also specify the disciplinary actions if children fail to meet those expectations (Magnuson, 2000). Among other benefits, a discipline policy can prevent unequal treatment.

Bear (1998) discusses three inter-related components of effective school discipline. These are: 1) classroom management and positive climate strategies for preventing behavior problems; 2) operant strategies for the short-term management and control of behaviors; and 3) decision-making and problem-solving for achieving the long-term goal of self-discipline.

Regardless of whether punishment or reinforcement strategies are used to correct behavior, the choice should rest upon an assessment of the causes of the behavior. Problem behaviors do not occur in a vacuum, but rather are related to a larger context. Problem behaviors also serve a function for students and may be logical and reasonable from their perspective. A recent large-scale meta-analysis showed that interventions for problem

behaviors were substantially more effective when a functional analysis was conducted first and that information used to design the intervention (Marquis et al., 2000, cited in Bear et al., 2002).

Research has also endorsed interventions that provide positive behavioral supports, finding these to be superior to interventions that lack support. One reason these interventions are more effective is that they are more likely to result in durable (long-term) behavioral change.

The use of multi-component interventions can address both triggers and the function (purpose) of the problem behaviors. A single intervention is less likely to be effective than multi-component intervention. In a multi-component intervention, both the antecedents and the consequences of the behavior are examined. Antecedents can include non-school factors such as negative conditions in the family, deficient coping skills, or low self-esteem. These are sometimes termed "slow triggers." Antecedents can also be factors in

continued on page 16

Investigation of Complaints of Teachers

When a teacher is suspected of physical abuse, neglect, or sexual abuse, the concerned person should contact their local department of social services child protective services unit (CPS) or the 24-hour hotline at 1-800-552-7096. Schools are required to forward complaints to child protective services as well.

There is a formal agreement between the Commissioner of the Virginia Department of Social Services and the Superintendent of Public Instruction of the Virginia Department of Education. The purpose of the agreement is to encourage maximum cooperation between local public schools and local departments of social services. The agreement includes both children under age 18 and students with disabilities who are adults.

The CPS worker may interview the child victim and any siblings at school. Consent of a parent or guardian is not necessary. The CPS worker has the final authority about who is present during the interviews.

The CPS worker, if there is no conflict of interest, will invite the school site administrator or designee to participate in the investigation.

Local school divisions and local social service agencies are encouraged to collaborate in providing training for all mandated reporters.

There are procedures that are recommended for localities. Each school is encouraged to designate a contact person or persons who will contact the local social services agency with all reports of suspected child abuse, neglect, or sexual abuse. However, nothing in the recommendations prohibits a reporter from directly making a report and then informing the contact person about the referral.

Raising Good Kids Without Hitting
www.stophitting.com

SpankOut Day USA
April 30th

Since 1998, April 30th has been "Spank Out Day USA." What is this event? This day is devoted to non-violent discipline. Organizers want people to end corporal punishment of children and adopt more effective and nonviolent ways to teach positive behavior. All parents, guardians and caregivers are encouraged to refrain from hitting children on April 30th and to seek education about alternative methods.

"Spank Out Day USA" is sponsored by EPOCH-USA (End Physical Punishment of Children) and is a program of the Center for Effective Discipline. More information is available at: <http://www.stophitting.com/SpankOut>

The school employee making the report is required by law to share all information that establishes the basis for the suspicion of abuse, neglect or sexual abuse.

The school employee who is the alleged abuser has the right to a representative of his or her choice to be present during all interviews.

The CPS worker will interview the alleged abuser and collateral staff witnesses according to a plan developed jointly with the facility administrator or designee. The CPS worker has discretion regarding who is to be present at the interview. The CPS worker should inform the alleged abuser of who will be at the interview.

The CPS worker will provide the alleged abuser with the allegations in writing and offer to tape the interview, providing a copy to the alleged abuser. The CPS worker will notify both the alleged abuser and the superintendent's designee when the investigation is completed and a disposition is made. The local department of social services will inform the parent or guardian of the victim child with written notification of the disposition at the time the finding is made. Sufficient detail must be provided for the child's custodian to know what happened to the child, to make plans for the child and to provide support and services to the child.

The local school division may provide post-investigative corrective action, as deemed ap-

propriate by the school. The local school division may implement disciplinary measures according to their policies and procedures.

The Virginia Department of Social Services has been active in training CPS staff about recent legislative changes (see article, this issue for a discussion of the changes). Since the standard for "founding" a case against a teacher has been changed to "willful misconduct" or "gross negligence", CPS workers are being trained to understand these concepts. VCU-VISSTA has updated the training curriculum.

Betty Jo Zarris, Curriculum Development Manager, notes that there is not yet any case law to guide interpretation of the terms "willful misconduct" or "gross negligence" nor has the Attorney General's Office provided guidance. "What we were able to do is examine how the term is applied in other settings. We then have the workers explore the concept and what it might mean in a school setting." The training program now has an activity to help workers become familiar with the concept. Zarris says they begin with a similar concept that workers are already trained to handle, the concept of "other than accidental means". The workers become familiar with the new terminology and how it might be indicated in a complaint against school personnel. "We encourage them to staff these cases, usually with the local agency attorney," she notes.

Virginia Legislative Changes

continued from page 7

against teachers and out-of-home providers were more complex and required additional worker training and experience. Therefore, having them investigated by a regional specialist was preferred," she explained. "We also learned that the 45-day time frame was too long to have teachers and school personnel on leave, awaiting the results. We recommended a more expedited time frame."

Ms. Timoney said the committee also created a brochure for teachers and administrators to educate them about the investigation process. The Virginia Department of Social Services has printed the brochure and it is available free of charge.

The committee's task this year is to examine the effects of the legislative change. Ms. Timoney is not convinced that the law will cause change. The committee is planning to examine the reports and to learn how many of the reports alleged lack of supervision, how many involve injuries to students, how many involve injuries to teachers, whether or not other children were being harmed by the complaining child, and how many complaints involve special education students. "We don't

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Jennifer Rotz

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Robert Shoop

Lacy Smith

know what the impact will be. That's why we need data," explains Timoney.

Questions about the Out-of-Family Advisory Group can be addressed to Maria Timoney at Southwest Virginia Legal Aid. Society, 227 W. Cherry Street, Marion, VA 24354, (276) 783-8300 Ex 214, E-mail: maria@svlas.org or to Nan McKenney, Policy Specialist, Virginia Department of Social Services, 7 North 8th Street, Richmond, VA 23219-1849, (804) 726-7569 or Pat Regnerth, support staff to the committee, (804) 726-7905.

Corporal Punishment in Schools

continued from page 5



the immediate school environment such as teacher demands or student provocation. If antecedents are not addressed, it is more likely that problem behaviors will reoccur.

After considering the findings of a functional assessment of antecedents, the selection of response or intervention is guided by the principle of "least restrictive alternative."

The alternative that is least restrictive of student space or personal freedom is chosen.

Next, there needs to be a way to teach or reinforce positive and appropriate behaviors. The student's range of acceptable behaviors should be increased. Finally, the student's progress should be monitored. For a more restrictive or a more punitive strategy to be used, the data should show that the less restrictive method has not been effective.

Summary

There are a number of proactive methods to prevent maltreatment of children and youth in schools. Administrators and personnel directors can utilize hiring practices designed to detect effective teachers who have skills to foster a positive social climate and promote the growth of social competence in children.

Schools can adopt effective school discipline programs that are comprehensive and consistent. They should include preventative strategies for promoting a positive school climate, self-discipline, and socially responsible behaviors. Positive, whole-school approaches to discipline can be enhanced by anti-bullying efforts and character education. Readers can see VCPN, volume 75 for a review of bullying in schools.

School discipline programs should contain clear rules and expectations as well as overlapping methods to inform parents and students about school conduct codes. Students with ongoing or more serious discipline problems need remediation programs. Discipline policies should be reviewed and updated using research on the most effective practices.

The late Irman Hyman reflected on 20 years of efforts to eliminate corporal punishment in schools. He wrote in 1996, "Since we know that corporal punishment too often leads to excesses, and since we have a multitude of effective positive approaches, what is the worst thing that would happen if all Americans stopped hitting children in any setting? The same children who are hit for misbehavior would continue that misbehavior and other ineffective punishments would be used. Most parents and teachers would discover what behavioral scientists already know. A combination of reward, positive motivational techniques and appropriate, nonphysical punishments would prevent most misbehavior. Other factors being equal, in the next generation, rates of childhood aggression and child abuse would drop dramatically, since corporal punishment would not be considered a viable and automatic reaction to misbehavior. Not bad for giving up something that has never been supported by the majority of those who study discipline in homes and schools. This is the message researchers and practitioners should actively convey to parents, policy makers and the media." (p. 821).

References Available Upon Request

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